

S. HRG. 113-631

# *Senate Hearings*

*Before the Committee on Appropriations*

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Department of the Interior,  
Environment, and  
Related Agencies  
Appropriations

*Fiscal Year* 2015

113<sup>th</sup> CONGRESS, SECOND SESSION

H.R. 5171

DEPARTMENT OF AGRICULTURE  
DEPARTMENT OF THE INTERIOR  
ENVIRONMENTAL PROTECTION AGENCY  
NONDEPARTMENTAL WITNESSES

Department of the Interior, Environment, and Related Agencies Appropriations, 2015 (H.R. 5171)

**DEPARTMENT OF THE INTERIOR, ENVIRONMENT,  
AND RELATED AGENCIES APPROPRIATIONS  
FOR FISCAL YEAR 2015**

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**HEARINGS**  
BEFORE A  
SUBCOMMITTEE OF THE  
COMMITTEE ON APPROPRIATIONS  
UNITED STATES SENATE  
ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

ON

**H.R. 5171**

AN ACT MAKING APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015, AND FOR OTHER PURPOSES

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**Department of Agriculture  
Department of the Interior  
Environmental Protection Agency  
Nondepartmental Witnesses**

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Printed for the use of the Committee on Appropriations



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U.S. GOVERNMENT PUBLISHING OFFICE

87-250 PDF

WASHINGTON : 2015

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**DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2015**

WEDNESDAY, MARCH 26, 2014

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The subcommittee met at 9:19 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Jack Reed (chairman) presiding.

Present: Senators Reed, Feinstein, Leahy, Johnson, Tester, Udall, Merkley, Begich, Murkowski, Cochran, Alexander, Blunt, Hoeven, and Johanns.

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

STATEMENT OF HON. SALLY JEWELL, SECRETARY

ACCOMPANIED BY:

HON. MIKE CONNOR, DEPUTY SECRETARY

HON. RHEA SUH, ASSISTANT SECRETARY, POLICY, MANAGEMENT AND BUDGET

PAMELA K. HAZE, DEPUTY ASSISTANT SECRETARY, BUDGET, FINANCE, PERFORMANCE AND ACQUISITION

OPENING STATEMENT OF SENATOR JACK REED

Senator REED. Let me call the hearing to order. We will follow the early bird rule in recognizing my colleagues who are here, and we will have 6-minute rounds. And I want to welcome the Secretary and her colleagues.

This is our first budget hearing of the year. It is a hearing to discuss the fiscal year 2015 budget of the Department of the Interior. I am very pleased to welcome Secretary Sally Jewell before the subcommittee this morning.

Madam Secretary, we have a lot of ground to cover with your budget request, and we are looking forward to hearing you articulate your priorities for the Department.

I would also like to recognize the Department's new Deputy Secretary, Mike Connor, who was unanimously confirmed by the Senate on February 27. Mr. Connor is a former commissioner of the Bureau of Reclamation. He is also an alumnus of the Senate Committee on Energy and Natural Resources. This is his first time testifying before the Interior subcommittee of the United States Senate in his new role.

And welcome, Mr. Connor.

Finally, I would like to recognize Ms. Rhea Suh, Assistant Secretary for Policy, Management and Budget; and Ms. Pam Haze, her deputy.

We are happy to have you here before us, and we value the day-to-day work that we do with you and your terrific budget staff very much.

Turning to the Department's budget request, the discretionary total funded by the subcommittee increases by about 1 percent over fiscal year 2014, for a total of \$10.6 billion. It is a relatively flat budget.

Including the administration's new disaster cap proposal for firefighting, however, the total budget increases by almost 4 percent for a total of \$10.8 billion.

I am hopeful that providing a new framework for firefighting funding will prevent the Department from running out of funds before the end of the fiscal year and having to borrow from other programs. I am also hopeful that it will prevent the subcommittee from being forced to make difficult cuts to other priorities to pay for emergency firefighting.

It is worth noting that in fiscal year 2014, we provided \$3.9 billion for firefighting, including \$600 million to pay for fire expenses from the prior year. We acted similarly in the fiscal year 2013 continuing resolution, where we provided more than \$400 million for the fire expenses from the previous year.

Congress was forced to pay for these additional costs with our regular discretionary appropriations because we did not have access to disaster funding. This means that, in the last 2 years, we have had to reallocate resources from other discretionary programs to pay for emergency firefighting activities.

Paying for firefighting has meant less for water and sewer projects, Land and Water Conservation Fund programs, resource conservation, improvements to energy permitting, and all the other activities we fund through this bill.

I am very pleased to see that the President has focused on this issue and has included a new budget framework to alleviate some of the difficulties we face.

I understand that this proposal would designate a portion of the fire funding to be disaster-related and, therefore, fall under the budgetary spending cap for disaster.

I am looking forward to hearing your testimony on how we can expect this new funding stream to work, Madam Secretary.

I am looking forward to discussion on the legislative strategy necessary to make disaster funding available to this subcommittee.

The budget also contains modest increases to fund fixed costs that Interior bureaus invest in science and research programs and fund tribal priorities. I am pleased that it provides \$40 million in discretionary funding to fund improvements in programs for national parks, as we gear up for the Park Service's centennial in 2016.

This amount includes a \$10 million request to reinvigorate the Centennial Challenge grant program and leverage non-Federal investments to improve park facilities and visitor services.

Finally, I am particularly pleased that your budget request contains a \$51 million request to fund youth education and employment programs to fund efforts to, in your words, Madam Secretary, play, learn, serve, and work. I know this initiative is personally important to you, Madam Secretary, and I look forward to hearing more from you about it this morning.

And before we get started, let me turn to my ranking member, Senator Murkowski, for her remarks.

Senator Murkowski.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman.

Good morning, Madam Secretary.

Good morning, and I, too, echo the chairman's comments in welcoming you to your new position, Mr. Connor. I know you have a lot of work to do there, and we appreciate that.

Ms. Suh, Ms. Haze, also welcome to the committee.

Fellow colleagues, I have asked the chairman for a bit of indulgence this morning in perhaps going a little bit longer in my opening statement than I otherwise would.

I have had an opportunity to speak with the Secretary about an issue that is very close and very personal to me; to the people of King Cove, many of whom I know you have had a chance to visit with yesterday and who are here today; but truly, to the people of Alaska.

And while I will direct most of my questions to the specifics within the budget, I wanted to take this opportunity as part of my opening statement to speak to an issue that has galvanized Alaskans, not just during this year with the recent decision made by the Secretary, but truly for the past several decades as the people of King Cove have sought an answer to their quest for a simple road to safety.

Secretary, I will never forget the telephone conversation that you and I had on December 23 when I was sitting in the parking lot of the Fred Meyer store, waiting to go in and get gift wrap and other sundry things for the Christmas holidays. And you told me at that time that you were rejecting the lifesaving gravel access road to King Cove.

I told you at that time and I have repeated, I cannot convey in words adequate to describe the frustration, the anger, the sadness with which I received that decision, how disheartened I knew the people of King Cove would be.

And adding insult to injury, the fact that it was delivered the day before Christmas Eve, what should have been a joyous holiday time for the people of this small community, a break from the political rhetoric that goes on, it ruined the holidays for, certainly, the people of King Cove, certainly put a damper on all that I was doing, knowing how the people were going to bear the weight of this decision.

I will never ever understand the timing of the decision, and I am still trying to reconcile the reasons behind your decision.

I know, as I mentioned, the folks that are here from King Cove that have traveled over 4,000 miles to be here, to try to speak with you after many attempts and opportunities to discuss this issue. I

am not certain that they feel any more convinced today than they have been about the prospects that they have as a people fighting for a small road up against an administration and a decision that seemingly makes no sense whatsoever.

For my colleagues here, and those in the audience that may be unfamiliar with the history of this issue, with the Omnibus Public Land bill of 2009, we authorized the Interior Department to transfer over 60,000 acres of State and private land to the Izembek Refuge.

And we did this in exchange for just over 200 acres. It was 206 acres of Federal land. This is a 300 to 1 exchange. A 300 to 1 exchange that had been negotiated with the folks from Fish and Wildlife, that had been negotiated with the native people of King Cove, with individuals from the State, with the delegation.

It was a pretty remarkable exchange. And this was all done to provide the 965 residents of the King Cove community a safe and reliable access to the all-weather airport in Cold Bay, the second longest runway in the State of Alaska, built after World War II. And the exchange was not only extraordinarily lopsided, but what the people of King Cove agreed to was that they would not use this road for commercial purposes, because there were some who suggested that the processing facility there might want this road to make money. They agreed that it would be used for noncommercial use.

So imagine, if you will, a 10-mile, one-lane, gravel, noncommercial-use road with barricades or cordons on either side, so that you cannot move off the road. Pretty specific road. That is it. It is not a major highway. We are not even going to pave it.

King Cove is a community with a clinic, no hospital, no doctor. Residents have to fly from Cold Bay more than 600 miles to get to Anchorage where a hospital that can handle critical medical procedures exists.

But the problem that we have in King Cove is that weather and very difficult geography doesn't allow for reliable access from the community of King Cove to Cold Bay, so that these flights are often canceled, weathered out, just don't happen.

Since the decision was made December 23, there have been seven emergency medevacs out of King Cove, including four that have been performed by the Coast Guard.

Just about a week and a half ago, there were two medevacs conducted in one day, a fisherman who had been crushed by a crab pot, crushed his pelvis and both legs. He was taken to the clinic there in King Cove, and while he was in the clinic, discovers that a 1-month-old infant who was there in respiratory distress and also needs to be medevaced out, that it is his son.

So we have a father and a son in the clinic, waiting for evacuation. Through the grace of God and the bravery, the bravery, of the Coast Guard and the other responders, that dad and his baby are doing fine.

The 63-year-old woman who was medevaced out by the Coast Guard on Valentine's Day, who was suffering heart conditions, is also doing fine.

But as the Coast Guard will describe, and as the video describes, the conditions that the Coast Guard responded to were truly, truly life-threatening.

Every Coast Guard flight risks the lives of at least four Coast Guard men and women, not to mention the patient that they are trying to evacuate.

In the situation of the father and his young son, they had to wait hours. Sometimes folks have to wait days to receive these emergency medical evacuations.

It is not without cost. It is not without risk. Each one of these Coast Guard evacuations costs a minimum of \$210,000 to go from Cold Bay to King Cove.

Those are taxpayer dollars. Those are Coast Guard men and women's lives at risk. And they take on the humanitarian issue and mission because that is who they are. But it is not the mission of the Coast Guard to provide for evacuation services to an airport for the residents of King Cove.

There is a safe and easy way to help our fellow citizens. And the only thing that is standing in the way is our own Federal Government's decision to place a higher value on the birds than it does on the health and safety of my State's citizens. And that is simply wrong.

Madam Secretary, your Department claims to honor the trust responsibility, and to improve the lives of our Alaskan natives, including the majority Aleut residents in King Cove. But the decision that you made in December flies in the face of this responsibility.

The notion from your Department that you must protect Alaska from Alaska natives, our first people, is insulting. And that is the way that Alaskans feel. We feel insulted that we cannot care for the land and the animals and the birds, and still provide for a safe, reliable access.

The people of King Cove have been living in this area for thousands of years. They rely on the birds. They rely on the wildlife. They have been stewards long before there was ever a refuge, long before there was ever a wilderness.

When you announced your decision in December, you recognized the need for reliable methods of emergency transport from King Cove. You reaffirmed the Department's commitment to "assist in identifying and evaluating options that would improve access to affordable transportation and health care."

But, Madam Secretary, we have seen none of this. I did not hear any clear direction from you yesterday when we met. I asked Assistant Secretary Suh during your confirmation hearing last month whether you could name an action, any one single action, that you or anyone at Interior has taken to protect the health and safety of King Cove residents since the road was rejected in December. I have seen nothing.

The passage of time on this issue has not lessened my passion to see justice for the people of King Cove.

I will not get over this issue. I am also unwilling to allow your Department to do nothing to help the Alaskans that it has promised to assist who, at this point, I believe we are seeing only further imperiled. Seven medevacs since the first of January.

I think my colleagues need to know, I think the administration needs to know, I think, Secretary Jewell, you know very clearly, I will do everything, everything in my power for as long as I am here, to enable the people of King Cove to receive proper emergency access that the rest of us take for granted.

If you are not going to reverse the decision that you announced on December 23, I believe that the least you can do is reopen the record of decision in order to reconsider the issue, because you need to know that I will not stand by and watch as more Alaskan lives are put at risk, put at risk, potentially, to die. I will not let this issue die.

When I spoke before the Alaska Legislature in February, I spoke with great passion about this issue. Alaskans are very passionate about this issue. And I said maybe I need to channel my inner Ted Stevens, and everybody laughed, because they knew what that meant.

When Ted was really agitated, and really going to let nothing stand in his way, he would wear his Hulk tie. Today, I have a Hulk scarf on, and I don't typically engage in much drama. I am not a message person. I am a person who wants to get something done.

But I need you to carry the message to this administration that this road is nonnegotiable, that the health and safety of the people of King Cove is nonnegotiable. And that I will do everything, everything within my power, to make sure that the needs of these people are taken care of and put first, put first, because that is my charge, to take care of the people of the State of Alaska, for whom I work.

Madam Secretary, as we discussed yesterday, it is important. It is important for you, it is important for me, and is important for my State, that we are able to work on issues together.

I am not an unreasonable woman, and I believe you want to do right as well, and you have an opportunity to demonstrate that. And I would hope, again, that you would look at the facts, you would listen to the people of King Cove, you would listen to Alaskans, and you would listen to your heart in doing the right thing.

I look forward to discussing some of the issues within your budget during our questions. But it was too important for the people that I represent that I take this time this morning to make very clear for the record, for my colleagues, for you, and for the administration, that we are not done with this issue.

With that, Mr. Chairman, I appreciate the time.

Senator REED. Thank you very much, Senator.

Do any of my colleagues have very brief opening comments? Your statements will be made part of the record, by unanimous consent.

If there are no opening statements, let me recognize Secretary Jewell.

Madam Secretary.

#### SUMMARY STATEMENT OF HON. SALLY JEWELL

Secretary JEWELL. Thank you very much, Mr. Chairman, Ranking Member Murkowski, and members of the subcommittee. I really appreciate you being here, and willingness to talk through the budget of the Department of the Interior, and for the effective way in which you represent your constituents from your various States.

It has been a pleasure getting to know all of you in this almost 1 year that I have been in this position.

For Senator Murkowski and Senator Begich, I do appreciate the commitment that you have to the citizens of the State of Alaska, and I understand your advocacy.

I appreciated our meeting yesterday morning, Senator Murkowski, and Senator Begich, our meeting yesterday afternoon with the residents of King Cove. I, certainly, through the 300 or so meetings and consultations that my Department has had on the King Cove issue continue to be a listener and look at the facts throughout this whole process.

I appreciate the passion you have expressed, and I also appreciate the people who have traveled so many miles to be at this hearing today.

I have with me, as you recognized, my newly minted Deputy Secretary. We appreciate your support for Mike in this position.

One of the biggest issues that we face throughout the West is drought, severe drought. Mike is not only an expert in that, having been Commissioner of the Bureau of Reclamation, but many other topics as well.

Rhea Suh, Assistant Secretary for Policy, Management and Budget, the Department's Chief Financial Officer, has done a terrific job these last 5 years in very complicated times for budgets, ably assisted by Deputy Assistant Secretary Pam Haze and the crew.

I also want to recognize Rachael Taylor and Leif Fønnesbeck for your support of this committee and my team as we work together.

It has been about a year since I met with you. It was an interesting year, 2013, with the sequestration and the shutdown. I want to express my sincere appreciation for a budget for 2014 that brings clarity and certainty to my teammates, even if the numbers are tight.

Today, as we present our 2015 budget, I am going to share a few highlights and focus on areas of interest, I believe, to the subcommittee.

First, from a big picture standpoint, it is a solid budget. It is responsible. It makes smart decisions in Interior's missions. It is within the budget caps agreed to by the Bipartisan Budget Act.

#### WILDLAND FIRE

In total, including this subcommittee's oversight and some others, the budget is \$11.9 billion. As Senator Reed mentioned, it is an increase of \$275 million, or 2.4 percent, from 2014, but of that, \$240 million is for emergency fire suppression.

It is a new and prudent budget framework to ensure adequate funding to suppress severe catastrophic fires. I was just at the National Interagency Fire Center with Senator Merkley, Senator Wyden, Senators Crapo and Risch, to talk about this program.

What we are doing is proposing to change how fire suppression costs are budgeted to treat extreme fire seasons in the same way as other natural disasters. We believe it is prudent and logical to do that.

What is in the President's budget is very similar to what has been proposed by Senators Wyden and Crapo and in companion

legislation in the House to balance post-fire remediation, fuels removal, like hazardous fuels, and suppression on a year-in, year-out basis, so we are not raiding these funds. It is modeled on the Federal Emergency Management Disaster Relief Program.

There are no additions to the Federal Emergency Management Agency (FEMA) Disaster Relief program. It is all done within the disaster cap. We believe very strongly that it needs to go forward, and we will be working alongside you on the legislation to enable that.

#### INDIAN AFFAIRS

Next I want to say that presentation of a robust program for American Indians and Alaskan natives has been a key goal for me. This budget includes full funding for estimated contract support costs, something the tribes have said is critical to them, and enables them to operate their federally funded programs.

It also includes \$11.6 million for a new Tiwahe, or family-based initiative, to address the interrelated problems of poverty, housing, violence, and substance abuse faced by Indian communities, as we have seen in a number of places across the country.

This request is complemented by a proposal for education and economic development in Indian country as part of President Obama's Opportunity, Growth and Security Initiative.

#### LAND AND WATER CONSERVATION FUND

Next I want to turn to the Land and Water Conservation Fund, as the President seeks to fulfill a historic commitment to America's natural and cultural heritage through full and permanent funding for the Land and Water Conservation Fund, as originally envisioned when this legislation was enacted 49 years ago. It was generated to take revenues from offshore oil and gas production and mitigate those impacts through supporting things in every county across the country, like access for hunting and fishing, creating ball fields and other places for kids to play and learn, to acquire land to reduce fragmentation and facilitate efficient land management, to protect Civil War battlefields, and to put conservation easements in place to take care of important habitat for species, while keeping farms and ranches working.

#### NATIONAL PARKS CENTENNIAL

As Chairman Reed mentioned, in 2016, we celebrate the centennial of the National Park Service—obviously, a once in a lifetime event. This budget proposes a robust increase in multiple sources for the National Park system, \$40 million in current appropriations in 2015. \$10 million will be used to match private philanthropy, and there is a lot of private philanthropy interest in the parks. \$30 million to support the visitor experience and critical needs to repair assets in the parks.

We are also proposing a \$1.2 billion permanent investment over 3 years at \$400 million a year to support high-priority projects and further enhance the visitor experience, because we know a lot more traffic will be driven to the parks, both internationally and domestically, through the centennial.

## OPPORTUNITY, GROWTH, AND SECURITY INITIATIVE

The President's Opportunity, Growth, and Security Initiative also adds additional money for the national parks to begin to address the issue of deferred maintenance on national parklands and other public lands.

## YOUTH

As Chairman Reed mentioned, for the health of our economy and our public lands, it is also critical we work now to establish meaningful and deep connections between young people from every background to nature and the great outdoors. The President's budget proposes \$51 million across our bureaus to support partnership programs, hiring, and educational opportunities aimed at youth and veterans between the ages of 18 and 30.

It will also leverage private donations. I have been trying to raise private money to support this and support work with youth and veterans conservation corps, so we get young people connected to our public lands for the future.

## ENERGY

On the topic of energy, the budget proposes the President's national energy initiatives continue to be an area of focus to generate jobs and help the Nation achieve greater energy self-reliance. We have made good progress.

In total, including all sources, the 2015 budget for energy programs is \$753.2 million, just under a \$41 million increase from 2014. It includes funding for both conventional and renewable energy development, basic science and applied research to understand the impacts of development on water, on habitat, on wildlife, and other natural resources.

## LANDSCAPE LEVEL APPROACH

Across the Department, we are taking a landscape level approach to development. We are modernizing programs and practices. We are streamlining permitting, strengthening inspection and enforcement, and ensuring a fair return for the American public.

## SCIENCE

Next, in the field of science, research and development, particularly conducted by the U.S. Geological Survey and other bureaus, is vital to help us understand and address important scientific questions. There is a \$60 million increase in the budget from 2014 to improve our knowledge about issues such as climate change, hydraulic fracturing, Asian carp, white nose syndrome in bats, and other issues.

As an example, Interior's climate science centers are developing regional drought impact scenarios. We are evaluating coastal flooding. We are studying the impacts on the Nation's wildlife and habitats, which will inform our land management decisions.

## WATER

Last but certainly not least, and something that I am comforted having Mike Connor at my side over, is around water. We recognize the challenges of water supplies, especially during this time of extended drought in the West. I am very happy Mike was confirmed by you very recently as Deputy Secretary, because he has a very deep background on these issues.

The 2015 budget will increase our WaterSMART programs around conservation, helping people conserve by \$9.5 million. The Bureau of Reclamation, along with many partners, States, and stakeholders, is working on long-term solutions to address future water supply needs.

## CLIMATE CHANGE

The President also announced a \$1 billion Climate Resilience Fund. The Fund would support research on the projected impacts of climate change, help communities become more resilient, and fund breakthrough technologies.

These efforts are specifically designed to address the challenges of changing climate on water resources.

## PREPARED STATEMENT

So in closing, I look forward to working with you this budget season on these issues. I would be delighted to answer your questions. Thank you very much.

[The statement follows:]

## PREPARED STATEMENT OF HON. SALLY JEWELL

Mr. Chairman and members of the subcommittee, I am pleased to present the 2015 President's budget for the Department of the Interior.

This subcommittee remains an important partner in the accomplishment of Interior's mission and I appreciate our excellent working relationship, which allows us to resolve challenges and take advantage of opportunities. I appreciate the efforts of the subcommittee in the development of 2014 appropriations that alleviated the need for indiscriminate sequester of discretionary funds and minimized legislative riders.

This budget is balanced and responsible and supports Interior's pivotal role as a driver of jobs and economic activity in communities across the country. It enables us to carry out core mission responsibilities and commitments. This budget allows Interior to uphold trust responsibilities to American Indians and Alaska Natives, provides a new approach for responsibly budgeting for wildland fire suppression needs, invests in climate resilience, continues smart and balanced all-of-the-above energy development on and offshore, and bolsters our national parks and public lands in advance of the National Park Service's 100th anniversary in 2016.

Interior's programs and activities serve as economic engines in communities across the Nation, contributing an estimated \$371 billion to the economy in 2012 and supporting an estimated 2.3 million American jobs. Of this total, energy and mineral development on Interior-managed lands and offshore areas generated more than \$255 billion of this economic activity and supported 1.3 million jobs. Recreation and tourism on Interior lands contributed \$45 billion to the economies of local communities and supported nearly 372,000 jobs. Water supply, forage and timber activities, primarily on public lands in the West, contributed more than \$50 billion and supported 365,000 jobs.

The President's 2015 budget for the Department of the Interior totals \$11.9 billion, an increase of 2.4 percent from 2014, which includes a cap exemption for fire emergencies. Without this exemption, Interior's budget totals \$11.7 billion, a 0.3 percent increase, or nearly level with this year's funding.

This budget features three key legislative proposals: a new framework to fund wildland fire suppression requirements; additional investment in the infrastructure

and visitor experience at our National Parks and public lands; and full and permanent funding for the Land and Wildlife Conservation Fund (LWCF). Each of these proposals will significantly enhance our ability to conserve and manage the Nation's public lands.

The budget proposes to amend the Balanced Budget and Emergency Deficit Control Act of 1985, to provide stable funding for fire suppression, while minimizing the adverse impacts of fire transfers on other Interior programs, and allowing Interior to reduce fire risk, manage landscapes more comprehensively, and increase the resiliency of public lands and the communities that border them. In this proposed new framework, \$268.6 million, or 70 percent of the 10-year average for suppression response is funded within the discretionary spending limits and \$240.4 million is available as an adjustment above those limits, if needed based on a challenging fire season. In addition, it does not increase overall discretionary spending, as it would reduce the ceiling for the existing disaster relief cap adjustment by an equivalent amount as is provided for wildfire suppression operations.

In advance of the 100th anniversary of the National Park Service in 2016, the 2015 budget proposes a comprehensive Centennial Initiative investment in the parks and public lands. The funding would provide targeted increases for a multi-year effort to recommit to the preservation of these special places, to invest wisely in the park system's most important assets, to use parks to enhance informal learning, engage volunteers, provide training opportunities to youth, and enhance the National Park Service's ability to leverage partnerships to accomplish its mission.

Finally, the President's budget continues to support full, permanent funding for the Land and Water Conservation Fund, one of the Nation's most effective tools for expanding access for hunting and fishing, creating ballfields and other places for children to play and learn, protecting traditional uses such as working ranches and farms, acquiring inholdings to manage contiguous landscapes, and protecting Civil War battlefields. The 2015 budget proposes total funding of \$900 million for LWCF in Interior and the U.S. Forest Service. Within this total, \$350 million is requested as current funding and \$550 million as part of a permanent funding proposal. Starting in 2016, the proposal would provide \$900 million annually in permanent funding.

Complementing the 2015 budget request is \$346 million identified for Interior programs as part of the President's Opportunity, Growth, and Security Initiative to spur economic progress and promote opportunity. If approved, these investments will enable significant progress to address long-term needs in the areas of national parks and other public lands, research and development, infrastructure and permitting support, climate resiliency, and education and economic development in Indian Country.

The drought in California and other Western States underscores the importance of improving the resilience of communities to the effects of climate change. The President's Opportunity, Growth, and Security Initiative includes a \$1 billion government-wide Climate Resilience Fund to invest in developing more resilient communities, and finding solutions to climate challenges through technology development and applied research. This Fund includes about \$240 million for Interior programs that invest in research and development, assist Tribes and local communities in planning and preparing for extreme weather conditions and events, and support public land managers in landscape and watershed planning to increase resiliency and reduce risks.

#### 2015 BUDGET

The 2015 budget request includes \$10.6 billion in current funding for programs under the jurisdiction of the Interior, Environment and Related Agencies subcommittee. This is a \$104.9 million, or 1 percent, increase compared to 2014. Total funding for the Department includes \$1 billion requested for the Bureau of Reclamation and the Central Utah Completion Act, which are under the jurisdiction of the Energy and Water Development subcommittee.

In addition to the proposals already discussed, the 2015 request sustains support for essential requirements and allows for targeted increases above the 2014 enacted level. Within the overall increase for 2015, \$54.4 million covers fixed cost increases for such things as Federal pay and rent. Reflecting the need to prioritize budget resources, this request includes \$413.3 million in proposed program reductions to offset other programmatic requirements.

Interior programs continue to generate more revenue for the American people than the Department's annual current appropriation. In 2015, Interior will generate estimated receipts of nearly \$14.9 billion, a portion of which is shared with State and local governments to meet a variety of needs, including school funding, infra-

structure improvements, and water-conservation projects. Also included with this request are revenue and savings legislative proposals estimated to generate more than \$2.6 billion over the next decade.

Putting this budget in context, Interior's complex mission affects the lives of all Americans. Nearly every American lives within an hour's drive of lands or waters managed by the Interior Department. In 2012, there were 417 million visits to Interior-managed lands. The Department oversees the responsible development of over 20 percent of U.S. energy supplies, is the largest supplier and manager of water in the 17 western States, maintains relationships with 566 federally recognized Tribes, and provides services to more than 2 million American Indian and Alaska Native peoples.

#### CELEBRATING AND ENHANCING AMERICA'S GREAT OUTDOORS

Throughout American history, the great outdoors have shaped the Nation's character and strengthened its economy. The 2015 budget requests the resources and authorities to care for our public lands and prepare for the future. The budget invests in efforts to upgrade and restore national parks and other public lands areas, while engaging thousands of Americans, including youth, and veterans. The budget strengthens the President's commitment to the America's Great Outdoors initiative with a request of \$5.1 billion in current funding for programs, including the operation of public land management units in the Bureau of Land Management (BLM), National Park Service (NPS) and Fish and Wildlife Service (FWS); the Land and Water Conservation Fund; and grants and technical assistance to States and others. This is an increase of \$127.1 million compared to the 2014 enacted level.

Coupled with these efforts is a historic commitment to America's natural and cultural heritage through Land and Water Conservation Fund programs. The budget includes a 2015 combined request of \$672.3 million (\$246 million discretionary and \$426.3 million mandatory) for Interior's LWCF programs that conserve lands and support outdoor recreation. In current funding, the request for land acquisition is \$147.9 million, with \$39.5 million identified for Collaborative Landscape Planning projects. A total of \$98.1 million is requested in current funding for LWCF conservation grants, including \$48.1 million for LWCF stateside grants.

I could not highlight our stewardship efforts without discussing the upcoming centennial of the National Park Service in 2016. Overall, the Centennial Initiative—including mandatory, discretionary, and Opportunity, Growth, and Security Initiative resources—will allow NPS to ensure that 1,700 (or 20 percent) of the highest priority park assets are restored to good condition. The effort creates thousands of jobs over 3 years, provides over 10,000 work and training opportunities to young people, and engages more than 265,000 volunteers in support of public lands.

The request for the Centennial Initiative proposes a \$40 million increase in current appropriations in 2015, plus an additional \$400 million in permanent funding each year for 3 years. That funding includes \$100 million for a Centennial Challenge to match private philanthropy, \$200 million for National Park Service facilities improvements, and \$100 million for a Centennial Land Management Investment Fund to competitively allocate funds to meet land conservation and deferred maintenance needs among Interior's land-management agencies and the U.S. Department of Agriculture's U.S. Forest Service. The President's Opportunity, Growth, and Security Initiative identifies investments of \$100 million for National Park Service deferred maintenance and an additional \$100 million for the Centennial Land Management Investment Fund.

#### STRENGTHENING TRIBAL NATIONS

Sustaining the President's commitment to tribal sovereignty and self-determination and honoring Interior's trust responsibilities to the 566 federally recognized American Indian and Alaska Native Tribes and more than 2 million people served by these programs, the 2015 budget for Indian Affairs is \$2.6 billion, an increase of \$33.6 million above the 2014 enacted level. The budget invests in: advancing nation-to-nation relationships and tribal self-determination, supporting and protecting Indian families and communities, sustainable stewardship of energy and natural resources, and improving education in Indian Country.

Recognizing this commitment to tribal self-governance and self-determination, the budget fully funds contract support costs Tribes incur as managers of the programs serving Native Americans. The budget requests \$251 million, a \$4 million increase over the 2014 enacted level, to fully fund estimated contract support needs in 2015.

Supporting families and communities, the 2015 budget launches the Tiwahe Initiative, with an increase of \$11.6 million in social services and job training programs to address the interrelated problems of child and family welfare, poverty, violence

and substance abuse in tribal communities. Tiwahe is the Lakota word for “family.” Through this initiative, social services and job training programs will be integrated and expanded to provide culturally appropriate programs to assist and empower families and individuals through economic opportunity, health promotion, family stability, and strengthened communities.

Promoting public safety and tribal community resilience, the 2015 budget request includes resources to build on Bureau of Indian Affairs (BIA) Law Enforcement’s recent successes in reducing violent crime. A pilot program will be implemented to lower repeat incarceration rates in tribally operated jails on three reservations—Red Lake in Minnesota, Ute Mountain in Colorado, and Duck Valley in Nevada—with a goal to materially lower repeat incarcerations. Through an Alternatives to Incarceration Strategy, this pilot will seek to address underlying causes of repeat offenses, such as substance abuse and lack of adequate access to social service support, through intergovernmental and inter-agency partnerships.

The 2015 budget request is complemented by a proposal in the President’s Opportunity, Growth, and Security Initiative to further invest in economic development and education to promote strong, resilient tribal economies and improve educational opportunities in Indian Country.

#### POWERING OUR FUTURE

As part of the President’s all-of-the-above energy strategy to expand safe and responsible domestic energy production, the 2015 budget provides \$753.2 million for conventional and renewable energy programs, an increase of \$40.7 million above the 2014 enacted level. The budget includes measures to encourage responsible, diligent development and a fair return for American taxpayers.

Funding for conventional energy and compliance activities totals \$658.4 million, an increase of \$37.5 million over the 2014 level. Spending from fees and permanent funding related to onshore oil and gas activities increase \$49.1 million from the 2014 level, primarily reflecting a proposal to expand onshore oil and gas inspection activities and to offset the Bureau of Land Management’s inspection program costs to the taxpayer with fees from industry, similar to what the offshore industry now pays.

The budget includes \$169.8 million for the Bureau of Ocean Energy Management and \$204.6 million for the Bureau of Safety and Environmental Enforcement to support domestic energy production, including new leasing, strong safety oversight of offshore operations, enhanced environmental enforcement functions, and expanded training and electronic inspection capabilities.

The 2015 budget includes \$94.8 million for renewable energy activities, a \$3.2 million increase over the 2014 level. This funding maintains the Department’s emphasis on strategic investments to advance clean energy and meet the President’s goal to approve 20,000 megawatts of renewable energy on public lands by 2020 (relative to 2009 levels).

#### ENGAGING THE NEXT GENERATION

The 2015 budget supports a vision to inspire millions of young people to play, learn, serve and work outdoors by expanding volunteer and work opportunities for youth and veterans. The budget proposes \$50.6 million for Interior youth programs, a \$13.6 million or 37 percent increase from 2014.

A key component of the Department’s efforts will be partnering with youth organizations through the 21st Century Conservation Service Corps. The proposed funding includes an increase of \$8 million to expand opportunities for youth education and employment across the National Park Service; an additional \$2.5 million for the Fish and Wildlife Service’s Urban Wildlife Refuges Partnership; and a total of \$4.2 million in Indian Affairs for youth programs including \$2.5 million to engage youth in natural sciences. Support for the National Park Service Centennial will create thousands of jobs, and engage more than 10,000 youth in service and training opportunities and more than 265,000 volunteers.

#### ENSURING HEALTHY WATERSHEDS AND SUSTAINABLE, SECURE WATER SUPPLIES

The 2015 budget addresses the Nation’s water challenges through investments in water conservation, sustainability, and infrastructure critical to the arid western United States and its fragile ecosystems.

The budget includes \$66.5 million for WaterSMART programs in Reclamation and the U.S. Geological Survey, nearly a 17 percent increase from 2014, to assist communities in stretching water supplies and improving water management. In addition to \$1 billion requested for the Bureau of Reclamation within the jurisdiction of the Energy and Water Subcommittee, the budget also requests \$210.4 million for

the U.S. Geological Survey's water programs to provide scientific monitoring, research, and tools to support water management across the Nation. This funding supports the Department's goal to increase by 840,000 acre-feet the available water supply for agricultural, municipal, industrial, and environmental uses in the western United States through water conservation programs by the end of 2015.

Interior extends this commitment to Indian Country, honoring Indian water settlements with investments totaling \$171.9 million in Reclamation and Indian Affairs, for technical and legal support for water settlements. This includes \$147.6 million for implementation of authorized settlements to bring reliable and potable water to Indian communities, more than a 9 percent increase from 2014. Among the investments is \$81 million for the ongoing Navajo-Gallup Water Supply Project, which, when completed, will have the capacity to deliver clean running water to a potential future population of approximately 250,000 people.

#### BUILDING A LANDSCAPE LEVEL UNDERSTANDING OF OUR RESOURCES

The 2015 budget fosters the sustainable stewardship of the Nation's lands and resources on a landscape level. Funding includes increases for scientific monitoring, research and tools to advance our understanding and ability to manage natural resources more effectively, while balancing important conservation goals and development objectives. Reflecting the President's ongoing commitment to scientific discovery and innovation to support decision making for critical societal needs and a robust economy, the budget proposes \$888.7 million for research and development activities across the Department, an increase of \$60.4 million over 2014. This funding will increase understanding of natural resources and the factors impacting water availability, ecosystem and species resiliency, sustainable energy and mineral development, climate resilience, and natural hazard mitigation, among others.

Complementing this budget request are two components of the President's Opportunity, Growth, and Security Initiative: an investment of \$140 million for Interior research and development as part of a Government-wide effort to jumpstart growth spurred by scientific discovery; and investments to address climate resilience to better prepare communities and infrastructure, and enable them to build greater resilience in the face of a changing climate.

In ecosystems across the Nation, Interior will continue to work with local communities to leverage its efforts to improve resiliency and achieve improved environmental and economic outcomes.

#### MAJOR CHANGES IN THE 2015 REQUEST

*Bureau of Land Management.*—The 2015 request is \$1.1 billion, a decrease of \$5.6 million from the 2014 enacted level. The 2015 request assumes the use of \$54.5 million in proposed offsetting fees, which when included provides an effective increase of \$48.9 million above 2014. The 2015 request includes \$954.1 million for the Management of Lands and Resources account, and \$25 million in current appropriations for Land Acquisition, including \$2 million to improve access to public lands for hunting, fishing, and other recreation. The budget proposes \$104 million for Oregon and California Grant Lands, which includes a \$4.2 million decrease in Western Oregon Resource Management Planning, reflecting expected completion of six revised plans in June 2015.

To advance America's Great Outdoors, the request includes \$3.5 million in program increases for recreation, cultural resources, and the National Landscape Conservation System to address the needs of recently designated units, implement travel management plans, improve visitor services, and address a backlog in cultural resources inventory and stabilization needs. The budget request also includes \$4.8 million for Youth programs, an increase of \$1.3 million from 2014, to put more young Americans to work protecting and restoring public lands and cultural and historical treasures.

The BLM continues to support the President's all-of-the-above energy strategy on the public lands including an initiative to encourage smart renewable energy development. The 2015 budget includes \$29.2 million, essentially level with 2014, for renewable energy to continue to aggressively support wind, solar, and geothermal energy development on BLM lands. Complementing this is a \$5 million increase in the Cadastral, Lands and Realty Management program for identification and designation of energy corridors in low conflict areas to site high voltage transmission lines, substations, and related infrastructure in an environmentally sensitive manner.

The 2015 request for Oil and Gas Management, including both direct and fee-funded appropriations, totals \$133.7 million, an increase of \$20.3 million in available program funding from 2014. In 2015, the budget proposes to shift the cost of oil and gas inspection and enforcement activity from current appropriations to in-

spection fees charged to industry. The proposed inspection fees will generate an estimated \$48 million, providing for a \$10 million increase in BLM's inspection and enforcement capability and allowing for a net reduction of \$38 million in requested BLM appropriations. The request for Oil and Gas programs includes increases of \$5.2 million for ongoing rulemaking efforts and to strengthen operations at BLM units and \$4.6 million for oversight and permitting to better keep pace with industry demand and fully implement leasing reforms.

In 2015, BLM will release six rapid eco-regional assessments, in addition to four planned for 2014. The BLM will conduct training on the use of the data from these assessments and will work with a number of Landscape Conservation Cooperatives to begin development of regional conservation strategies. The budget includes an increase of \$5 million for Resource Management Planning to implement BLM's enterprise geographic information system and address high priority planning. The 2015 budget maintains a \$15 million increase to implement sage grouse conservation and restoration measures to help avoid the need for a future listing of the species for protection under the Endangered Species Act.

Other program increases include \$2.8 million in the Wild Horse and Burro program to implement recommendations of the National Academy of Sciences regarding population control; and \$2.8 million in Abandoned Mine Lands to implement remediation plan efforts at Red Devil Mine in Alaska. The request includes \$19 million for the Alaska Conveyance program. Although a decrease of \$3.1 million from 2014, this funding coupled with efficiencies from an improved cadastral method, plots a course to complete all surveys and land transfers in 10 years.

A proposed grazing administration fee will enhance BLM's capacity for processing grazing permits. A fee of \$1 per animal unit month, estimated to provide \$6.5 million in 2015, is proposed on a pilot basis. This additional revenue more than offsets a decrease of \$4.8 million in appropriated funds in Rangeland Management, equating to a \$1.7 million program increase to help address the grazing permit backlog.

*Bureau of Ocean Energy Management.*—The 2015 operating request is \$169.8 million, including \$72.4 million in current appropriations and \$97.3 million in offsetting collections. This is a net increase of \$3.4 million in current appropriations above the 2014 enacted level.

The 2015 budget maintains a strong offshore renewable energy program at essentially the 2014 level of \$23.1 million for the total program. In 2013, the Bureau of Ocean Energy Management (BOEM) held the first competitive Outer Continental Shelf (OCS) renewable energy lease sales, issued five other non-competitive commercial offshore wind energy leases, and approved the construction and operations plan for the Cape Wind project offshore Massachusetts.

Offshore conventional energy programs also remain essentially level with 2014, with a total of \$49.6 million in 2015. In 2013, BOEM held three sales generating over \$1.4 billion in high bids, and three additional lease sales are scheduled during calendar year 2014. The request of \$65.7 million for Environmental Programs includes an increase of \$2.5 million for work on a Programmatic Environmental Impact Statement for the next Five-Year Program (2017–2022) for oil and gas leasing on the OCS.

*Bureau of Safety and Environmental Enforcement.*—The 2015 budget request is \$204.6 million, including \$81 million in current appropriations and \$123.6 million in offsetting collections, an increase of \$2 million from 2014. The request for offsetting collections assumes \$65 million from offshore oil and gas inspection fees. The 2015 request allows Bureau of Safety and Environmental Enforcement (BSEE) to continue to strengthen regulatory and oversight capability on the OCS and maintain capacity in regulatory, safety management, structural and technical support, and oil spill response prevention.

The budget includes \$189.7 million for Offshore Safety and Environmental Enforcement, an increase of \$2.4 million. The request includes a program increase of \$0.9 million to evaluate and test new technologies and update regulations to reflect improved safety and oversight protocols. Funding for Oil Spill Research is maintained at the 2014 level of \$14.9 million.

*Office of Surface Mining.*—The 2015 budget request for the Office of Surface Mining is \$144.8 million, a decrease of \$5.3 million from the 2014 enacted level. This includes a decrease of \$13.4 million in grants to States and Tribes to encourage these regulatory programs to recover a larger portion of their costs from fees charged to the coal industry, and an increase of \$4 million to provide additional technical support to State and tribal regulatory programs. The budget also includes an increase of \$1.9 million for applied science to advance reclamation technologies. This request proposes \$116.1 million for Regulation and Technology funding, \$28.7 million for Abandoned Mine Reclamation Fund activities, and an additional \$1.9 million in offsetting collections from recovered costs for services.

*U.S. Geological Survey.*—The U.S. Geological Survey (USGS) budget request is \$1.1 billion, \$41.3 million above the 2014 enacted level. The President’s budget reflects the administration’s commitment to investing in research and development to support sound decision making and sustainable stewardship of natural resources. This includes science, monitoring, and assessment activities critical to understanding and managing the ecological, mineral, energy, and water resources which underlie the prosperity and well-being of the Nation. The budget includes increases for priorities in ecosystem restoration, climate adaptation, invasive species, environmental health, and earth observations. Funding provides increased support to enhance sustainable energy development, address water resource challenges, increase landscape level understanding of the Nation’s natural resources, and the Scientists for Tomorrow youth initiative.

To support sustainable management of water resources, the USGS budget includes increases totaling \$6.4 million for WaterSMART programs. This includes increases for State water grants, regional water availability models, and the integration and dissemination of data through online science platforms. The budget includes increases of \$2.4 million to support implementation of the National Groundwater Monitoring Network and \$1.2 million for the National Streamflow Information Program for streamgages to strengthen the Federal backbone at high priority sites sensitive to drought, flooding, and potential climate change effects.

To better understand and adapt to the potential impacts of a changing climate, the USGS budget invests in research, monitoring, and tools to support improved resilience of natural systems. The National Climate Change and Wildlife Science Center and Department of the Interior (DOI) Climate Science Centers (CSC) are funded at \$35.3 million, an increase of \$11.6 million from 2014. This includes an increase of \$3 million for grants focused on applied science and information needed by resource managers for decision making at regional levels. An increase of \$2.3 million will enhance the leveraging of these investments with other Federal climate science activities and make the scientific information and products developed through these programs available to the public in a centralized, Web-accessed format. Program increases of \$2.5 million will support applied science and capacity-building for tribal climate adaptation needs in the CSC regions, and \$3 million will support additional research in drought impacts and adaptive management.

The USGS budget invests in providing critical data and tools to promote understanding and managing resources on a landscape scale. Program increases in the National Geospatial Program include \$5 million for the 3-Dimensional Elevation Program to collect Lidar data to enhance science and emergency response activities, resource and vulnerability assessments, ecosystem based management, and tools to inform policy and management. An increase of \$1.9 million is requested for modernization of The National Map, which provides critical data about the Earth, its complex processes, and natural resources. The 2015 budget includes a \$2 million increase for the Big Earth Data initiative to improve access to and use of data from satellite, airborne, terrestrial, and ocean-based Earth observing systems. These investments will provide benefits in natural resource management and hazard mitigation, by improving access to critical information.

To support the sustainable development of energy resources, the USGS budget includes \$40.7 million for conventional and renewable energy programs, \$8.1 million above the 2014 enacted level. A program increase of \$1.3 million will be used to study geothermal resources and build on ongoing work on wind energy impacts. The request includes \$18.6 million, \$8.3 million over 2014, to support research and development to better understand potential impacts of energy development involving hydraulic fracturing. Conducted through an interagency collaboration with the Department of Energy and Environmental Protection Agency, this work addresses issues such as water quality and quantity, ecosystem, community, and human health impacts, and induced seismicity. Funding for other conventional energy programs, including oil, gas, and coal assessments, totals \$15.6 million.

Supporting the sustainable management and restoration of ecosystems, the 2015 budget includes \$162 million for ecosystems science activities, \$9.2 million above the 2014 enacted level. Program increases include \$2 million for research on new methods to eradicate, control, and manage Asian carp in the Upper Mississippi River Basin and prevent entry into the Great Lakes. Increases of \$2.5 million are provided for ecosystem restoration work in the Chesapeake Bay, California Bay-Delta, Columbia River, Everglades, and Puget Sound. Another \$2 million will support the science and integration of ecosystems services frameworks into decision making and efforts to assess and sustain the Nation’s environmental capital. Program increases totaling \$1.8 million will address native pollinators, brown treesnakes, and new and emerging invasive species of national concern.

Supporting understanding, preparedness, and mitigation of the impacts of natural hazards, the budget provides \$128.3 million for Natural Hazards activities, which is essentially level with 2014. This activity provides scientific information and tools to reduce potential fatalities, injuries, and economic loss from volcanoes, earthquakes, tsunamis and landslides, among others. The 2015 budget includes an increase of \$700,000 in Earthquake Hazards for induced seismicity studies related to hydraulic fracturing.

*Fish and Wildlife Service.*—The 2015 Fish and Wildlife Service budget includes \$1.5 billion in current appropriations, an increase of \$48.8 million above the 2014 level. This includes America's Great Outdoors related increases of \$71.7 million in the Resource Management account. Among the increases proposed are: \$6.6 million to address increased workload in planning and consultation for energy transmission and other projects, \$7.7 million for cooperative efforts to recover imperiled species, \$4 million to support conservation of the greater sage grouse across 11 western States, \$2 million to investigate crimes and enforce laws that govern the Nation's wildlife trade, and \$2.5 million to establish an Urban Wildlife Refuge Partnership program. This effort will encourage city dwellers to enjoy the outdoors by creating stepping stones of engagement to connect them to the outdoors on refuges and partner lands, through experiences which build on one another.

Funding for FWS grant programs, with the exception of State and Tribal Wildlife Grants, remain level with 2014. In 2015, funding for State and Tribal Wildlife Grants totals \$50 million. The request also includes \$55 million for Land Acquisition and \$15.7 million for Construction. In addition to direct appropriations, an estimated \$1.3 billion will be available under permanent appropriations, most of which will be provided directly to States for fish and wildlife restoration and conservation.

The budget proposes \$16.7 million, an increase of \$2.5 million, for activities associated with energy development. Of this increase, \$1.4 million supports scientific research into the impacts of energy transmission and development infrastructure on wildlife and habitat. The research will identify potential impacts associated with the development of energy infrastructure and strategies to minimize the impacts on habitat and species. An increase of \$1.1 million for the Ecological Services Planning and Consultation program supports assessments of renewable energy projects proposed for development.

The budget request for the Resource Management account continues support for key programs with program increases of \$65.8 million above 2014. The request provides \$252.2 million in Ecological Services to conserve, protect, and enhance listed and at-risk species and their habitat, an increase of \$30.3 million. Within this request are increases of \$4 million to support conservation of the greater sage grouse across 11 western States and \$10.5 million to implement other species recovery actions.

The request includes funding within Law Enforcement and International Affairs to combat wildlife trafficking. The budget provides \$66.7 million for the law enforcement program to investigate wildlife crimes, enforce the laws governing the Nation's wildlife trade, and expand technical forensic expertise, with program increases of \$2 million over 2014.

The budget includes \$138.9 million for Fisheries and Aquatic Resource Conservation, a program increase of \$8.2 million. Within this request is \$48.6 million for operation of the National Fish Hatchery system to address top priorities, an increase of \$1.9 million for fish hatchery maintenance, and \$4.4 million to prevent the spread of Asian carp in the Missouri, Ohio, upper Mississippi Rivers, and other high priority watersheds.

Funding for Cooperative Landscape Conservation activity is \$17.7 million, an increase of \$3.2 million, and funding for Science Support is \$31.6 million, an increase of \$14.4 million. The budget supports applied science directed at high impact questions to mitigate threats to fish and wildlife resources, including \$2.5 million to address white nose syndrome in bats, and an increase of \$1 million to study biological carbon sequestration.

The 2015 budget proposes to eliminate the current funding contribution to the National Wildlife Refuge fund, a reduction of \$13.2 million below 2014. An estimated \$8 million in permanent receipts collected and allocated under the program would remain available to counties. The budget also proposes cancellation of \$1.4 million in prior year balances from the Landowner Incentive and Private Stewardship Grant programs, which have not received new budget authority in several years.

*National Park Service.*—The 2015 budget request for NPS of \$2.6 billion is \$55.1 million above the 2014 enacted level.

In 2015, a total of \$2.5 billion is requested for NPS as part of America's Great Outdoors. This includes \$2.3 billion for park operations, an increase of \$47.1 million over 2014. Within this increase is \$30 million to support the NPS Centennial Initia-

tive. The Centennial increase includes \$16 million for repair and rehabilitation projects to improve high priority projects throughout the parks, \$8 million in competitively managed funds to support enhanced visitor services in the areas of interpretation and education, law enforcement and protection, and facility operations, \$4 million for 21 CSC youth work opportunities to engage youth in service and conservation projects, and \$2 million to support expanded volunteer opportunities at the parks. Across these Centennial increases, the budget provides an \$8 million increase for youth engagement and employment opportunities, and continues the NPS' efforts to attract qualified veteran candidates to fill Federal positions. The request for Park Operations also includes increases of \$15.7 million for increased fixed costs and \$2 million to support new park units.

Also in preparation for the Centennial anniversary of the parks, the 2015 request includes \$10 million in a separate account for Centennial Challenge projects. This funding will provide a Federal match to leverage partner donations for signature projects and programs at the parks. This program will be instrumental in garnering partner support to prepare park sites across the country for the centennial and through the second century of the NPS.

The 2015 request for the Historic Preservation Fund is \$56.4 million, level with 2014. Of this total, \$46.9 million is requested for grants-in-aid to States and Territories, \$9 million for grants-in-aid to Tribes, and \$500,000 to be awarded competitively to address communities currently underrepresented on the National Register of Historic Places.

The budget includes \$52 million within the National Recreation and Preservation account, which includes \$10 million for the Rivers, Trails, and Conservation Assistance program, essentially level with 2014, and \$1.2 million for American Battlefield Protection Program assistance grants, also level with 2014. The request includes a program reduction of \$9.1 million from Heritage Partnership programs to encourage self-sufficiency for these non-Federal organizations.

Programs funded out of the Land and Water Conservation Fund are a key component of America's Great Outdoors. The budget requests \$104 million for the Land Acquisition and State Assistance account, an increase of \$5.9 million. This includes \$48.1 million for the State Conservation Grants program, level with 2014, and \$55.9 million for NPS Federal land acquisition, a programmatic increase of \$5.8 million. Of this amount, \$13.2 million supports Collaborative Landscape projects in the California Southwest Desert and areas within the National Trails System.

Funding for Construction totals \$138.3 million, essentially level with 2014. Of this amount, the budget includes \$61.7 million for line-item construction projects, a \$1.1 million program increase compared to 2014. The request includes \$6.7 million to reconstruct the historic cave tour trails in Mammoth Cave National Park and \$3.9 million to stabilize and repair exterior walls of the historic Alcatraz prison cell house at Golden Gate National Recreation Area.

*Indian Affairs.*—The 2015 budget includes \$2.6 billion for Indian Affairs programs, an increase of \$33.6 million from the 2014 enacted level. This includes an increase of \$33.8 million for Operation of Indian Programs; and level funding of \$35.7 million for Indian Land and Water Claim Settlements, \$109.9 million for Construction, and \$6.7 million for the Indian Guaranteed Loan program.

Within the Operation of Indian Programs, the budget includes full funding of \$251 million for Contract Support Costs and the Indian Self-Determination Fund, an increase of \$4 million from 2014. Consistent with the 2014 Operating Plan, the 2015 request provides full funding based on the most current estimated need. The availability of contract support cost funding is a key factor in tribal decisions to assume responsibility for operating Federal programs important to the furtherance of self-governance and self-determination. To further facilitate Tribal 638 Contracting, the budget includes an additional \$1.2 million to increase services from the Department's Office of Indirect Cost Negotiations which negotiates indirect cost rates with non-Federal entities, including tribal governments. Consistent with subcommittee direction and in collaboration with the Indian Health Service (IHS), the Department held its first formal consultation on March 11, 2014 with tribes to discuss long-term solutions to Contract Support Cost issues. The Department remains committed to working with IHS, tribes, and Congress to develop a long-term strategy for addressing this important issue.

The 2015 budget for Indian Affairs includes an increase of \$11.6 million for the Tiwahe or "family" Initiative. The initiative takes a comprehensive and integrated approach to address the interrelated problems of poverty, violence, and substance abuse in Indian communities. The initiative builds on and expands social service, Indian child and family welfare, and job training programs. In recognition that adequate housing is essential to building stronger families, the budget maintains the 2014 level for the Housing Improvement Program. The goal of the Tiwahe Initiative

is to empower American Indian individuals and families in health promotion and family stability, and to strengthen tribal communities as a whole. To better target funding and evaluate outcomes in meeting social service needs in Indian Country, the budget includes \$1 million as part of the initiative.

The budget provides strong support for the sustainable stewardship of land and resources in Indian Country, sustaining funding for trust land management and real estate services at 2014 levels and proposing program increases of \$3.6 million for the stewardship of natural resources. Funding supports the development of natural resource science, information, and tools for application in the development and management of energy and minerals, water, forestry, oceans, climate resilience, and endangered and invasive species. Demonstrating the administration's commitment to resolving tribal water rights and ensuring that tribes have access to meet their water needs, \$171.9 million is provided across the Department for implementation of, and technical and legal support for, Indian water rights settlements, an increase of \$13.8 million over 2014. A program increase of \$1 million is also provided in Indian Affairs for deferred maintenance on Indian irrigation projects to help address drought issues in Indian Country.

The budget supports improving educational outcomes in Indian Country, providing \$794.4 million for the Bureau of Indian Education (BIE), an increase of \$5.6 million from 2014. The request includes an increase of \$500,000 for Johnson O'Malley Education Assistance Grants to support a new student count in 2015 and funding to address the projected increase in the number of eligible students. The budget includes \$1 million to support ongoing evaluation of the BIE school system to improve educational outcomes. Within education construction, an increase of \$2.3 million supports site development at the Beatrice Rafferty School for which design funding was provided in 2014. The budget also includes \$2.3 million in increases for BIE funded post-secondary programs including \$1.7 million for post-graduate opportunities in science fields, and \$250,000 for summer pre-law preparatory scholarships.

*Departmental Offices and Department-Wide Programs.*—The 2015 request for the Office of the Secretary is \$265.3 million, an increase of \$1.3 million from the 2014 enacted level. Of this, \$122.9 million is for the Office of Natural Resources Revenue programs, an increase of \$3.5 million, reflecting increases to strengthen production verification and meter inspections activities, including implementing an onshore production verification pilot and funding related data integration. Other changes include the proposed transfer of the Indian Arts and Crafts Board from the Office of the Secretary to the Bureau of Indian Affairs of \$1.3 million, a decrease of \$865,000 reflecting a shift from direct appropriations to fee for service for Indirect Cost Negotiations, and a program decrease of \$266,000 in Valuation Services.

The budget request for the Office of Insular Affairs is \$92.2 million, a decrease of \$10.2 million from the 2014 enacted level. The budget includes an increase of \$3 million to address urgent, immediate needs in the insular areas, and \$1.8 million to improve safety conditions in insular school facilities. A decrease of \$500,000 reflects completion of an aerial bait system for brown treesnake control. Compact Impact is funded at \$1.3 million, a decrease of \$1.7 million from 2014, and is supplemented by \$30 million annually in permanent Compact Impact funding. Funding of \$13.1 million for the Palau Compact Extension is not requested for 2015 as it is expected the Compact will be authorized and funded from permanent appropriations in 2014.

The Office of Inspector General (OIG) request is \$50 million, a decrease of \$784,000 from 2014. The budget includes a decrease of \$2 million reflecting completion of an effort to reduce OIG's physical footprint. Increases of \$423,000 and \$355,000 are included to support the council of the Inspectors General on Integrity and Efficiency and provide additional full-time equivalents (FTEs) for information security audits, respectively. The Office of the Solicitor request is \$65.8 million, equal to the 2014 enacted level.

The Office of the Special Trustee request is \$139 million, \$648,000 below the 2014 enacted level. The 2015 budget decreases Business Management funding by \$1.6 million reflecting \$922,000 in efficiencies from the transfer of some mailing and printing services to the U.S. Department of the Treasury, a reduction of \$500,000 in litigation support, and a decrease of \$200,000 in funding for the Office of Hearings and Appeals.

The 2015 request for the Department-Wide Wildland Fire Management program is \$794 million without the proposed fire cap adjustment, and \$1 billion including the adjustment. The request includes \$268.6 million for Suppression within the current budget cap, which is 70 percent of the 10-year suppression average spending. This base level funding ensures the cap adjustment of \$240.4 million would only be used for the most severe fires, since it is 1 percent of the fires that cause 30 percent

of the costs. The new budget framework for Wildland Fire Management eliminates the need for additional funds through the FLAME Act. The 2015 budget includes a program increase of \$34.1 million for Preparedness activities to enhance readiness capabilities. The budget includes \$146.3 million for Fuels Management activities, formerly known as Hazardous Fuels Management. This is equal to the 2014 enacted level with an increase of \$1.3 million for fixed costs. Complementing this request is \$30 million for Resilient Landscapes, a new component of the Wildland Fire Management program, to support treatments that improve the integrity and resilience of forests and rangelands. Resilient landscape projects will be leveraged with bureau efforts to reduce fire risk and improve overall resiliency. The budget request also includes a \$2 million increase for the Burned Area Rehabilitation program to address greater post-fire rehabilitation needs caused by the 2012 and 2013 fire seasons.

The 2015 request for the Natural Resource Damage Assessment and Restoration Fund is \$7.8 million, a program increase of \$1.5 million. The increase includes \$1 million for a Department-wide onshore Oil Spill Preparedness Program, and additional resources for Restoration support. The budget includes \$10 million for the Central Hazardous Materials Fund, an increase of \$412,000 from 2014 to support additional cleanup work.

The Department's 2015 request for the Working Capital Fund appropriation is \$64.3 million, an increase of \$7.3 million from the 2014 enacted level. Within this request is \$53.9 million for the operation and maintenance of the Financial and Business Management System, an increase of \$1 million to continue support of the Department's Cultural and Scientific Collections Management initiative, a decrease of \$1 million from the Department's Service First initiative, and an increase of \$8.4 million to support Interior's Office Consolidation strategy in the DC metropolitan area.

#### MANDATORY PROPOSALS

The 2015 budget includes 15 legislative proposals affecting spending, revenue and available budget authority, which require action by the congressional authorizing committees. Revenue and savings proposals will generate more than \$2.6 billion over the next decade. The 2015 budget includes four spending proposals with an estimated \$9.9 billion in outlays over the next decade.

*Land and Water Conservation Fund.*—The 2015 budget proposes \$900 million in current and permanent funding in 2015, and proposes permanent authorization of \$900 million in mandatory funding for LWCF programs in the Departments of the Interior and Agriculture beginning in 2016. During a transition to permanent funding in 2015, the budget proposes \$900 million in total LWCF programs funding, comprised of \$550 million permanent and \$350 million current funding, shared by Interior and Agriculture.

*Centennial Initiative.*—The Centennial Initiative includes a legislative proposal to authorize \$1.2 billion in permanent funding over 3 years beginning in 2015 in the following areas: \$300 million (\$100 million a year for 3 years) for a National Park Service Centennial Challenge fund to leverage private donations; \$600 million (\$200 million a year for 3 years) for NPS deferred maintenance; and \$300 million (\$100 million a year for 3 years) for a multiagency Centennial Land Management Investment Fund to competitively award grants to Interior land management agencies and the U.S. Forest Service for deferred maintenance and conservation projects.

*Payments in Lieu of Taxes.*—The Agricultural Act of 2014 included a 1-year extension of permanent Payments in Lieu of Taxes (PILT) funding through 2014. The 2015 budget proposes to extend authorization of the program an additional year through 2015, while a sustainable long-term funding solution is developed for the PILT Program. The PILT payments help local governments carry out vital services, such as firefighting and police protection, construction of public schools and roads, and search and rescue operations. The cost of a 1-year extension is estimated to be \$442 million in 2015. The 2015 budget for the U.S. Department of Agriculture (USDA) Forest Service includes a proposal to reauthorize the Secure Rural Schools Program for a 5-year period, covering lands managed by the BLM.

*Palau Compact.*—On September 3, 2010, the United States and the Republic of Palau successfully concluded the review of the Compact of Free Association and signed a 15-year agreement that includes a package of assistance through 2024. The 2015 budget assumes authorization of permanent funding for the Compact occurs in 2014. The cost for this proposal is estimated at \$178.3 million for 2015 through 2024.

*Federal Oil and Gas Reforms.*—The budget includes a package of legislative reforms to bolster and backstop administrative actions being taken to reform the man-

agement of Interior's onshore and offshore oil and gas programs, with a key focus on improving the return to taxpayers from the sale of these Federal resources. Proposed statutory and administrative changes fall into three general categories: advancing royalty reforms, encouraging diligent development of oil and gas leases, and improving revenue collection processes. Collectively, these reforms will generate roughly \$2.5 billion in net revenue to the Treasury over 10 years, of which about \$1.7 billion would result from statutory changes. Many States will also benefit from higher Federal revenue sharing payments.

*Return Coal Abandoned Mine Land Reclamation Fees to Historic Levels.*—The budget proposes legislation to modify the 2006 amendments to the Surface Mining Control and Reclamation Act, which lowered the per-ton coal fee companies pay into the Abandoned Mine Land (AML) Fund. The proposal would return the fee to 35 cents a ton, the same level companies paid prior to the 2006 fee reduction. The additional revenue, estimated at \$362 million over 10 years, will be used to reclaim high priority abandoned coal mines and reduce a portion of the estimated \$3.9 billion needed to address remaining dangerous coal AML sites nationwide.

*Discontinue AML Payments to Certified States.*—The budget proposes to discontinue unrestricted payments to States and Tribes certified for completing their coal reclamation work. This proposal terminates all such payments, with estimated savings of approximately \$295 million over the next 10 years.

*Reclamation of Abandoned Hardrock Mines.*—To address the legacy of abandoned hardrock mines across the United States and hold the hardrock mining industry accountable for past mining practices, the Department will propose legislation to create a parallel Abandoned Mine Lands Program for abandoned hardrock sites. A new AML fee on hardrock production on both public and private lands would generate an estimated \$1.8 billion to reclaim the highest priority hardrock abandoned sites on Federal, State, tribal, and private lands.

*Reform Hardrock Mining on Federal Lands.*—Interior will submit a legislative proposal to provide a fair return to the taxpayer from hardrock production on Federal lands. The legislative proposal will institute a leasing program under the Mineral Leasing Act of 1920 for certain hardrock minerals including gold, silver, lead, zinc, copper, uranium, and molybdenum, currently covered by the General Mining Law of 1872. The proposal is projected to generate net revenues to the U.S. Treasury of \$80 million over 10 years, with larger revenues estimated in following years.

*Geothermal Energy Receipts.*—The Department proposes to repeal section 224(b) of the Energy Policy Act of 2005. The repeal of section 224(b) will permanently discontinue payments to counties and restore the disposition of Federal geothermal leasing revenues to the historical formula of 50 percent to the States and 50 percent to the Treasury. This results in estimated savings of \$4 million in 2015 and \$42 million over 10 years.

*Federal Land Transaction Facilitation Act.*—The Department proposes to reauthorize this act to allow Federal lands identified as suitable for disposal in recent land use plans to be sold using this authority. The sales revenues would continue to fund the acquisition of environmentally sensitive lands and administrative costs associated with conducting the sales.

*Federal Migratory Bird Hunting and Conservation Stamps.*—Federal Migratory Bird Hunting and Conservation Stamps, or Duck Stamps, are the annual Federal license required for hunting migratory waterfowl. The receipts generated from the sale of these \$15 stamps are used to acquire important migratory bird areas for migration, breeding, and wintering. The Department proposes legislation to increase these fees which have not increased since 1991, to \$25 per stamp per year beginning in 2015. This increase will add an estimated \$14 million for migratory bird conservation annually.

*Bureau of Land Management Foundation.*—The budget proposes legislation to establish a congressionally-chartered National BLM Foundation. This Foundation will provide an opportunity to leverage private funding to support public lands, achieve shared outcomes, and focus public support on the BLM mission.

*Recreation Fee Program.*—The Department of the Interior proposes to permanently authorize the Federal Lands Recreation Enhancement Act, which will expire in December 2015. The Department currently collects over \$200 million in recreation fees annually under this authority and uses them to enhance the visitor experience at Interior facilities.

#### FIRE SUPPRESSION AND THE DISCRETIONARY BUDGET CAP

The 2015 budget proposes to amend the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, to establish a new framework for funding Fire Suppression Operations to provide stable funding for fire suppression while mini-

mizing the adverse impacts of fire transfers on the budgets of other programs, as well as reduce fire risk, manage landscapes more comprehensively, and increase the resiliency of public lands and the communities that border them. Under this new framework, the 2015 budget request covers 70 percent of the 10-year suppression average within the domestic discretionary caps and a portion is funded in a budget cap adjustment. Extreme fires requiring emergency response, fires threatening urban areas, or requirements of an abnormally high fire season, would be permitted to be funded through the adjustment to discretionary spending limits. The cap adjustment does not increase overall current spending, as it reduces the ceiling for the existing disaster relief cap adjustment.

#### OFFSETTING COLLECTIONS AND FEES

The budget includes the following proposals to collect or increase various fees, so industry shares some of the cost of Federal permitting and regulatory oversight.

*New Fee for Onshore Oil and Gas Inspections.*—Through appropriations language, the Department proposes to implement an inspection fee in 2015 for onshore oil and gas activities subject to inspection by BLM. The proposed fee is expected to generate \$48 million in 2015, \$10 million more than the corresponding \$38 million reduction in requested appropriations, thereby expanding the capacity of BLM's oil and gas inspection program. The fee is similar to one already in place for offshore operations and will support Federal efforts to increase production accountability, human safety, and environmental protection.

*Grazing Administrative Fee.*—The 2015 budget proposes a new grazing administrative fee of \$1 per animal unit month. The BLM proposes to implement this fee through appropriations language on a 3-year pilot basis. The provision will generate an estimated \$6.5 million in 2015 to assist BLM in processing grazing permits.

*National Wildlife Refuge Damage Cost Recovery.*—The budget proposes appropriations language to authorize the Fish and Wildlife Service to pursue and retain recoveries from responsible parties, to be used to restore or replace damaged National Wildlife Refuge resources.

*Cost Recovery for Nontoxic Shot Approvals.*—The budget proposes appropriations language to allow the Fish and Wildlife Service to retain and use fees collected for the review of nontoxic shot products. Nontoxic shot is a substitute for lead shot, banned for waterfowl hunting since 1991.

#### CONCLUSION

Thank you for the opportunity to testify on the President's 2015 budget request for the Department of the Interior. This budget is responsible, and proposes to maintain core capabilities with targeted investments to advance the stewardship of lands and resources, renewable energy, oil and gas development and reforms, water conservation, youth employment and engagement, and improvements in the quality of life in Indian communities. I thank you again for your continued support of the Department's mission. I look forward to answering questions about this budget. This concludes my written statement.

Senator REED. Thank you very much, Madam Secretary.

We will do 6-minute rounds. We have votes at 11 o'clock. I assume we can get through one round, and if necessary, we will have a second round. I think we do have that time.

#### WILDLAND FIRE CAP ADJUSTMENT

Madam Secretary, can you walk us through the fire disaster proposal, how it will work? The reality is, that is a huge issue we confront every year in this bill. We have to pay for the emergency fires. Can you walk us through that? How much will you provide for fire suppression? How did you arrive at the funding level? And are you confident that it will be enough?

Secretary JEWELL. I will give a high-level overview, and I am going to turn to my colleague, Rhea Suh, who really worked very, very closely with the Office of Management and Budget (OMB) to craft this proposal in the President's budget alongside the companion legislation.

In a nutshell, 1 percent of the most catastrophic fires consume 30 percent of our fire suppression budget. The proposal for fire suppression in the budget is 70 percent, which are the year-in, year-out regular fires. That is in the budget. The worst 1 percent of fires beyond that 70 percent number is what we are proposing to take off-budget into the emergency disaster relief. The 70 percent number is based on a 10-year suppression average of fires.

What that enables us to do is consistently put money into hazardous fuels reduction and post-fire remediation so we don't end up in this negative spiral of robbing our accounts for hazardous fuel removal and post-fire remediation causing invasive species to come in, that causes worse fires in the future, so we have a downward spiral.

I am going to turn it to Rhea to provide any additional details.

Ms. SUH. Thank you very much, Madam Secretary. I will just add a few more comments here.

As you know, in the President's request, 70 percent of the 10-year average for fire is included in the discretionary part of the budget. The remaining 30 percent is included in the cap adjustment, which we are requesting.

The cap adjustment was based on the same type of analytical forecast that the Federal Land Assistance Management and Enhancement Act (FLAME) scientists prepare for this committee on an annual basis. That includes data about weather, climate, drought, and historical expenditures.

All combined, that is the amount of money we have put into the cap.

Again, just to echo the Secretary's comments, this is really only to treat those fires that are truly disasters as disasters, and to allow both Interior and the Forest Service to be able to access those emergency funds.

Senator REED. Thank you.

Madam Secretary, in order to implement this program, you have to get changes in the Balanced Budget and Emergency Deficit Control Act from the Budget Committee, I have been told, and also the FLAME Act from the Energy and Natural Resources Committee. And I just want your acknowledgment that you are aware of that and you are working on it; is that correct?

Secretary JEWELL. That is correct, Mr. Chairman. We very much modeled the President's request off of the bipartisan legislation that has been introduced in both houses. In the Senate, it is sponsored by Senator Wyden and Senator Crapo. That particular legislation specifically does amend the Budget Control Act.

We are having conversations with staff around amendments to FLAME that would potentially be able to more clearly articulate the triggers involved in accessing those emergency funds.

On both of those streams of work, we are very much aware and actively engaged with members in this house.

Senator REED. Thank you.

#### NATIONAL PARK CENTENNIAL

As we have all noted, this is the hundredth year centennial just almost upon us, 2016, for the national parks. But we also have the

National Heritage areas, and I note with some chagrin that the budget in this area has been decreased.

In order to make this a truly national celebration, I think every State should have a sort of vested interest in this.

#### HERITAGE AREAS

Can you comment on the role of these heritage areas as they connect to the parks and allow people to be outdoors? I think we shared the Blackstone Valley National Heritage together in kayaking, although I apologize the equipment did not come from REI, but forgive me.

Secretary JEWELL. Well, Senator, I did enjoy the kayaking, and the Blackstone River corridor as such a historic place is a great illustration of the potential of National Heritage areas. It is one that I have been working on personally for over 20 years.

The great thing about heritage areas is they engage the community in identifying areas of cultural, historic, and natural significance. In many cases, the local communities are who provide support for those initiatives.

Yes, the budget was cut. Part of that is in recognition of the need for us to work closely with the communities on getting local support for National Heritage areas. The budget is tighter than we would like it to be as it relates to national parks overall, and we had to make some tough choices.

We continue to work with you on heritage areas, and a path forward that engages private philanthropy and local community involvement to support these places, to earn the arrowhead logo but also the heritage status we believe is important to them.

Senator REED. Thank you.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

#### KING COVE ROAD

Secretary Jewell, just a question, one question on the King Cove road issue, when you issued your release in December, you stated that the Department's commitment to assist in identifying and evaluating options would improve access to affordable transportation and health care for the citizens of this remote Alaska community.

As I mentioned in my opening comments, I have not seen anything specific from you or from the Department in terms of what progress has been made in either identifying or evaluating options that would improve access.

Can you outline for me the specific areas that you would propose in terms of alternatives, alternatives that would be as reliable and safe as a road, and affordable? And if you can identify any specific funding proposals that are included in the President's budget that would allow for improvement of the situation in King Cove?

Secretary JEWELL. Thank you, Senator.

As we discussed yesterday, I very much appreciated the opportunity to meet with you, and to also meet with the residents of King Cove.

We need suggestions from the people who live in the area on what alternatives would be potentially viable to them, if a road

does not go through. It is very clear from my conversation in King Cove, as you and I made our visit there, and to Cold Bay, that the community feels very strongly that they want a road, as do you.

I continue to be open to all conversations about alternatives.

My team has had conversations with the Coast Guard about the 10 months of the year where they typically have a helicopter stationed in Cold Bay. I know they are very brave men and women that do this work, whether it is rescuing people on the high seas or facilitating humanitarian missions that you described earlier on land.

I also know there are many villages in Alaska that are a long way away from medical care, and this clearly is an example of that, being 600 miles from Anchorage.

We have had conversations with the Coast Guard. We will continue to do that. We have a conversation scheduled with the Corps of Engineers later on this week to better understand the alternatives they believe may be possible in that area, and I remain open to suggestions from the community, as we discussed yesterday afternoon, on areas they would like us to pursue that they believe would be viable for us to consider beyond the road, which clearly is your preferred alternative and that of the residents.

Senator MURKOWSKI. Well, as I mentioned yesterday, your search for viable alternatives is one that has been reviewed for decades now. And we are at this point where you have such unanimity in the community about the preferred alternative being the road because all other solutions have been tried and failed, or have been analyzed and determined too costly or not feasible given the situation.

And I appreciate that you are new to the issue of King Cove, but I hope you would also appreciate that to them, this has been almost a lifetime of struggling to get this short connector road, a reliable, safe and secure, and affordable alternative in order to gain access.

I would ask that you do more digging into the Coast Guard as a solution. I have talked not only to the admiral in the 17th District, Admiral Ostebo, but also to Admiral Zukunft, who will be taking over as commandant. And I think it is very, very clear that the Coast Guard not only does not view this as a mission, it is not a mission that they wish to take on.

In order to accommodate the people of King Cove on a somewhat reliable basis, they would require two additional helicopters at \$26.1 million apiece. You would have to have an additional 20 personnel in order to allow for a level of safety for the pilots and the maintenance crew. Just the per diem alone to house them in Cold Bay would be a half million dollars on annual basis. That is just for the per diem.

So, Madam Secretary, I encourage you to do your due diligence. But I will note that there has been nothing included in the President's budget for even the slightest alternative.

#### ARCTIC STRATEGY

Let me turn very quickly here, this is a question that I am asking all Cabinet members. The national strategy for the Arctic region came out. We have the implementation plan for the national

strategy, and within the implementation plan, the Department of the Interior has been designated as the lead agency in five different areas.

Can you tell me what funding is included in the President's budget for the five areas that the Department of the Interior is tapped to be the lead agency for? You are also the supporting agency for numerous other projects. So I am trying to divine how much attention the administration is actually placing on the Arctic implementation plan.

Secretary JEWELL. Senator, and I know we are out of time, so I will make the answer very brief. I do not have a crosscut on all of the Arctic programs. I will be happy to get that to you very quickly. It wasn't one of the numbers that I prepared in advance for this gathering.

But I will say the Arctic is very important to the United States of America, clearly very important to Alaska. We are very pleased to be involved with you and others in our Arctic strategy.

From a scientific research standpoint, from a defense standpoint, from an oil and gas development standpoint, and the geopolitical standpoint, we think it is very important that we be at the table. I know that the Arctic Council will be meeting in Canada this year, that the United States will be hosting the following year, and we intend to fully engage in Arctic strategy issues, and we will get back to you with specifics.

[The information follows:]

#### ARCTIC PROGRAMS

The Department of the Interior is committed to full participation in the implementation of the National Strategy for the Arctic. This commitment involves the breadth of Interior's bureaus and offices with equities in the Arctic region with support from a myriad of programs and activities. The Department does not have a dedicated budget for Arctic activities but instead is supporting implementation of the Strategy by leveraging a diverse set of programs with multiple authorities and funding sources. Thus, there is not crosscut that identifies discrete funding for the Arctic Strategy, instead the Department is tracking actions and outcomes that are supported by Interior in total.

Senator MURKOWSKI. If you can get me those, I would appreciate it.

Thank you, Mr. Chairman.

Senator REED. Thank you.

Senator Merkley.

Senator MERKLEY. Thank you very much, Mr. Chairman.

And thank you all for your presence and helping us understand this budget.

#### OREGON AND CALIFORNIA GRANT LANDS

One of the things that I wanted to address was the budget for the O&C lands that are in Oregon. We have millions of acres of second growth forest that needs to be thinned, needs to have hazardous fuel reduction work, restoration work, needs to be prepared for the work done for the various sales that would come out of it.

But the budget has been cut by \$10.5 million. So if we are going to go forward on resource management plans, which require significant additional resources, and if the budget is cut, and if the current projects in the forest are greatly underfunded as it is, doesn't

this mean just further lack of management and more problems for the O&C lands?

Secretary JEWELL. Thank you, Senator.

There are a number of things that are mixed in with the Oregon and California Railroad Revested Lands (O&C) budget. One of the things is that the Bureau of Land Management (BLM) completed a resource management plan in prior years, so that will not be repeated, and part of the budget cut has to do with that.

I know we are working with your team in Oregon on a sustained yield level, and we have a plan in place to cut about 200 million board feet a year. Is that the right number? I think it is, 200 million board feet a year.

In this year it is going to be a little bit higher, because of some salvage logging that is going to be supported.

We know it is a very important program to Oregon. We know it is an important source of funding for schools in Oregon, as is the Secure Rural Schools. We will continue to support what we believe in the BLM to be a sustainable forest yield level of 200 million board feet.

With the resource management plan completion, we don't think we will need as much money as we had last year to do an equivalent job, and that is the basis of the budget.

Senator MERKLEY. OK, I will just leave that as a concern I have for that particular area and the challenges that are faced in managing it appropriately, because it is suffering from many decades of underinvestment as it is currently.

#### LAND AND WATER CONSERVATION FUND

I want to turn to the Land and Water Conservation Fund and specifically, there have been projects from all over the country that involve particularly sensitive pieces of land for acquisition. And now largely the funds go to what are referred to as collaborative landscape projects. There seems to be a lot of mystery as to how these are created and designated, kind of a black box.

Oregon doesn't have one. We keep inquiring how it could come to have one.

But what it means, essentially, is only a couple States really benefit from the mass majority of these funds. And yet, these funds were meant to enable sensitive projects to be acquired all over the Nation.

So could you just give us a little background on this collaborative landscape strategy, and why it makes sense to ignore most of the U.S. for just a couple projects?

Secretary JEWELL. Senator, for specifics, I will turn to Rhea, in terms of how the money is spent. Let me give you a high-level overview, because there are two places these landscape cooperative areas that you reference, that I have personally been to, one very recently is in Montana, the Crown of the Continent region around Glacier National Park.

This is one of the largest intact landscapes in the United States. Much of the land is managed by ranchers and they would like to keep those lands in working ranches. But they are highly developable otherwise, which would very much impact the ability of many migratory species, such as elk, grizzly bears, and others.

We work cooperatively with Canada, which has set a lot of land aside and taken some out of mining development, for example, and our private landowners in that region to really work collaboratively on putting those landscapes in conservation while maintaining them in ranching.

Similarly, in the headwaters in Everglades, it is another major area where we have done that. We have prioritized part of the Land and Water Conservation Fund (LWCF) money, but by no means all of the LWCF money in those projects, because we know they are critical. If we don't focus, it is sort of a peanut butter spread, but we are not able to take care of some very, very threatened ecosystems throughout the country.

Longleaf pine in the Southeast is another area, but by no means does this limit our willingness or ability to invest in individual projects, which does continue.

Rhea, do you have any quick things, because I know time is short?

Ms. SUH. Sure. Thank you, Senator, for that question.

The collaborative projects, and the process we created several years ago now, are really designed to enable the Federal land management agencies to look across their jurisdictional boundaries and to identify national priorities that deserve the opportunity to work across those jurisdictions.

Every year we have a competitive process that is vetted at a very technical level by each of the real estate functions of the land management agencies, elevated to the bureau director level of the four land management agencies, and collectively adjudicated in a process that outlines priorities.

The priorities that show up in the budget are not necessarily all of the priorities we had, and the priority lists are much longer than the budgets we can actually afford.

I would like to say I think part of what the administration is asking for in the Land and Water Conservation Fund full funding proposal is an ability to get more landscapes, both collaborative and core, onto the list in any given year.

Senator MERKLEY. Thank you very much. I will be following up about that process. I do feel like there are a lot of very sensitive landscapes that have fallen off the list in recent years.

#### WILDLAND FIRE CAP ADJUSTMENT

I am out of time, but just compliments on the fire suppression strategy of putting the big fires, essentially, into the emergency side. The Forest Service has been decimated by this continuous raiding of often fire prevention funds in order to fight fires, and thank you very much.

Senator REED. Senator Alexander.

Senator ALEXANDER. Thanks, Mr. Chairman, Senator Murkowski, for the hearing.

Welcome, Madam Secretary, to you and your team.

I listened carefully to Senator Murkowski's passionate comments. I have known her a long time. I don't think I have ever heard her quite so strong in her comments. And I saw the Senator from California come in. It reminded me of an episode we had in our subcommittee, of which she is the chairman, where the general of the

Army Corps of Engineers was trying to do the right thing, he thought, which was to close fishing below the dams on the Cumberland River. I thought that made no sense at all, because the dams aren't dangerous when the water is not coming through them, and the tracks aren't dangerous when the train is not coming. And he stuck to his guns, and we literally changed the law.

But what Senator Feinstein said to him at that time was: Senator Alexander is a reasonable member; I would suggest you work something out.

My thought is this, I have said in Tennessee, and I have said here, that I think you are one of the President's most able appointees. I think you will do a tremendous job as Interior Secretary. I know that Senator Murkowski is one of the most able and respected members of the United States Senate. And, except for this issue, the two of you would likely be close allies on a great many issues, so I hope you can work something out.

#### JOINT CURATORIAL FACILITY AT GREAT SMOKY MOUNTAINS NATIONAL PARK

I want to ask you in my time three or four pretty quick questions. One, I want to thank you for your visit to the Great Smoky Mountains National Park, and to you and your team for improving the joint curatorial collections that is half Federal dollars and half private funding. And I heard many good things about your visit. I thank you for that.

#### LAKE CUMBERLAND

Also, I know that Senator McConnell, Senator Paul, Chairman Rogers, and Senator Corker, and I, appreciate the work that Dan Ashe of Fish and Wildlife and you did in putting a priority on getting Lake Cumberland back up to its proper level of water in time for the houseboat season. That may not seem like an important issue to many people, but it is to Chairman Rogers and the people in that part of Kentucky, because the water has been down for a long time. And you got done in what looks like 35 or 45 days what could have taken 135, I think, something like that. And that is appreciated.

#### FISH HATCHERIES

Now a couple of other issues, we are working together, the States of Tennessee and Georgia, the Tennessee Valley Authority (TVA), and Fish and Wildlife, again, Mr. Ashe, to try to come up with a plan for saving the fish hatcheries in Tennessee, the two of them. And TVA stepped in to do what it could, and that kept the fish hatcheries open. And that same group is now meeting to find a way for a permanent solution.

This is important to the fishermen of Tennessee. It is important to the outdoors recreation of Tennessee, and to our tourism and jobs.

So my question for you is, will you agree not to close down the two fish hatcheries in Tennessee during fiscal year 2015 until you give this working group, including the two States, the TVA, and the Fish and Wildlife Service, a chance to come up with a solution

that would have Congress pay for through the appropriate agencies the fish that were for sports fishing. In other words, we would separate the mitigation fish and the sports fishing.

I would like to get a commitment not to close that down while we are trying to get a result.

Secretary JEWELL. Senator, thanks. I appreciate the importance of fish hatcheries on the sport fishery and on recreational fishing. And you know the challenges we have overall in the budget and the difficult decisions we have to make.

We will not be closing any fish hatcheries in 2014. I do appreciate the TVA and the Army Corps stepping up to support their obligations, in terms of mitigation from their activities in terms of support for some of these hatcheries, which are for the downstream cold water sport fishing, as opposed to hatcheries that are necessary to maintain the integrity of species.

Where we have people working together, cooperating on a long-term solution, is the kind of program we are very committed to supporting.

I don't want to commit on any specific hatchery. It is my team that is working on that list, and they are working very cooperatively in Tennessee with other players. I think that is going to bode well for the hatcheries where there is cooperation. We are encouraging people in other States that have high-priority hatcheries for them to work with local and State partners to find long-term funding solutions.

It feels a little like the base closure act when we talk about fish hatcheries.

Senator ALEXANDER. I am about out of time.

Secretary JEWELL. Oh, OK. Sorry. Go ahead.

Senator ALEXANDER. No, that is all right. But we understand what the Department's parameters are, and Mr. Ashe is working toward that, and we just want time to complete that. And the working group is pretty good because it has already had one success.

#### REIMBURSING STATES DURING SHUTDOWN

The other one, Senator Flake has a bill to reimburse the States, which in our case were the counties, for the money lost that they spent reimbursing during the Government shutdown.

My question is, will you support that legislation as it moves through Congress, to reimburse the State of Tennessee and the counties of Blount and Sevier for what they spent as a result of the Federal Government shutdown?

Secretary JEWELL. It is very clear the economic value of the national parks to local communities was evident during the shutdown. I will say I worked pretty much around the clock with very limited staff to facilitate the States' requests. We did some economic analysis, and it looks like close to a 10 to 1 return that the States got for that investment.

All unobligated funds were returned to the States. I did say at the time of these agreements that I couldn't obligate the Federal Treasury, and that it had to be congressional action, so I am supportive of the congressional action going forward. The decision will rest in your hands in terms of whether or not that happens.

Senator ALEXANDER. Thank you, Madam Secretary.

I will submit in writing, if I may, Mr. Chairman, a question about white nose syndrome in bats, which you referred to in your statement.

Thank you.

Senator REED. Thank you, Senator Alexander.

Senator Feinstein.

Senator FEINSTEIN. Thank you very much, Mr. Chairman.

And, Madam Secretary, thank you very much.

#### CALIFORNIA DROUGHT

My statement and questions are going to be on drought and water in California.

As you know, the Governor has called a state of emergency with respect to the drought. The snowpack is at 24 percent as of March 23. Shasta, Lake Oroville, San Luis Reservoir are all below 50 percent capacity.

The California Farm Bureau estimates that a half-million acres are in the process of being fallowed, and that we will lose more than 100,000 head of cattle.

It looks like 10 or more communities are going to run out of drinking water in the next few months.

Now, a storm is approaching California right now, and this is the surge storm of the season. It is very important.

I have asked my staff to bring down a copy of a letter that you have received from water contractors, so that you might look at it, as of yesterday. And they would like you and Secretary Pritzker to be on a conference call at 4 p.m. this afternoon.

What is being asked, essentially—well, let me just give you a few data points. Salvage data from your agencies as of March 19 show no Delta smelt taken, 276 out of an allowed 24,237 winter run salmon taken, and 148 out of an allowed 3,000 steelhead taken.

#### WATER PUMPING

So I think this data supports the notion that more water pumping can occur without jeopardizing fish species.

And what I am essentially asking you to do is immediately consider emergency measures, which can increase pumping sufficiently to take advantage of this storm right now approaching our coast.

It is really very important. This may be the one chance we have to pick up some additional acre-feet of water. So I would like to ask that now, of both you and your distinguished Commissioner of Reclamation.

Secretary JEWELL. Who has become my distinguished Deputy Secretary.

Senator FEINSTEIN. Excuse me, distinguished Deputy Secretary.

Secretary JEWELL. I will take a very high level. I was shown the letter by Mike in the car on the way here, so I haven't had time to fully digest it.

[The letter follows:]

## LETTER FROM THE SAN JOAQUIN RIVER WATER AUTHORITY

SAN JOAQUIN  
RIVER WATER AUTHORITY,  
*Los Banos, CA, March 25, 2014.*

Re Request for Emergency Relief Due to Impending Storm Events.

Hon. SALLY JEWELL, *Secretary,*  
*Department of the Interior,*  
*C Street NW, Washington, DC.*

Hon. PENNY PRITZKER, *Secretary,*  
*Department of Commerce,*  
*Constitution Ave. NW, Washington, DC.*

DEAR SECRETARY JEWELL AND SECRETARY PRITZKER: We are writing to you under the most urgent circumstances. As you are well aware, California is plagued by one of the worst droughts in its history. Water year 2013–14 thus far has proven to be the second worst water year since recordkeeping began in 1850. While not quite as bad as 1977 standing alone, it comes on the heels of 2 prior years of extremely dry conditions. Yet, while the opportunities existed over the past 6 weeks to get more water to people and into storage south of the Delta, inaction has resulted in the loss of 225,000–450,000 acre-feet (af) of water supplies. Meanwhile, over 700,000 af flowed to the ocean. The situation for many in California is desperate.

Now is the time that action is needed. The State cannot afford to lose another round of water supplies due to less than full implementation of proactive measures that are available to the State and Federal agencies.

The Departments of Commerce and the Interior are in the unique position of having many of your stakeholders being those directly and profoundly impacted by this drought while at the same time having the ability to implement emergency measures that will provide a modicum of relief. The situation is as follows.

Regulations imposed on the State Water Project (SWP) and Central Valley Project (CVP) (together “Projects”) through biological opinions issued by your Departments are having a real-time adverse impact on California’s water supply. With storms about to hit California, the Projects are collectively in the position of being able to capture significant amounts of water without adversely impacting listed fisheries.

The National Marine Fisheries Service (NMFS) has been working with the U.S. Fish and Wildlife Service (USFWS) and their State counterparts to examine opportunities to provide flexibility to meet crucial water supply needs in the urban and agricultural sectors. Despite efforts to date, the Silicon Valley, which Secretary Pritzker recently visited and pledged to partner with to promote greater benefits for our economy and our citizens, is only receiving 75,000 acre-feet of the over 200,000 acre-feet which it would be entitled under from State and Federal water sources. As a result, the local water district has requested its retail customers to reduce usage by 25 percent. Economic impacts of water rationing are severe. Similarly, in the agricultural sector, much of which is served by the Bureau of Reclamation, the Sacramento and San Joaquin Valleys are being devastated. Over 3 million acres of the Nation’s most productive farm lands are receiving a zero surface water allocation this year. Permanent crops such as trees and vines are literally being ripped out due to lack of water. Hundreds of thousands of acres of permanent and annual crops will go fallow. The loss of permanent crops takes 5–10 years to restore. Annual crops fill irreplaceable supply chains that provide about 50 percent of the Nation’s fruits and vegetables. Unemployment in the valleys will soar. Banks loans and insurance will become more expensive if the integrity of the water system is not maintained.

The Endangered Species Act provides NMFS and USFWS with the tools necessary to support the emergency response actions necessary to provide much-needed relief that California needs and avoid the imminent loss of hundreds of thousands of acre-feet of irreplaceable water.

Weather predictions indicate that another storm is heading to California today or Wednesday. We request that you allow for the maximum pumping of the flow that is going to develop from this storm based on the following conditions.

Currently, protected fisheries in the Delta have experienced historically low take at the State and Federal water pumps. The nominal take is consistent with the monitoring data that has consistently and clearly demonstrated a lack of presence of protected fish in the central and south Delta in 2014. Because of this, we believe that maximizing pumping for the limited time that uncontrolled Sacramento River flows are elevated due to the storm is unlikely to jeopardize listed species. However, to ensure adequate levels of protection, we propose that if take reaches the levels

of concern identified in the species specific incidental take statement, implementation of this emergency action be reassessed.

As we explain on the attached pages, a temporary adjustment to the Delta smelt and Chinook salmon biological opinions (BiOps) would allow pumping—subject to take of fisheries—up to the full 11,280 cubic feet per second (cfs).

Time is short. The storm is approaching and, practically speaking, we need a decision by close of business on Thursday, before Sacramento River flows arrive at the Delta. We therefore request that conference calls be set up for Wednesday and Thursday so that the situation may be addressed in real time with the most senior resource managers from both the State and Federal sectors as well as the water user and environmental communities.

Once this storm series passes, and thinking ahead to the rest of this water season, the State is installing salinity barriers in the Delta. Further, State and Federal water managers are confident that they can control salinity in the Delta with fairly minimal flow amounts this summer, generally around 2,500 cfs. Water managers are proposing a longer term action plan that is being finalized. Continued real-time management will allow for improvements of water supply and protection of the upstream and Delta ecosystems.

This letter is also being delivered to a number of other State and Federal officials that have a key role in California water decisions. We request that each of them become engaged in this rapid decisionmaking process and participate directly or through their delegates in these conference calls. However, we believe your direct leadership is necessary at this time and hope that you will participate personally. We have taken the liberty of setting up a conference line for the first call on Wednesday at 1 pm PDT (4 pm EDT). For convenience, we propose the same time be used for Thursday.

The opportunity presented by this storm is upon us. We cannot afford inaction by either State or Federal regulators or water managers. We need your authority to impress upon your Departments and others that this is truly an emergency situation that requires immediate action. Failure to take action becomes a decision in and of itself and we are not likely to have another opportunity this year to help relieve this dire situation.

Urgently and gratefully yours,

STEVE CHEDESTER, *Executive Director*,  
San Joaquin River Exchange Con-  
tractors Water Authority.

DANIEL G. NELSON, *Executive Director*,  
San Luis & Delta-Mendota Water  
Authority.

RONALD JACOBSMA, *General Manager*,  
Friant Water Authority.

CHASE HURLEY, *General Manager*,  
San Luis Canal Company.

RANDY HOUK, *General Manager*,  
Columbia Canal Company.

CHRISTOPHER L. WHITE, *General  
Manager*,  
Central California Irrigation Dis-  
trict.

JEFF BRYANT, *General Manager*,  
Firebaugh Canal Water District.

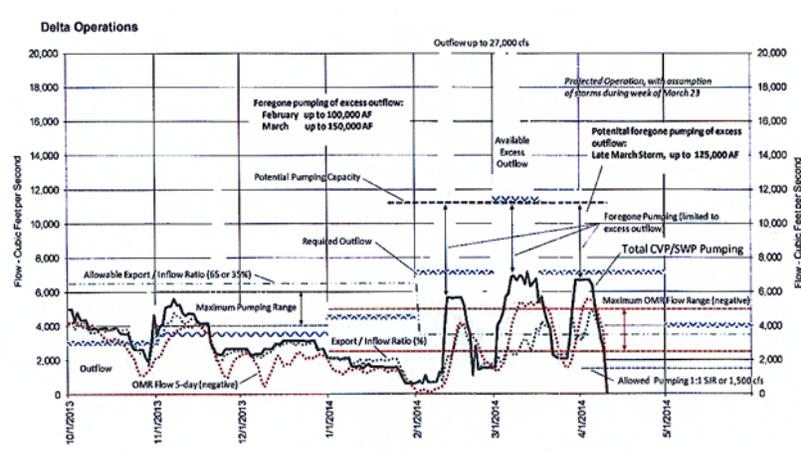
Enclosures.

#### FOREGONE PUMPING

##### *Upcoming storms commencing March 23, 2014*

Currently the Projects are operating to a combined 2,000 cubic feet per second (cfs) export level resulting in about 5,500 cfs Delta Outflow and an Old and Middle River reverse flow limitation (OMR) of about -1,600 cfs. The export/inflow (E/I) ratio is about 25 percent, and San Joaquin River stream flow is about 700 cfs. Storms to Northern California are forecast to begin Tuesday evening and will bring precipitation throughout the week and into the weekend. It is anticipated that these storms will result in unregulated runoff within the Sacramento Valley similar in response to the storms experienced earlier in the month, resulting in excess flow in the Delta which potentially is available for delivery and storage south of the Delta. Although there are uncertainties in the timing and magnitude of the storm events, the following provides an explanation of the constraints upon exports that will result in foregone pumping in the near future.

Without immediate relaxation of several pumping and outflow constraints the capture of a significant amount of the excess flow will be foregone, up to 125,000 acre-feet, similar to what has occurred during each of the storms of the last 2 months. The graphic below illustrates projected operations beginning today, through April 9. Of immediate issue are the OMR and E/I constraints. As inflow to the Delta increases due to the storms, pumping will increase. However, almost immediately pumping will be constrained by a maximum OMR flow of -5,000 cfs and a maximum E/I ratio of 35 percent. While available pumping capacity is about 11,280 cfs, the pumps will be running at only about 6,600 cfs, foregoing over 9,000 acre-feet of excess flow per day for several days. This effect is compounded by an outflow requirement of 7,100 cfs for X2 which limits the amount of excess outflow that can be pumped, but which however, under the dire drought circumstances has been reduced by the State Water Resources Control Board (SWRCB) this year with the concurrence of State and Federal fishery agencies. Notwithstanding the SWRCB order, separate, but of significant impact on water supplies, will be the effect of the Reasonable and Prudent Alternative (RPA) condition in the Biological Opinions regarding the San Joaquin River Inflow to Export Ratio that would be exercised beginning April 1 and continuing through May. This action requires exports to be no greater than the inflow entering the Delta from the San Joaquin River (1:1), currently about 700 cfs. This action would constrain exports even lower than the actions already constraining the exports to 6,600 cfs, resulting in an additional 11,000 acre-feet per day of foregone pumping.



Secretary JEWELL. I will say that the National Marine Fisheries Service and the Fish and Wildlife Service have exercised great flexibility so far this year in interpretation of their biological opinions to pump additional water, significantly more than last year.

I also know the balance with the State needs and the salinity needs of the Delta, it is not just Delta smelt and the salmonids that are impacted.

I am going to turn it to Mike to get into the specifics of this request and where we are with this incoming storm.

Mr. CONNOR. Thank you, Secretary Jewell.

Senator Feinstein, I can confirm that David Murillo, our regional director, will be participating in the call. We are still confirming availability of the key folks with Fish and Wildlife Service and National Oceanic and Atmospheric Administration (NOAA) fisheries in the discussion today.

I would just note the discussion is really an ongoing discussion that has been going on over the last couple months. The precipita-

tion event we have now happening in California is the third, as you referenced.

We have taken significant measures and improved measures, quite frankly, improved our interpretation in our application of those biological opinions. As you remember in 2013 when we had similar events, and we can pump in the range of 5,000 to 6,000 cubic feet per second (CFS). In 2013, we were down around 2,000 to 2,500 CFS. That was the reference that a lot of people had to lost water.

This year, in both of the events, we have maximized our pumping under the biological opinions. When Secretary Jewell was up there about 10 days ago, we were at 5,800 CFS. We actually got up to about 7,000 CFS of pumping at the high points during that runoff period. We intend to do the same with this runoff period.

We are looking at some other additional measures we can take, and that is an ongoing discussion amongst the five agencies, the three Federal and two State agencies.

We will engage the water users in that as part of the discussion today and continue to try to maximize how to make use of the runoff that comes during these precipitation events.

Senator FEINSTEIN. Mike, this may be the last opportunity we have to get enough additional water to make the five points in the drought bill that Senator Boxer and I have introduced that we are now trying to put together 60 votes on, to produce an additional 300,000 to 600,000 acre feet.

So this storm is really important that we maximize the ability to save that water.

Mr. CONNOR. Yes, absolutely. I would note several of those measures that are in your legislation are measures that we have taken this year that have significantly helped us increase the pumping.

I think we can probably do more within the parameters of the biological opinions and the State permit we operate under. Those are the two constraints that we operate under, and we will do as much as we can.

Can we get up to the 11,500 CFS maximum capacity of the pumps? I don't know that we can get there, but we are, certainly, going to try to keep moving up.

Senator FEINSTEIN. Well, what I have to say, you know, I am a lifelong Californian, I have never seen the level of desperation that exists all down the center of our State.

And the unemployment rate is going up. The food lines are building. It is really a problem.

We flew over with the President for 100 miles and just saw the devastation of the absence of water in that valley.

So I know you are sincere. I know you want to do it. Please make that push now.

Thank you, Madam—Mr. President—Mr. Chairman.

Senator REED. You honor me.

Thank you, Madam Chairman, yourself.

Senator Udall.

Senator UDALL. Thank you very much, Chairman Reed.

## OREGON MOUNTAINS-DESERT PEAKS NATIONAL MONUMENT

And, Secretary Jewell, let me thank you very much for your visit to southern New Mexico. I know that you spent a couple days there. You had the opportunity to get around and see the Oregon peaks and Oregon Mountains-Desert Peaks National Monument and get the opportunity to get out and hike a little bit. And I hope that was fruitful for you.

And I think it really prepares us to move forward with legislation on the monument, so I appreciate that visit.

And it is always good to see Mike. Mike is a New Mexican, and we are very proud of you.

## DROUGHT

And as you are well-aware, Mike, New Mexico is suffering the same kind of drought that has been talked about here. In some areas, 13 years that we have been in drought, and it is severely impacting farmers and ranchers and people that live off the land, our tribes. And I know that the Bureau of Reclamation (BOR) has been working very diligently on that with all the groups have been involved.

It really hit me in a way when I was out near Tucumcari, and there is a project out there that has been organized in a way where the community is involved and the Bureau of Reclamation is involved. And since the Great Depression, when the project was built, they always had water for farmers and ranchers.

The last 2 years, not a single drop of water. And these are families with livestock and crops. They have to have water. If they can afford to haul water, they can do that, but it is obviously much more expensive.

So we are in that difficult situation, too. And I appreciate all your work on that.

## SEQUESTRATION

Secretary Jewell, last year your Office of Natural Resource Revenue (ONRR) had determined that revenue paid to the States under the Mineral Leasing Act were subject to sequestration. You and I talked about that, and I asked you to reevaluate your position. And I really want to thank you for directing the ONRR to reverse its position and not sequester the funds.

This revenue is vital to States such as New Mexico. It funds necessary items such as public schools, community colleges, emergency response activities, and basic infrastructure projects. So it was critical that these funds not be impacted by sequestration. We appreciate your attention to that.

## PAYMENTS IN LIEU OF TAXES

And I also would like to share my concerns regarding another form of critical support for local governments. That is the program Payment in Lieu of Taxes, or PILT. As you know, the PILT program provides critical funding to communities in New Mexico, like Cibola County, San Juan, Otero, Eddy counties, just to name a few of our 33 that get these funds.

And I am very concerned there might be a lapse. We have been able to work in the appropriations process to get a 1-year extension. But I am wondering if you could share with me your thoughts on how we can make sure we have the funds there and how we can get congressional-executive cooperation to see that we have PILT funding in 2014 and beyond.

Secretary JEWELL. Thank you, Senator. It was a pleasure to visit your State. It was the first time I have seen a tarantula on the trail, so that was interesting.

We are strong supporters of PILT as well as Secure Rural Schools. We recognize when Federal lands are in local communities, it takes them off the tax rolls, and that is the purpose of PILT.

There is, in the President's budget, a 1-year reauthorization. As you know, for 2014, it passed on the farm bill.

We would love to see a permanent fix. I think as we look at the authorization of the Land and Water Conservation Fund, potentially putting that together with PILT is an appropriate way of looking at a longer-term, permanent source of funding for both programs, which are so important for the reasons that I talked about in my opening statement, and in answers.

I am happy to work with you. I think that makes sense for a rational path forward.

Senator UDALL. And I was going to ask also about the Land and Water Conservation Fund, but you hit on both of those. And they are absolutely key programs to the West and very much appreciate your help there.

#### PILOT OFFICES

I wanted to also ask about the BLM pilot offices. As you know, the 2005 energy bill designated several pilot offices to receive extra resources to expedite permitting processing and conduct much-needed environmental oversight.

These offices, which include the Carlsbad and Farmington offices in New Mexico, are already understaffed and overworked. But the looming expiration of this program at the end of 2015 would further burden these offices.

Can you provide some insight into the importance of this pilot program as it relates to the responsible energy development in States like New Mexico? And how does the investment in energy development translate into revenue for the American taxpayer?

Secretary JEWELL. In a quick nutshell, because I know we are running out of time. The pilot offices were a great experiment, but they went along political lines, along State lines, and oil and gas exploration resources don't know political boundaries.

There is support in the 2015 budget for extension of the pilot office authority, but it also includes flexibility to be able to relocate the offices, to meet the demands of permitting.

We have had dramatic reductions in the amount of time taken to process authorizations for permits to drill. We have improved the inspections, because of the investment in these pilot offices.

We do find that there is sometimes a mismatch between where the pilot process is and where the demand has moved to because of the development. The offices have had a good return on invest-

ment, and we believe that is important to our strategy going forward, in addition to asking companies to pay for a portion of what it costs us, particularly in inspections and safety.

There are some revenue proposals in this budget that enable us to charge fees to industry to inspect, and that will also help us fund these offices in terms of supporting future development.

Senator UDALL. Thank you, Madam Secretary.

Senator REED. Senator Johnson.

Senator JOHNSON. Thank you, Chairman Reed. I share the concerns about the PILT program.

#### LANDSAT

Secretary Jewell, I applaud you, the U.S. Geological Survey (USGS), and, in particular, the Eros Data Center in South Dakota for the extraordinary success of the Landsat program. With last year's launch of Landsat 8 and the inevitable expiration of Landsat 7 in a few years, the continuity of this imagery into the future will become a critical question.

As such, Congress included language in the committee report to the fiscal year 2014 funding bill directing USGS and the National Aeronautics and Space Administration (NASA) to collaborate and develop a new path forward for the Landsat program.

Can you give me an update about the status of those discussions, and how the short timeline for needing to launch the Landsat 7 replacement is factoring into these plans?

Secretary JEWELL. Thank you very much, Senator, for the questions.

I did have an opportunity about 2 months ago to meet with NASA to talk about this program. It is very critical that we replace Landsat 7 before its batteries run out. It gives us, I think, an 8-day gap in data, which is very, very important.

Landsat 8 provides a lot of new information that helps us deal with things like evapotranspiration, which are very important to understanding the impacts of drought and water across a lot of the country, and many other things.

We are working closely with NASA on the potential of a clone to Landsat 8, and also an interim solution that gives us the data we need that NASA presented to us at our meeting.

We are very committed to a path forward. We appreciate the support in the legislation and will continue to work with Congress on making sure we don't have a data gap on this support program.

Senator JOHNSON. I appreciate your attendance at the Eros Data Center recently.

#### LAND AND WATER CONSERVATION FUND

The Land and Water Conservation Fund has supported several recent projects in South Dakota, including an expansion of Wind Cave National Park, protection of grasslands in the Prairie Pothole Region, and the acquisition of key portions of the new Good Earth State Park.

These projects have boosted tourism, protected our ranching heritage, and provided additional opportunities for hunting, fishing and other outdoor recreation.

The administration budget has identified four priority projects for land or easement acquisition in South Dakota in fiscal year 2015 as a part of the Grasslands/Prairie Potholes Cooperative Landscape Partnership.

However, much of the funding for these projects, and many others around the country, is proposed to come from a permanent funding mechanism that I support but does not yet exist. Should this funding mechanism not be enacted, what is your perspective on funding the projects on the list designated for permanent funding?

Secretary JEWELL. Thank you, Senator.

The proposal for 2015 has \$350 million in the current appropriations, and the balance, to the \$900 million would require a legislative approval. The legislative proposal also includes full and permanent funding at \$900 million in 2016 and beyond.

There is \$350 million in this proposal, in the budget proposal that you have before you.

There are many projects that exceed what we have in LWCF funding, and we prioritize them according to their ability to address the biggest challenges we have and the biggest opportunities we have. The number of willing sellers who want to sell us land relative to our ability to buy them, and there are a lot more people that want to sell us land than we have money for.

I know we have \$7 million for the Dakota Grasslands Conservation Area, \$3 million in the Tallgrass Prairie Wildlife Area, and \$574,000 for Wind Cave.

Rhea or Pam, do you know where those are within the \$350 million as opposed to the \$900 million. And where they stack up?

And if we don't know right away, Senator, we will get back to you with details on that.

[The information follows:]

#### LWCF PROJECTS IN SOUTH DAKOTA

The following projects are included in the \$350 million discretionary request:

*FWS.*—Dakota Tallgrass Prairie Wildlife Management Area, \$3,000,000; Dakota Grassland Conservation Area, \$7,000,000.

The following projects are included in the \$550 million mandatory request:

*FWS.*—Dakota Tallgrass Prairie Wildlife Management Area, \$3,887,000; Dakota Grassland Conservation Area, \$7,000,000.

*NPS.*—Wind Cave National Park, \$574,000.

Senator JOHNSON. Please do.

Secretary JEWELL. But the Prairie Pothole, the Nation's duck factory, it is really, really critical habitat and, as you know, disappearing very quickly from agricultural development, as well as other forms of development. It is very important to us.

Senator JOHNSON. In South Dakota, visitor spending in and around our six national park units totaled \$160 million in 2011, and it supported more than 2,500 jobs.

With the importance of the national park system to our national, State and local economies, we cannot continue to push deferred needs to the future without substantial risk.

## MAINTENANCE BACKLOG

The administration has proposed a substantial investment in our parks in the fiscal year 2015 budget, but it is clearly only a down payment, given the nearly \$11 billion maintenance backlog nationwide. With flat or declining budgets and the upcoming centennial of the park system, what approaches do you see to redeem our stewardship responsibilities and address this backlog in an efficient and effective way over the next decade?

Secretary JEWELL. Senator, thank you very much for the question. This is a topic I am passionate about, and something where we only have one shot at the centennial.

We know there will be increased visitation, and the National Park Foundation is working to raise awareness about the importance of national parks to all Americans and drive tourism, both domestically and abroad.

The parks have prioritized the assets they have that need the most maintenance that are likely going to see the most visitors. We have a \$40 million increase proposed in the budget. \$10 million of that is for a matching fund, because there is a lot of private philanthropic interest, and that will be one way forward, to raise private money because people do love their national parks and are willing to support them. The match will help leverage those dollars even further.

But it is just a down payment, as you point out. Even with the \$1.2 billion recommendation we have in the President's budget for mandatory funding for the national parks over 3 years, we are still not going to make a material difference in the maintenance backlog.

The National Park Centennial will give people an opportunity to recognize these special places, and we believe, as the public speaks in a democracy, we will have the opportunity for additional support.

I also just want to reference that in the Helium bill, Senator Murkowski was able to add additional \$50 million for maintenance of the national parks, and we appreciate those efforts. They all add up.

Senator JOHNSON. Thank you.

Senator REED. Thank you very much, Senator.

We will begin a second round.

## YOUTH

Madam Secretary, we have a common goal, which is to get young people involved in the outdoors through education. I have introduced, on several occasions, the No Child Left Inside Act. Your budget identifies almost \$51 million in funding for youth engagement programs. Actually, it is a 37 percent increase since fiscal year 2014.

Could you please walk us through the specifics on how you intend to use these funds, and how you measure success in this investment?

Secretary JEWELL. Thanks for the question.

We have a four-tiered plan, if you will. We have a generational transformation going on in the country right now. The millennial

generation is already larger than the baby boom generation. They came of age during a tough economy. Many of them have been more disconnected to nature and the outdoors than before, and yet we really need them to be in the kinds of positions that are necessary for the overall stewardship and development of our public lands.

Part of this program is to engage that generation, but it is also a continuum, recognizing that the best introduction to nature and the outdoors comes in the form of play for children. Part of this budget supports programs in our regions to partner with 50 cities on increasing opportunities for children to play on public lands.

Examples might be urban wildlife refuges, which are already incredible assets in urban areas. Some of the money will go to support connecting children to those places, and the next tier, which is learn.

We have a goal of getting 10 million children engaged in playing on public lands and 10 million children learning on public lands. This recognizes and supports the ongoing programs and emphasizes them further.

Then there are two more components, serve and work. Public service on public lands, volunteering on public lands, enables young people to never look at those lands in the same way. I make it a point of doing service projects regularly, to get out on the land, to work with my hands and to work with young people.

Those efforts oftentimes are led by young people working in Youth Conservation Corps, and there is nothing I like better than being told what to do by a twentysomething who is working on a Youth Conservation Corps, who can teach me the difference between poison ivy and English ivy as I remove it in Rock Creek Park, or things like that across the country.

We have a goal to engage by the end of this term a million hours of volunteer service on public lands—that is triple where we are right now—and a goal to create 100,000 jobs over 4 years on public lands through working collaboratively with Youth Conservation Corps.

We are very committed to this effort, and we will be building a new generation of young people that care and understand these resources and can learn from those who are already in these kinds of jobs.

Senator REED. Thank you, Madam Secretary.

#### HURRICANE SANDY FUNDING

Before I recognize Senator Begich for his first round, let me ask one more question, and that is, Hurricane Sandy was devastating to my region, and there is about \$100 million, which the National Fish and Wildlife Foundation is helping to administer through your office, in terms of grants.

If you could get us up-to-date in terms of when do you anticipate these awards being made, and talk about the demands for these grants? And, indeed, what long-term goals are you trying to achieve through the grants?

Secretary JEWELL. Starting with the last question, we think that competitive grants that provide people with an opportunity to think how we can leverage these funds most effectively to achieve the ob-

jectives have just been very successful in other areas. The National Fish and Wildlife Foundation is administering them for us, and I appreciate the four letters you sent me on projects—I think it is four, maybe more—in your region.

We had 378 proposals submitted, totaling \$568 million for the \$100 million in grants. It includes 10 proposals exclusively for the State of Rhode Island for \$11.3 million. We have a panel of experts who are working through these proposals who really know these issues, and they expect to make a final decision by June of this year.

Senator REED. Thank you, Madam Secretary.

Senator Begich.

Senator BEGICH. Mr. Chairman, thank you very much. I am sorry, I had to step out there for a few minutes. But let me, if I can, I want to recap.

#### KING COVE ROAD

I know we had a meeting yesterday, and I want to thank you for that, Madam Secretary, joining myself and the King Cove community in having the discussion, which I think was scheduled for a half-hour and ended up a little over an hour. And I appreciate the time that you took there.

And I know the community laid out additional concerns, as well as some concerns with alternatives, and I want to walk through just a couple things, just to make sure to put it on the record for all of us.

In the meeting, we talked about the King Cove community coming back by April 15 with information or additional information that they would like to present to you in regards to potential options that may be out there and the problems with those options. And I want to make sure I put that on the record and confirm that is your understanding, that by April 15, they will be coming forward to you and to the delegation, but directly to your office, I think it was through Pat Pourchot, if I recall right, to give you kind of a list of concerns they would have with many of these alternatives that are being talked about or considered as an alternative to the road. Is that your understanding?

Secretary JEWELL. Yes.

Senator BEGICH. On top of that, there is a letter that they sent to you, I think it was early January, and they had not received a response yet in regards to their concerns with the Environmental Impact Statement (EIS) and the actual elements of it. The commitment was, after that information was additionally given to your office after April 15, simultaneously, I should say, during that period of time, you will review with legal what your ability is to respond to that letter, how in depth or how minimal it will be, but you would not respond until this additional information comes in, so you might incorporate responses also to that. Is that your understanding?

Secretary JEWELL. It is my understanding they will be getting me additional information, and I need to consult with legal counsel. There are really complicated laws involved here that I am not familiar with. The timing of my response relative to the information I get is something I need to talk over with legal counsel. Because

we met until late yesterday, I haven't had a chance to talk with them yet today on a path forward.

Senator BEGICH. No problem. But I want to make sure that, one way or another, it may be a very short letter, it may be a very long letter, but there will be a response to the correspondence they sent in to you the beginning of January regarding the EIS.

You may not be able to go into detail on it, because legal may tell you not, but they may tell you, sure, go ahead and respond. But either way, after April 15, once additional information is provided, you will have some sort of response to the original letter and the additional information. It may be limited or it may expanded, depending on what legal tells you; is that correct?

Secretary JEWELL. Yes, I will provide a response in both cases.

Senator BEGICH. OK.

And can I say that your conversation yesterday, that you were not closed to hear these issues with these alternatives that may be kicked around, but you wanted factual—for example, we talked about the weather conditions that would not allow some port activity because of the icing, and so forth. One of the concerns, I don't want to put words in your mouth, but you wanted to make sure that the data that comes from the King Cove community shows exactly why this would not work, which I agree with that. I mean, I would argue the King Cove community will give you plenty of information, why it ices up, why these conditions will just never allow this alternative.

But your understanding is that you want to see that in data form on some site. Is that fair? I am trying to summarize here in a public forum what we talked about.

Secretary JEWELL. There are lots of facts that were incorporated into the record of decision. I haven't read the detailed EIS. I read an awful lot of material.

There are legal parameters around records of decision that I don't fully understand. If there are additional facts and information, I am, certainly, willing to review those facts and information, particularly with regard to alternatives in supporting the residents of King Cove, and their needs for medical evacuation.

Senator BEGICH. OK. And I think it is fair to say that the delegation's view, the King Cove community view, is there is one alternative. It is the road. Is that a fair, from your viewpoint at this—

Secretary JEWELL. Yes, in all of my communications with the community, and I think it is probably fair to say in the 300 or so consultations that have happened over the years, the community has been consistent in only wanting to assess one alternative, which is a road.

Senator BEGICH. Let me, if I can because I will have more on that as we move down the process here, but I will have some additional stuff for you later, but let me ask you a couple quick things in regards to the budget.

#### SITE CONTAMINATION AT TRANSFERRED LANDS

I know I sent a letter in regard to contaminated lands that were transferred to the Alaska Native Corporation through the Alaska Native Lands Claims Settlement Act. This was an issue. I think there are 600 of these sites, or plus.

There were six recommendations made in 1998. We sent you a letter to ask your Department to review these recommendations and what action you would take or not take in regard to these contaminated lands. It is almost, as you know, over 15 years since these recommendations.

If you can give me a quick update on the status of responding to that letter in regard to those recommendations, for the record?

Secretary JEWELL. Are these regarding the legacy wells and the National Petroleum Reserve-Alaska?

Senator BEGICH. No. These are lands that were transferred to native corporations. Some were polluted lands. They were BLM lands. And they were other type of contaminations.

Secretary JEWELL. OK, I am sorry, I don't have information on that, so let me get back to you for the record on that.

[The information follows:]

#### SITE CONTAMINATION AT TRANSFERRED LANDS

Secretary Jewell responded to Senator Begich's letter (co-signed by Senator Murkowski and Representative Young) on January 10, 2014. Secretary Jewell's letter explained that, among other things, the Bureau of Land Management (BLM) is reviewing the sites listed in the 1998 BLM Report to Congress ("Hazardous Substance Contamination of Alaska Native Claims Settlement Act Lands in Alaska") to better determine if the lands were Alaska Native Claims Settlement Act (ANCSA) conveyances. Since January, BLM-Alaska has organized a team to specifically focus on the contaminated lands conveyance issue in Alaska. This group is currently working to gather data and understand the scope of the issue. They are going through BLM's data to determine what contaminated lands may have been conveyed to whom, and whether potentially contaminated lands were contaminated prior to being conveyed or after, and by whom. A database of this information is being developed. BLM-Alaska is working cooperatively with the Alaska Native Village CEO Association on this issue and meeting regularly with them as it gathers information and compiles the inventory. The BLM's goal is to complete the inventory by August of this year.

Senator BEGICH. I would appreciate that. That would be very important.

Again, it is a direct letter that I wrote, but that would be very helpful.

#### CONTRACT SUPPORT COSTS

Also, I do want to say your comments in regard to the BIA and the Indian Health Service funding and full funding, one, BIA, I will say, has done a good job on this in the sense of, one, getting this cap resolved, but also moving forward on settling the past due.

Indian Health Services, they are not here today, because they are not part of this, has not done a very good job on this. But the Bureau of Indian Affairs (BIA) has done a good job, and I just want to give you credit on that, because these are monies owed. It is not a question of if they are owed, and the money is there, and Treasury has it in the legal fund in order to pay these. So I thank you for kind of aggressively moving.

We are not done with this issue, as you know, because we need to make sure it is not just a 1-year, 2-year off issue that we are fully funding. We need to make sure that this is 100 percent into the future, because these are contracted services that are being provided throughout the country for Indian Health Services or health care for first people in this country. So I want to just note that.

## INDIAN AFFAIRS FUNDING

And last, Mr. Chairman, and if I can, one note I want to put on the record, and maybe a response of why this is, but out of all the different major areas over the last decade, the BIA has had the smallest increase compared to any other unit within the Department of the Interior. I think it has only been, of the six largest units, it is the smallest increase.

And we get this concern from our tribes on a very regular basis. Why are they—and I say “they” collectively—always on the backend in the increases that happened in the six largest areas in the Interior Department.

And again, if you can answer now, that is great. I know I am out of time, but if you want to respond in writing, that would be fantastic.

Secretary JEWELL. Do I have time for a quick response, Mr. Chairman?

Senator REED. Yes, ma'am.

Secretary JEWELL. OK, thanks.

## CONTRACT SUPPORT COSTS

First on contract support costs, we fully support that. I have been asked by the White House to chair the White House Council on Native American Affairs. I can tell you from talking to my colleague, Kathleen Sebelius, and many other Cabinet secretaries, there is strong support for Indian country across the board. I think that forum gives us a chance to remind all of the bureaus and agencies about the role they play in upholding trust and treaty obligations to tribes.

In terms of the budget, there is an increase in budget for Indian Affairs and Indian Education. It is higher than some and lower than others in this budget. I also want to say there is another I think \$612 million across all of the bureaus to support programs in Indian country, whether it is the mineral development, because part of the BLM's responsibility is the mineral estate under tribal lands, or invasive species or fire. It is an important component of the fire budget as well.

It needs to be taken holistically, but I am very appreciative of the President's budget and its support for Indian country. It is never enough, just as we have a backlog on our facilities and national parks, and it feels like you don't catch up, but it is, certainly, a strong statement about the administration's support. I am behind that and will continue to push.

Senator BEGICH. Thank you, Mr. Chairman.

I will send you a document from our tribes in southeast that I want to share with you and BIA. And I think it would be very important to see the comparisons, and I will share that with you in a follow-up letter.

Thank you, Mr. Chairman.

Senator REED. Senator Murkowski.

Senator MURKOWSKI. Thank you, Mr. Chairman.

## KING COVE ROAD

And, Secretary, as you are evaluating the information that the community of King Cove will provide to you prior to the 15th of April, I want to make sure that you have a copy of the report that was conducted, I guess just completed the 24th of March, regarding the suitability of the landing craft as well as a letter from PeterPan Seafoods, in terms of a complete denial of any interest, recognizing that they would have no interest nor opportunity in a road, as well as information from Coast Guard that we are compiling. I think that that would be helpful for you.

And I just also wanted to note that you made a comment about the fact that there are many communities in Alaska that experience difficulties in gaining access to medical care. That is absolutely true. But the difference between so many of them and the situation in King Cove, is King Cove is the only community that has a viable alternative right in front of them, or maybe 10 miles away from them.

So I would hesitate to suggest that because other rural communities don't have good access, that that is somehow a reason to deny King Cove, because two wrongs don't make a right. I just wanted to add that.

## ARCTIC OUTER CONTINENTAL SHELF

I just wanted to ask very quickly, with my remaining time here, as we wrap up this hearing, about Arctic Outer Continental Shelf (OCS). As you know, Shell canceled its exploratory drilling program up in the Chukchi for this summer, based in part on the Ninth Circuit decision that came out that determined the EIS for the lease sale was deficient, and also failure to provide regulatory certainty from the Department, as far as how to move forward in the Arctic.

So as I have talked with Shell, what they are hoping for, and what I am hoping to understand from you this morning, is how the Department intends to proceed with this. Will it be kind of a dual-track process where the Department will work to remediate the EIS that the Ninth Circuit struck down while at the same time committing to evaluate the exploration programs so that Shell can proceed with work in 2015, because the concern, of course, is that we just work on the legal track, but we are not working the regulatory track at the same time.

Can you tell me how that is going forward and when you might expect that the regulations for offshore exploration might be released?

Secretary JEWELL. Thank you. Just to be clear, Senator, the decision that Shell made to not go forward was not based, from their conversations with us, on regulatory uncertainty.

My colleague Brian Salerno, a former Coast Guard admiral who is running the Bureau of Safety and Environmental Enforcement, has been working hand-in-glove with Shell, including looking at its subsea containment system and working closely with them on a plan to pursue their activities in the Arctic that we consider to be a good illustration of where the regulations will come out. We are not slowing down the process of their ability to drill based on waiting for the regulations to come out.

Senator MURKOWSKI. No, and I wasn't suggesting that you were slowing down.

Secretary JEWELL. OK.

Senator MURKOWSKI. What I know is not complete, is that these regulations have not been released, so as Shell is trying to determine how they do proceed, they need some certainty. So I am just curious as to how we are coming with the timing of that, and how that is tracking with dealing with the deficient lease sale.

Secretary JEWELL. They are in the process of writing up the regulations consistent with what Shell was already checking for, and we expect to have them published in the Federal Register this year, so there should not be difficulty, if there is a green light through the Ninth Circuit Court, and the supplemental EIS, for them to proceed, as long as the court is satisfied.

We understand the very limited drilling season. We understand the challenges of logistics and staging. We are working closely with the courts on what they expect of us, in terms of an update to the EIS. We are continuing to stay in close contact with Shell and Conoco Phillips on their interest in pursuing this.

I do not anticipate the regulations that are being formulated to have any impact at all on their ability to operate once the courts have agreed on a path forward.

Senator MURKOWSKI. Well, just know that we are monitoring very carefully in terms of when these regulations will come out. Initially, it was anticipated that they would be out well by this point in time. You have now indicated that they will be done sometime this year. Just for planning purposes, knowing what the rules of the road are is critically important.

#### BEAUFORT AND CHUKCHI LEASES

You mentioned the short drilling season that we have up North, another thing that we are facing is that many, if not all, as I understand, of the leases in the Beaufort and the Chukchi will expire before we can reasonably expect oil production to be brought on-line. And so while it may be a little premature at this point in time to talk about extension of those leases, I think it is something that the administration is going to have to look at in terms of its commitment to working with those who have leases in the Arctic, recognizing the challenges that we face with any kind of expiration opportunity up there, both on the environmental side, both on the regulatory side.

But if there is a true commitment from this administration to advance Arctic expiration offshore, I think that is going to be a situation that we will have to look at, because the timing is not coming together as one might hope in terms of the lifetime of the leases and the ability to advance with exploration and the production. So I just put that in front of you.

Secretary JEWELL. Senator, I know my colleagues at the Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement are working closely with the operators there. The suspensions of leases are in active discussions. We understand that there are time delays. If an EIS isn't done right the first time, it throws you back and impacts the regulatory certainty for operators. It is unfortunate that occurred, but we are working actively

with the companies up there in what they desire and what we think is appropriate for the American people as well.

Senator MURKOWSKI. I appreciate that.

Mr. Chairman, I have a whole host of additional questions. As you well know, the Interior Department, the Secretary of Interior, have a great deal of influence in play in my State. I refer to the Department of the Interior and the Secretary's role as being effectively one as landlords, so we have pertinent issues as they relate to oil and gas development; legacy wells, as the Secretary mentioned; contaminated lands; national parks; Brooks Camp, what we are doing up there. So I will submit those in writing and look forward to responses.

But I thank the Secretary and the other members of the panel this morning.

Senator REED. Thank you very much, Senator Murkowski.

#### ADDITIONAL COMMITTEE QUESTIONS

The record will remain open until April 2 for additional statements or questions by any of my colleagues.

And I would ask you, Madam Secretary, to respond as quickly as possible. We thank you, Madam Secretary, for your testimony, and your colleagues. Thank you very much.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

#### QUESTIONS SUBMITTED BY SENATOR JACK REED

##### YOUTH AND VETERAN PROGRAMS

*Question.* Secretary Jewell, you recently committed to raise up to \$20 million in private funding for youth engagement programs to leverage the Department's contributions. How do you plan on accomplishing this? Does the Department have the authority to solicit and hold private funding for these programs? How do you plan on administering the private funds you raise?

*Answer.* The Take Pride in America Act authorizes the Secretary to carry out a number of activities, including: partnering with public and private organizations to promote participation in volunteer efforts through a public awareness campaign, soliciting and accepting donations in furtherance of the Take Pride in America Act, and accepting volunteer services from individuals and organizations. Interior's bureaus also have authority to accept volunteer services. Interior has partnered with the National Fish and Wildlife Foundation (Foundation) for the \$20 million fund-raising goal. Secretary Jewell and the Department will work to increase awareness of the opportunity to support youth and veteran engagement opportunities and inform prospective donors of the opportunity to make donations to the Foundation. The Foundation has established a separate fund (the Interior 21st Century Conservation Service Corps Account) to receive the funds, distribute those funds to non-profit corps partners and be responsible for annual reporting on the associated projects and results.

*Question.* Your budget also emphasizes making connections between veterans and land management agencies but doesn't provide many details on how you will accomplish that goal. How is the Department moving forward with veterans' programs? Are you partnering with the Veterans Administration or non-profit organizations?

*Answer.* Since 2010, the Department has been active in establishing long-term relationships with Federal agencies, schools, veterans' organizations and military organizations. The Department and our bureaus have entered into formal agreements with the Department of Veterans Affairs and the Office of the Chief, Army Reserve. The Department was the first Federal agency to sign an agreement with the Office of the Chief, Army Reserve that focused on connecting reserve service members to employment opportunities; connecting military youth and families to America's great outdoors, history and culture; and expanding recreational opportunities for community-based wounded warrior programs. The Department also has partner-

ships with non-profit organizations such as Veterans Green Jobs and Mt. Adams Institute, to connect America's veterans to conservation and land management. These partnerships expand opportunities for veterans (and military families) to learn the importance of natural resource management and explore potential careers within land management agencies. Interior's work with these organizations is a critical aspect of our success in hiring veterans over the past 3 years, which reached 40 percent of our permanent hires in fiscal year 2013. Our goal is to continue building a talent pipeline of our Nation's veterans, by continuing and enhancing partnerships with the Department of Veterans Affairs, veteran service organizations and other non-profit organizations.

The President's fiscal year 2015 budget for the Department of Veterans Affairs also includes \$1 billion in mandatory funding to create the Veterans Job Corps program that would put thousands of veterans back to work over the next 5 years protecting and rebuilding America. The Department of Veterans Affairs proposal would authorize and provide funding to coordinate an interagency process and transfer up to \$1 billion in mandatory funding over 5 years to establish the Veterans Job Corps. Funding will enable veterans to leverage skills developed in the military in jobs on the country's public lands and in its communities, ranging from conservation and infrastructure projects to law enforcement and first responder jobs, such as park rangers, police officers, and firefighters.

#### NATIONAL PARK SERVICE CENTENNIAL

*Question.* The centennial of the National Park Service (NPS) in 2016 is deservedly a major focus of your budget request. Specifically, you have requested \$40 million for this proposal, including \$30 million in visitor service and facilities projects and \$10 million for Centennial Challenge grants to match Federal funding for infrastructure needs with contributions from non-Federal partners. How will these funds be allocated among park units? Where are your focus areas?

*Answer.* The President's request includes a discretionary increase of \$40 million to prepare for and celebrate the Centennial. This requested increase includes \$30 million for operations to support visitors during the 2016 Centennial celebrations and to provide a stronger foundation for visitor services and infrastructure investments in its second century of preserving the parks for ongoing usage and the future enjoyment of visitors. Of the \$30 million increase for operations, \$4 million would support 21st Century Conservation Service Corps youth work opportunities to educate and engage the next generation; \$2 million would support volunteer opportunities for young people to expand the capacity of the NPS to manage volunteers in parks; \$8 million in competitively managed funds would support enhanced visitor services in the areas of interpretation and education, law enforcement and protection, and facility operations; and \$16 million would support improvement in the condition of high priority park assets, such as visitor use facilities, historic structures, and trails. Across these centennial increases, the budget provides an \$8 million increase for youth engagement and employment opportunities, and continues the NPS' efforts to attract qualified veteran candidates to fill Federal positions.

The remaining \$10 million of the \$40 million discretionary request is for the Centennial Challenge program, which would leverage Federal funds with partner donations for signature projects and programs at national parks. Preference would be given to projects that have a clear and immediate visitor benefit as well as a higher partner match. The Challenge will require at least a one for one match from non-Federal entities, with some projects leveraging more. While many parks and partners have expressed interest, projects would not be selected until funds are appropriated.

In addition to this discretionary request, the President's budget also proposes \$400 million a year for 3 years for Centennial activities to be provided as mandatory funding through authorization legislation. This includes \$100 million a year for 3 years for Centennial Challenge projects and programs, \$200 million a year for 3 years for deferred maintenance projects, and \$100 million a year for 3 years for the multi-agency Centennial Land Management Investment Fund, which will provide an opportunity for all of Interior's public lands bureaus and the U.S. Forest Service to address conservation and infrastructure project needs.

*Question.* How will the Centennial Challenge grant proposal actually work? Do you already have partners who are looking to match their funds for specific projects?

*Answer.* Similar to the 2008 appropriation, once funding was known, an announcement would be made soliciting project ideas and partner matches. Preference would be given to projects that have a higher partner match, and clear visitor benefit. In order for a project to be chosen, a commitment letter from the partner is required as well as demonstrated park support. There is strong evidence of support

for partner matching projects; several partners have already indicated willingness to match Federal funds for projects. The NPS is aware of potential partners from both large and small parks as well as local and national organizations.

LAND AND WATER CONSERVATION FUND

*Question.* It is clear that the Department has taken notice of Committee direction about the Land and Water Conservation Fund (LWCF) and has assembled a more geographically diverse list of projects proposed for discretionary funding. Do you believe this budget balances the need to conserve smaller tracts in urban areas and larger landscapes?

*Answer.* The 2015 budget requests funding for a diverse portfolio of projects through the Land and Water Conservation Fund's many programs, and were thoughtfully designed to ensure we balance the conservation and recreational access needs of diverse communities and landscapes across the country. For example, the budget requests a total of \$100.1 million (\$48.1 million discretionary and \$52 million mandatory) for the NPS-administered State and Local Assistance Grant program, which will provide grants to States and localities to plan for, acquire, and develop facilities for close-to-home recreation in communities in every State and territory. The budget requests a total of \$100 million (\$50 million discretionary and \$50 million mandatory) for Fish and Wildlife Service (FWS)-administered Cooperative Endangered Species Conservation grants, which will support State efforts to develop and implement plans for endangered species recovery and habitat conservation. These grants support small scale efforts in a wide variety of settings, including near developed communities and in rural areas.

Across the discretionary and mandatory requests, the budget includes funding for 125 unique bureau land acquisition projects in 36 States. This portfolio of projects reflects the reality that conservation and recreation needs vary widely across the Nation, and proposes funding strategies that are responsive to the unique needs of local communities and landscapes. The budget includes support for land acquisition projects that range from fee simple acquisition of a 5-acre inholding at Maine's Acadia National Park to the FWS easement acquisition of 30,000 acres—through conservation easement partnerships with multiple landowners—in the Dakota Grasslands of North Dakota and South Dakota.

*Question.* Diversity in the project lists is key to engendering support nationally for LWCF, particularly as it needs to be reauthorized next year. What is the Department's plan for reauthorization? When should we expect to see a full legislative proposal and a concerted effort to engage the authorizing committees?

*Answer.* The 2015 budget includes four mandatory spending proposals, of which one is mandatory funding for the Land and Water Conservation Fund. We are currently working within the administration, including with the Department of Agriculture, to ensure the reauthorization proposal is comprehensive and relevant to 21st century conservation needs.

The administration anticipates working in collaboration with legislators and staff to develop a plan to authorize \$550 million in mandatory funding for 2015, and to reauthorize the program permanently with full mandatory funding beginning in 2016. The administration looks forward to working with Congress on the details of legislation that would advance our LWCF proposal.

*Question.* I am concerned about how Congress, and more specifically, the Appropriations Committee, will remain involved in this process if LWCF is switched to a mandatory program. The Committee has a longstanding role in determining how land acquisition funds are allocated and how priorities are set, and we value that role. How is the administration planning to continue to involve Congress in land acquisition decisions through your mandatory proposal? And specifically, what role do you foresee the Appropriations Committee playing if funds are made mandatory?

*Answer.* The administration anticipates close collaboration with Congress as we develop a plan for reauthorizing LWCF with mandatory funding. The administration recognizes and values the role the Committee has historically played providing oversight to ensure the wise expenditure of LWCF funds, and looks forward to working with Committee staff to develop procedures for implementation of a mandatory funding regime which provides appropriate avenues for continued congressional input and oversight.

*Question.* As you have traveled the country over the past year as Secretary of the Interior, including our trip to Rhode Island in May, I know you have seen the great diversity in our Federal lands and the great need to protect threatened lands for conservation. Those of us in the East are just as worried about protecting small inholdings in our urban centers as those in the West are in protecting our Nation's

most dramatic landscapes. What do you see as your mark on the Land and Water program?

Answer. One of my highest conservation priorities is securing reauthorization of the LWCF and ensuring the program is fully funded with mandatory funding. Authorizing permanent mandatory funding for the LWCF would realize the original intent of this law: to set aside a meaningful portion of the royalties that companies pay for developing America's offshore oil and gas reserves, and reinvest those funds in land and water conservation for the benefit of all Americans and future generations. Without mandatory funding, it appears likely we will continue to underinvest in land and water conservation programs as funding for these programs must compete directly with a wide range of other programs with varying objectives as part of the annual appropriations process. Mandatory funding will provide greater certainty this portion of our offshore royalties are used for their original intended purpose: to support the national endowment of lands and waters which provide our cities with clean drinking water, provide our children with safe places to play, and protect the way of life of our farmers, foresters and ranchers.

Each community's vision for conservation of their lands and waters will be unique to its community, but our cities, towns and rural areas across the country all share a common need for resources to invest in public open space and conservation. A fully funded LWCF will provide the resources we need to fund the full spectrum of conservation and recreational access projects that communities want to invest in. We can fund city parks so kids can get outside and play in their own neighborhoods, and we can fund landscape scale conservation, collaborating with private landowners on conservation easements that keep working lands in production while protecting habitat, wildlife migration corridors and clean drinking water.

*Question.* I am concerned that we continue to hear the unsupported, shopworn argument that securing more conservation land adds unduly to Federal land management and maintenance costs. Can you please provide the subcommittee with a fuller understanding of the ways that land conservation through LWCF improves management and reduces operating expenses for the Department? Can you highlight a few specific examples where LWCF spending has reduced operating and maintenance costs? What are the broader positive impacts of LWCF on agency budgets?

Answer. The Department of the Interior LWCF programs work in cooperation with local communities, rely on willing sellers, and maximize opportunities to partner with private landowners on conservation easements where conservation and management objectives can be achieved without fee simple acquisition. Proposed Federal land acquisition projects are developed with the support of local landowners, elected officials, and community groups.

Because there is a recognized need for funding to address maintenance needs on existing federally managed lands, the President's fiscal year 2015 budget proposes discretionary funding (a portion of the Opportunity, Growth, and Security Initiative) to address maintenance backlog needs for all natural resource agencies, and an additional \$200 million in mandatory funding for the National Park Service to help prepare for the National Park Service Centennial in 2016.

Acquisition of inholdings does not generally require additional operating costs as no new staff or equipment is required to manage new lands within existing boundaries. Occasionally, agencies may incur up front costs to remove existing improvements (fences, buildings, etc.) from an acquired property. By removing unwanted structures on newly acquired land, agencies avoid adding to ongoing operations and maintenance (O&M) requirements.

In fact, acquisition of inholdings can greatly simplify land management for Federal managers and neighboring landowners. Eliminating checkerboard ownership within Federal units simplifies nearly every aspect of land management:

- Wildland fire managers can apply appropriate fuels reduction, planned burns, and fire suppression treatments more easily across an unfragmented landscape; fire management is more challenging and costly when private inholdings and developed properties are intermixed with federally managed forests and public lands.
- Law enforcement and public safety personnel can more easily patrol and respond to emergencies when public ownership is consolidated. An unfragmented unit allows unified signage, road networks, and other infrastructure that will best enable safe public access and allow for the efficient movement of emergency personnel and vehicles to locations frequented by visitors.
- Recreation managers can more easily provide access for the public to enjoy their public lands. In some cases checkerboard ownership can cause confusion among the public about acceptable land uses, and can restrict the public's ability to access some areas of public land.

—Natural resource management is simplified in an unfragmented landscape. When checkerboard ownership is eliminated, biologists, geologists and other natural resource professionals can move freely across the land that they are responsible for surveying, and natural resource management actions can be applied more efficiently across a landscape in single ownership.

Examples of enhanced management resulting from land acquisition include:

*St. Vincent National Wildlife Refuge.*—St. Vincent National Wildlife Refuge (NWR) is an island off the panhandle coast of Florida in Apalachicola Bay, off the Gulf of Mexico. Acquisition of the 5-acre tract on the mainland of Apalachicola Bay provides permanent deep water mooring with launch site, secure parking and equipment storage. An important point is that dredging and channel maintenance are allowed in Apalachicola Bay. The lease at Indian Pass, the current deep water mooring and launch site, was ending and would not be renewed as the owners were looking to develop the mainland at the launch site. In addition, the upland portion of the leased Indian Pass site had been significantly reduced due to severe, continuing, and progressive erosion that the land owner failed to address.

As the refuge is only accessible by water, the new deep water mooring and launch site reduces staff travel time from the refuge office to transfer supplies and heavy equipment. Daily boat access for St. Vincent NWR staff is required 24/7 for all island management activities, such as sea turtle nest monitoring and protection, habitat management, prescribed burning, hunting and fishing management and protection, and response to visitor emergencies.

With the acquisition of the mainland deep water boat mooring and launch site, the Fish and Wildlife Service eliminates the annual \$12,000 lease and has significant savings in fuel for vehicles. Staff traveling to and from the work site and hauling equipment to Apalachicola Bay from the refuge office, had to travel 20 miles to Indian Pass, then travel by watercraft to St. Vincent Island. At the end of each day, traveling was reversed back to the refuge office. Adequate parking for heavy equipment and vehicles is available at the new site.

Prior to the acquisition of the deep water mooring and launch site, the Service conducted a critical review and analysis of deep water mooring and access options in the general vicinity of the refuge. Only two or three options were possible, with the acquisition of the acquired site being the most cost effective and safest for staff. The other sites involved longer nautical travel distances at nine miles, were more costly as public boat launch sites, and did not offer the security needed for refuge equipment.

*Yukon Flats National Wildlife Refuge.*—The Service acquired five tracts totaling 480 acres within the Yukon Flats National Wildlife Refuge in Alaska. One tract contains prime river frontage along the Porcupine River with cliffs containing important nesting habitat for peregrine falcon. The other tracts contain frontage along Beaver Creek, Rock Slough, and the Black River. Most of these properties contain high quality wetland complexes and were isolated inholdings surrounded by Refuge land. Acquisition of these parcels greatly benefits Refuge wildlife management and provides a cost savings to the Government due to decreased fire management expenses.

*Canyons of the Ancients National Monument.*—The Bureau of Land Management purchased the 800-acre Alexander (a/k/a Yellow Jacket Canyon) parcel within Canyons of the Ancients National Monument (NM) with funding from the Land and Water Conservation Fund on April 16, 2014. This purchase is completely surrounded by Bureau of Land Management (BLM)-owned land within the boundary of the Monument. Just northwest of Cortez, Colorado, the 173,000-acre Monument was established to protect cultural and natural resources on a landscape scale. These remarkable cultural resources have been a focal point of explorers and researchers for 130 years.

Approximately 45,000 visitors annually explore these ancient sites and camp, hike, horseback ride, mountain bike, use all-terrain vehicles (ATVs), hunt and view wildlife within the Monument. The Monument is important to Native Americans who maintain close ties to the sites occupied by their ancestors. The BLM estimates the Alexander/Yellow Jacket Canyon parcel may contain as many as 170 cultural sites associated with Yellow Jacket Pueblo, one of the largest and best studied Ancestral Puebloan sites in the Southwest. Purchase of this parcel also simplifies maintenance of the Monument as well as fire activities.

*Kennesaw Mountain National Battlefield Park.*—The National Park Service acquired 41.55 acres at the Kennesaw Mountain National Battlefield Park in October 2013. It was the last privately owned parcel in the park and was slated for development through subdivision. Acquisition of this parcel allows the park to manage these lands in a way that preserves the battlefield resource of earthworks that marked both the Union and Confederate lines during the battle. The park contains

the best set of earthworks of any Civil War site, and these would have been bulldozed to make way for development of a suburban housing tract. Acquisition of this land directly contributes to the reason this unit was created. Additionally, this land has served as an unofficial access point for equestrian trails, and with the acquisition this access can be managed to conserve the resources (landscape, flora, water quality in the nearby stream). Making this access official has already saved law enforcement costs in both time and fuel as rangers can now easily access the formal park trails that are adjacent to this land and more effectively monitor looting and poaching activities which have been known to take place in this area.

QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

*Question.* California is in one of the worst droughts in its history. With most of the rain season behind us, the State reported that much of California has received only about 50 percent of normal precipitation. The snowpack is at 24 percent of normal as of March 23. Shasta, Lake Oroville, and San Luis Reservoir are all below 50 percent of capacity. The California Farm Bureau estimates that 500,000 acres of farm land are being fallowed, and more than 100,000 heads of cattle could be lost. Ten or more communities could run out of drinking water within the next few months.

The Interior Department, specifically the Bureau of Reclamation and the United States Fish and Wildlife Service, play crucial roles in managing and regulating water operations in California.

You have stated many times that you are looking to operate and manage the water system with flexibility. What specific steps have you taken to maximize operational flexibility?

*Answer.* Reclamation has been coordinating with the California Department of Water Resources (DWR), California Department of Fish and Wildlife (DFW), National Marine Fisheries Service (NMFS), Fish and Wildlife Service (FWS), and the State Water Resources Control Board (SWRCB) to make the best use of water available in the system for water supply while protecting the fishery. Much of this coordination has been in the Real Time Drought Operations Team (RTDOT). Actions have included modifying both Endangered Species Act (ESA) and water rights permit objectives to improve our operational flexibility and increase Delta exports. The Central Valley Project (CVP) and State Water Project (SWP) have also shifted operations between the two projects to minimize impacts to the fish while exporting more water from the Delta and the CVP has delayed construction activities to accommodate operational flexibility.

*Question.* Do I have your personal commitment that you will be deeply involved in finding ways to maximize operational flexibility so that more water can be provided to California water users?

*Answer.* Yes, the drought will continue to be a high priority activity in the Department.

California is experiencing another storm this week. This is only the third sizable storm to arrive in California in over a year. A group of water contractors wrote Secretary Jewell and Secretary Pritzker yesterday, urging emergency action to allow for more water to be captured during this storm.

[The letter follows:]

LETTER FROM THE SAN JOAQUIN RIVER WATER AUTHORITY

SAN JOAQUIN  
RIVER WATER AUTHORITY,  
*Los Banos, CA, March 25, 2014.*

Re Request for Emergency Relief Due to Impending Storm Events.

Hon. SALLY JEWELL, *Secretary,*  
*Department of the Interior,*  
*C Street NW, Washington, DC.*

Hon. PENNY PRITZKER, *Secretary,*  
*Department of Commerce,*  
*Constitution Ave. NW, Washington, DC.*

DEAR SECRETARY JEWELL AND SECRETARY PRITZKER: We are writing to you under the most urgent circumstances. As you are well aware, California is plagued by one of the worst droughts in its history. Water year 2013-14 thus far has proven to be the second worst water year since recordkeeping began in 1850. While not quite as bad as 1977 standing alone, it comes on the heels of 2 prior years of extremely dry

conditions. Yet, while the opportunities existed over the past 6 weeks to get more water to people and into storage south of the Delta, inaction has resulted in the loss of 225,000–450,000 acre-feet (af) of water supplies. Meanwhile, over 700,000 af flowed to the ocean. The situation for many in California is desperate.

Now is the time that action is needed. The State cannot afford to lose another round of water supplies due to less than full implementation of proactive measures that are available to the State and Federal agencies.

The Departments of Commerce and the Interior are in the unique position of having many of your stakeholders being those directly and profoundly impacted by this drought while at the same time having the ability to implement emergency measures that will provide a modicum of relief. The situation is as follows.

Regulations imposed on the State Water Project (SWP) and Central Valley Project (CVP) (together “Projects”) through biological opinions issued by your Departments are having a real-time adverse impact on California’s water supply. With storms about to hit California, the Projects are collectively in the position of being able to capture significant amounts of water without adversely impacting listed fisheries.

The National Marine Fisheries Service (NMFS) has been working with the U.S. Fish and Wildlife Service (USFWS) and their State counterparts to examine opportunities to provide flexibility to meet crucial water supply needs in the urban and agricultural sectors. Despite efforts to date, the Silicon Valley, which Secretary Pritzker recently visited and pledged to partner with to promote greater benefits for our economy and our citizens, is only receiving 75,000 acre-feet of the over 200,000 acre-feet which it would be entitled under from State and Federal water sources. As a result, the local water district has requested its retail customers to reduce usage by 25 percent. Economic impacts of water rationing are severe. Similarly, in the agricultural sector, much of which is served by the Bureau of Reclamation, the Sacramento and San Joaquin Valleys are being devastated. Over 3 million acres of the Nation’s most productive farm lands are receiving a zero surface water allocation this year. Permanent crops such as trees and vines are literally being ripped out due to lack of water. Hundreds of thousands of acres of permanent and annual crops will go fallow. The loss of permanent crops takes 5–10 years to restore. Annual crops fill irreplaceable supply chains that provide about 50 percent of the Nation’s fruits and vegetables. Unemployment in the valleys will soar. Banks loans and insurance will become more expensive if the integrity of the water system is not maintained.

The Endangered Species Act provides NMFS and USFWS with the tools necessary to support the emergency response actions necessary to provide much-needed relief that California needs and avoid the imminent loss of hundreds of thousands of acre-feet of irreplaceable water.

Weather predictions indicate that another storm is heading to California today or Wednesday. We request that you allow for the maximum pumping of the flow that is going to develop from this storm based on the following conditions.

Currently, protected fisheries in the Delta have experienced historically low take at the State and Federal water pumps. The nominal take is consistent with the monitoring data that has consistently and clearly demonstrated a lack of presence of protected fish in the central and south Delta in 2014. Because of this, we believe that maximizing pumping for the limited time that uncontrolled Sacramento River flows are elevated due to the storm is unlikely to jeopardize listed species. However, to ensure adequate levels of protection, we propose that if take reaches the levels of concern identified in the species specific incidental take statement, implementation of this emergency action be reassessed.

As we explain on the attached pages, a temporary adjustment to the Delta smelt and Chinook salmon biological opinions (BiOps) would allow pumping—subject to take of fisheries—up to the full 11,280 cubic feet per second (cfs).

Time is short. The storm is approaching and, practically speaking, we need a decision by close of business on Thursday, before Sacramento River flows arrive at the Delta. We therefore request that conference calls be set up for Wednesday and Thursday so that the situation may be addressed in real time with the most senior resource managers from both the State and Federal sectors as well as the water user and environmental communities.

Once this storm series passes, and thinking ahead to the rest of this water season, the State is installing salinity barriers in the Delta. Further, State and Federal water managers are confident that they can control salinity in the Delta with fairly minimal flow amounts this summer, generally around 2,500 cfs. Water managers are proposing a longer term action plan that is being finalized. Continued real-time management will allow for improvements of water supply and protection of the upstream and Delta ecosystems.

This letter is also being delivered to a number of other State and Federal officials that have a key role in California water decisions. We request that each of them become engaged in this rapid decisionmaking process and participate directly or through their delegates in these conference calls. However, we believe your direct leadership is necessary at this time and hope that you will participate personally. We have taken the liberty of setting up a conference line for the first call on Wednesday at 1 pm PDT (4 pm EDT). For convenience, we propose the same time be used for Thursday.

The opportunity presented by this storm is upon us. We cannot afford inaction by either State or Federal regulators or water managers. We need your authority to impress upon your Departments and others that this is truly an emergency situation that requires immediate action. Failure to take action becomes a decision in and of itself and we are not likely to have another opportunity this year to help relieve this dire situation.

Urgently and gratefully yours,

STEVE CHEDESTER, *Executive Director*,  
San Joaquin River Exchange Con-  
tractors Water Authority.

DANIEL G. NELSON, *Executive Director*,  
San Luis & Delta-Mendota Water  
Authority.

RONALD JACOBSMA, *General Manager*,  
Friant Water Authority.

CHASE HURLEY, *General Manager*,  
San Luis Canal Company.

RANDY HOUK, *General Manager*,  
Columbia Canal Company.

CHRISTOPHER L. WHITE, *General  
Manager*,  
Central California Irrigation Dis-  
trict.

JEFF BRYANT, *General Manager*,  
Firebaugh Canal Water District.

Enclosures.

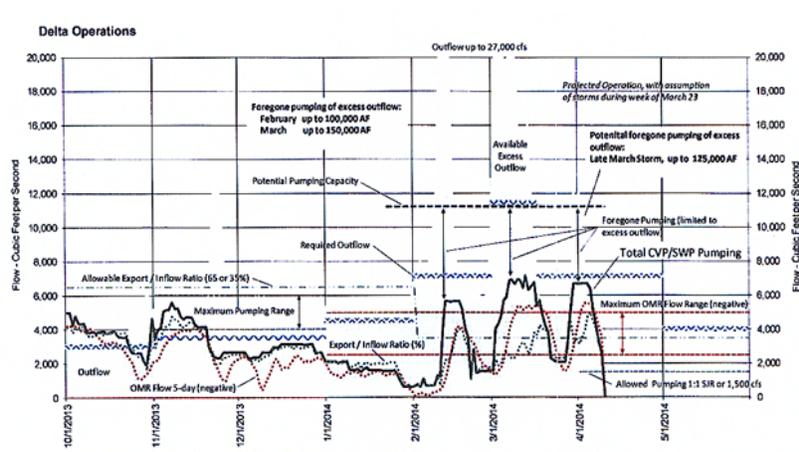
#### FOREGONE PUMPING

##### *Upcoming storms commencing March 23, 2014*

Currently the Projects are operating to a combined 2,000 cubic feet per second (cfs) export level resulting in about 5,500 cfs Delta Outflow and an Old and Middle River reverse flow limitation (OMR) of about -1,600 cfs. The export/inflow (E/I) ratio is about 25 percent, and San Joaquin River stream flow is about 700 cfs. Storms to Northern California are forecast to begin Tuesday evening and will bring precipitation throughout the week and into the weekend. It is anticipated that these storms will result in unregulated runoff within the Sacramento Valley similar in response to the storms experienced earlier in the month, resulting in excess flow in the Delta which potentially is available for delivery and storage south of the Delta. Although there are uncertainties in the timing and magnitude of the storm events, the following provides an explanation of the constraints upon exports that will result in foregone pumping in the near future.

Without immediate relaxation of several pumping and outflow constraints the capture of a significant amount of the excess flow will be foregone, up to 125,000 acre-feet, similar to what has occurred during each of the storms of the last 2 months. The graphic below illustrates projected operations beginning today, through April 9. Of immediate issue are the OMR and E/I constraints. As inflow to the Delta increases due to the storms, pumping will increase. However, almost immediately pumping will be constrained by a maximum OMR flow of -5,000 cfs and a maximum E/I ratio of 35 percent. While available pumping capacity is about 11,280 cfs, the pumps will be running at only about 6,600 cfs, foregoing over 9,000 acre-feet of excess flow per day for several days. This effect is compounded by an outflow requirement of 7,100 cfs for X2 which limits the amount of excess outflow that can be pumped, but which however, under the dire drought circumstances has been reduced by the State Water Resources Control Board (SWRCB) this year with the concurrence of State and Federal fishery agencies. Notwithstanding the SWRCB order, separate, but of significant impact on water supplies, will be the effect of the Reasonable and Prudent Alternative (RPA) condition in the Biological Opinions regarding the San Joaquin River Inflow to Export Ratio that would be exercised beginning April 1 and continuing through May. This action requires exports to be no greater

than the inflow entering the Delta from the San Joaquin River (1:1), currently about 700 cfs. This action would constrain exports even lower than the actions already constraining the exports to 6,600 cfs, resulting in an additional 11,000 acre-feet per day of foregone pumping.



*Question.* What is Reclamation doing in response to this storm so that the maximum amount of water can be captured before it flows out to the ocean?

*Answer.* Our response has been primarily through the RTDOT. The agencies evaluate both the water supply that can be captured as well as the biological effects of the actions.

*Question.* What are the pros and cons of invoking emergency consultation with the fish agencies to allow for even higher levels of water pumping?

*Answer.* Emergency consultation allows for immediate action if there is an imminent threat of loss of life or property. However, a traditional consultation must ultimately be completed and mitigation actions implemented. Potential benefits are quick action, as in the case of a flood when an emergency flood wall must be constructed. If however the impacts of the action are extensive, extensive mitigation could be required.

Salvage data from the agencies as of March 19, 2014 show that no Delta smelt has been taken; 276 out of an allowed 24,237 winter run salmon have been taken; and 148 out of an allowed 3,000 steelhead have been taken.

*Question.* Does the data support the notion that more water pumping can occur without jeopardizing fish species?

*Answer.* Take limits associated with the Incidental Take Statement in a biological opinion (BiOp) identify the amount of take that can occur while operating consistent with the BiOp and implementing the reasonable and prudent actions in a jeopardy BiOp. Jeopardy considerations include not only take at the pumps but also access to quality spawning and rearing habitat including in-stream temperatures and flows to improve out-migration of smolts. Through the RTDOT process, the project operators and regulatory agencies are doing all that is possible to improve exports while protecting the species.

*Question.* What other emergency measures can be implemented within your discretion to maximize water supplies without jeopardizing endangered species? And are you prepared to implement those measures immediately?

*Answer.* Reclamation and DWR continue to work in collaboration with the regulatory agencies (NMFS, FWS, DFW, SWRCB) through the RTDOT process to ensure that exports are maximized while protecting species of concern. The RTDOT participants are willing to implement measures that improve exports while protecting species.

*Question.* How will the need for carryover storage affect the water projects' ability to export more water as opposed to storing it?

*Answer.* There will be some tradeoff between releasing water from storage for water supply and retaining some in storage to maintain operations in a continuing drought.

*Question.* How much carryover storage is needed going into the 2015 water year?

Answer. We are planning the operations to satisfy the regulatory objectives in 2014 and maintain a carryover storage that should carry us through a dry 2015 in the event that the drought might continue. We are assuming that if the drought continues there will be extraordinary operations similar to what we are experiencing in 2014.

*Question.* California must expand water storage to capture water from the wet years for the dry years, so that we have a better chance of getting through conditions such as the ones we are experiencing now.

However, Reclamation's feasibility studies for new storage projects have been going on for over a decade and have cost over \$91 million with no results yet.

Meanwhile, California is likely to vote on a water bond this year that could make up to \$3 billion available starting mid-2015 for storage projects that have completed feasibility studies and favorable benefit-to-cost ratios.

What will it take to get all storage studies completed by the end of 2015?

Answer. Reclamation has completed public review and comment on draft Feasibility Reports for expanding Shasta Lake and increasing storage in the Upper San Joaquin River basin. The draft Environmental Impact Statement (EIS) for Shasta was released for public review and comment last summer, and the draft for Upper San Joaquin is due out this summer. Both studies to support Federal decision-making are on track to be completed by the end of 2015, with Shasta completed by the end of 2014.

All four storage studies have been affected by a significant reduction of non-Federal funding and ability to participate. As a result, while the Draft EIS for both Shasta and Upper San Joaquin meet the requirements for an Environmental Impact Report (EIR), the State is unable to release a Draft EIR for these two projects at this time. In addition, the North-of-the-Delta Offstream Storage Investigation (NODOS) and continued study of Los Vaqueros Expansion (LVE275) are delayed due to a lack of non-Federal cost share. In the past, the State has provided an estimated 90 percent and 50 percent of the funding for these studies respectively. These two projects would require significant non-Federal funding and resources.

*Question.* Do you see any obstacle that would delay the completion timeframe beyond 2015?

Answer. Endangered Species Act consultations may continue beyond 2015 for Upper San Joaquin. The lack of non-Federal cost sharing presents significant obstacles to completing NODOS and LVE275.

*Question.* What are those obstacles, and what can be done to mitigate or remove them?

Answer. Non-Federal cost sharing partnerships could mitigate the obstacles, particularly when cost shares are provided via in-kind services. Many potential cost share partners are contributing significant funding to other projects, have been impacted by the State economy, and are fully engaged in drought activities. Reclamation will continue to seek non-Federal cost sharing opportunities.

We clearly need some leadership and accountability at the top level of the Department to get these feasibility studies done.

The initial and partial construction cost estimate for expanding San Luis Reservoir is \$360 million; about two-thirds are for seismic repairs that must be done regardless of whether storage is expanded. Therefore for an incremental cost of approximately \$120 million, the project could yield additional average annual Delta exports of 43,000 acre feet.

We clearly need some leadership and accountability at the top level of the Department to get these feasibility studies done.

*Question.* Can you commit to completing all the studies by the end of 2015 so the projects could potentially be eligible for State funding if worthy?

Answer. As described above, Reclamation can commit to completing the studies for Shasta and Upper San Joaquin by the end of 2015. Also noted in previous responses is the lack of non-Federal cost share for NODOS and LVE275.

*Question.* Can you please share with me your overall schedule for completing the San Luis feasibility study?

Answer. A detailed schedule is still being completed and a non-Federal cost-share agreement is still being negotiated, but it is reasonable to assume the studies could be completed as early as December 2017. Data and analysis to support the Safety of Dams risk reduction will be analyzed this summer, including an evaluation of the strength of the dam and potential response to seismic activity. This information is also required for reservoir expansion alternatives.

*Question.* As you may know, the proposed Cadiz water project in the Eastern Mojave Desert has been a longtime concern for me because of its potential impact on the Mojave National Preserve, pristine public lands that surround it and the plant and wildlife that depend on rare desert water supplies. The project proposes to ex-

tract between 50,000–75,000 acre feet of water from the desert aquifer for sale to municipal water users in Southern California. However, independent studies estimate a recharge rate between 2,000 and 10,000 acre feet per year.

The Cadiz project had hoped to use the Arizona & California Railroad's Right-of-Way to construct a 43-mile-long pipeline connecting their project site with the Colorado River Aqueduct. However, based on a November 4, 2011 opinion from the Interior Department's Solicitors office (known as the M Opinion) which stipulates that railroad companies lack authority to permit activities along their right-of-way unless the projects directly benefit railroad operations, it is my understanding that the Bureau of Land Management thus far denied Cadiz permission to use the right-of-way.

Can you provide me with an update of the status of this project?

Answer. The BLM's evaluation of the project is on hold and is awaiting publication of additional guidance by BLM on the implementation of the M Opinion.

*Question.* It is my understanding that the BLM is currently developing guidelines for implementing the M Opinion. What is the status of those guidelines?

Answer. The guidelines for implementing the M Opinion have been drafted and the BLM is coordinating within the Department to finalize the guidelines.

*Question.* Once those guidelines are completed, does the BLM intend to issue a decision on whether the Cadiz project's proposed pipeline is within the scope of the Arizona & California Railroad's Right-of-Way?

Answer. Once the guidance is issued the BLM California will complete its evaluation of the proposed Cadiz project and determine if the activity derives from or furthers a railroad purpose. Once the evaluation has been completed, the BLM will notify the party undertaking the activity of its determination of whether additional approvals are required from the BLM prior to undertaking the project.

*Question.* There are an estimated 500,000 abandoned mine lands throughout the United States, many on public lands managed by the Bureau of Land Management, the Forest Service and the National Park Service. According to the Mine Safety and Health Administration, every year about 20 to 30 people die in accidents that occur in abandoned mines across the United States.

This has been an enduring concern for me, given that California is home to roughly 50,000 abandoned mines. That is why I pushed for language that was included in the fiscal year 2014 Omnibus Appropriations bill to prioritize the closure of abandoned mines which present the greatest threat to public safety, in particular those mines with dangerous vertical shafts that pose risks to unsuspecting visitors.

I understand that the President's budget proposes creating a Hardrock Mining and Abandoned Mine Cleanup program, which would fund abandoned mine cleanup by rescinding a 2006 reduction in fees paid by coal mines. While this is estimated to generate an additional \$53 million in 2014, this proposal has been made in previous budgets but has failed to gain traction in Congress.

Can you tell me how many abandoned mines were closed by the Department of Interior last year? How many of these were in California?

Answer. The BLM closed 4,947 abandoned mine land features in fiscal year 2013; 99 of those sites were in California. There were no known abandoned mine land closures completed on National Park Service (NPS) lands in 2013. It should be noted that a single mine may have numerous features.

*Question.* How is Interior prioritizing closure of abandon mines?

Answer. The BLM uses a comprehensive approach to determine which sites are addressed first based on the readiness of Federal and State partnerships and risks to public health, safety, and the environment. High priority sites include physical safety sites such as mine shafts and adits that are in close proximity to populated places such as residences, schools, and recreational areas. Sites impacting water quality are a similarly high priority because mine waste or tailings may threaten human health and the environment.

Priorities are established annually with project funding distributed to State offices on a competitive basis. The Abandoned Mine Lands (AML) Program priorities are documented in the AML Program strategic plan, including State office Annual Work Plans. Typically, the AML Program strives to complete ongoing projects before undertaking new projects. Where appropriate, temporary mitigation measures, such as posting appropriate signage and using fencing, may be used until permanent or long-term remediation actions can be completed. In some cases, an imminent risk to public safety may require the BLM to take urgent action in order to address conditions at a site not previously identified or prioritized as a high risk site.

The NPS completed an on-site AML inventory in 2013 where inspectors rated each AML feature for degree of hazard, accessibility (likelihood of visitation), resource significance (both natural and cultural), and resource impacts. Features with a likelihood of serious injury or death were ranked high.

*Question.* Can Interior please provide me an inventory of the abandoned mines on Federal lands in California, and estimated cost and schedule to close them?

*Answer.* The BLM Abandoned Mine Site and Cleanup Module database identified 1,672 AML sites containing 5,643 physical safety features in California. The average cost to mitigate each physical safety hazard feature is \$19,400. It would cost approximately \$110 million to close all identified physical safety features in the State. The 2015 budget request continues the legislative proposal to create an Abandoned Mine Lands Program for abandoned hardrock sites that will be financed through the imposition of a new AML fee on hardrock production on both public and private lands. These fees would provide resources to allow the BLM to more aggressively address the highest priority abandoned sites on Federal, State, tribal, and private lands nationwide.

The NPS has 27,900 features at 1,211 sites in 13 NPS units in California. Of those, 793 features have been mitigated and 2,298 features at 632 sites remain at an estimated cost of \$32 million for mitigation. Shovel-ready projects in California (those where National Environmental Policy Act (NEPA) planning and compliance are complete) are estimated at \$9.9 million. There is no schedule for this work at this time.

*Question.* The National Park Service recently released its final environmental impact statement (FEIS) relating to the Merced Wild and Scenic River Plan. The plan is the third in the last decade and was necessary to comply with the Ninth Circuit's 2008 opinion requiring the Park Service to protect the river's "outstanding remarkable values."

Responding to over 30,000 public comments, the Final EIS attempts to balance resource protection and visitor access in Yosemite Valley. I appreciate the National Park Service's efforts to develop a plan that complies with the requirements of the Wild and Scenic River Act but also protects much loved recreation activities, historic structures and visitor service facilities in Yosemite Valley.

I am glad to see that the new plan will allow continued bike, river rafts and horse rentals and winter ice skating and retain the historic Sugar Pine stone bridge and the Ahwahnee and Yosemite Lodge swimming pools. I applaud the Park Service's efforts to resolve this dispute, but would like to know more about the budget assumptions and schedule to implement the plan while meeting other obligations at Yosemite National Park.

Given the estimated \$210 million cost to implement the FEIS, can you explain the National Park Service's funding expectations and schedule to implement the changes proposed in the Merced River FEIS?

*Answer.* Potential funding to implement the plan will be derived from three primary sources: (1) Recreation fee program (entrance and camping fees); (2) concessions franchise fees; and (3) other Federal sources such as Federal lands transportation programs.

Both recreation fee revenue and concession franchise fees are annual revenue sources collected by the park. Over the course of the next 20 years, assuming reauthorization of recreation fee authority, the park anticipates that both of these fund sources (currently the park collects approximately \$18 million in fees annually) will be available to implement the changes proposed. Based on projected revenues, the park is confident there will be financial resources to implement a myriad of projects within the next 15–20 years for all three plans mentioned.

During the first 5 to 10 years of implementation, the focus will be to improve the transportation system to alleviate traffic congestion and to conduct ecological restoration of high use areas to better accommodate visitor use. Projects include adding and modifying parking, realigning failing intersections and restoring eroded riverbanks. Concurrent to the improvements to transportation/parking, the park will work towards creating additional camping opportunities and replacing tent cabins with hard sided lodging.

*Question.* The new location of some facilities was not identified in the FEIS, such as the new bike racks, river rafting facilities and maintenance buildings. When and how will the location of the facilities be chosen and how will the public have an opportunity to engage in that process?

*Answer.* The locations of minor facilities, such as bicycle rental stands and raft rental operations, will be located outside of the quarter-mile river corridor boundary, yet remain within the primary visitor services nodes. The park does not anticipate further environmental review and public involvement for these actions. The minor shift of the location of these facilities outside the corridor is an operational decision that will be determined after the 2016 concessions contract is awarded. The cost is expected to be minimal.

*Question.* How will other Yosemite obligations be affected (deferred maintenance—\$500 million, implementation of the Mariposa Grove Plan—\$36 million and

the draft Tuolumne River Plan—\$64.5 million) while implementing the Merced River plan?

Answer. Implementation of both river plans will be completed simultaneously over a 15–20 year period. The Mariposa Grove project will be completed in the next few years, and relies heavily on financial support from the nonprofit Yosemite Conservancy, supplemented with other revenues from recreation fees and transportation funds. As noted above, project revenue will allow the park to make a substantial investment in major actions called for in the plans, as well as continue to address a significant number of deferred maintenance needs. For example, by implementing some of the major transportation improvement components such as road realignments and expanded day use parking lots, much of the deferred maintenance for these areas will be addressed. In addition, the park will continue to prioritize cyclic maintenance, operational funding, and repair and rehabilitation funding to strategically reduce deferred maintenance priorities.

*Question.* How do you intend to prioritize the needs identified in these plans?

Answer. As noted above, the first priority for plan implementation will be to alleviate traffic congestion and to restore riverbanks and meadows. Once these steps are accomplished, current levels of visitation can be managed more successfully. Concurrently, other priorities will be implemented to enhance the visitor experience by providing additional campsites and increasing the availability of year-round visitor accommodations.

Priority projects seek to accomplish four major goals:

- Correct identified impacts to river resources to ensure continued protection;
- Alleviate crowding and congestion and provide for easy access to key park facilities and shuttles;
- Enhance camping opportunities and winter lodging; and
- Replace temporary non-code compliant employee housing.

*Question.* Can you explain what the cumulative impact of all these plans is expected to be on the current visitor experience?

Answer. All of the plans address long standing issues with visitor use and user capacity management in the most heavily visited destinations within the park, most notably by calling for actions that will improve the efficiency of the transportation system. Key actions such as relocating and retrofitting day use parking areas, adding campsites, and increasing the amount of year-round lodging in Yosemite Valley, will improve access and the overall quality of the visitor experience. In addition, the wide array of recreational opportunities available throughout the park will be maintained and boating opportunities will be expanded. Once implemented, the plans will provide for a higher quality visitor experience by improving access to the most popular areas in Yosemite and by providing lasting protection for the natural features within those areas. Overall, the park expects implementation to improve the visitor experience.

*Question.* I applaud the National Wildlife Trafficking Strategy that your Department put forward as part of the President's Taskforce on Wildlife Trafficking.

Wildlife crimes are a global threat to conservation and put iconic species like African elephants and rhinoceroses at risk of extinction. What is equally disturbing is that wildlife crimes are also driving and funding transnational criminal networks and global terrorism.

It is clear to me that the current criminal penalties for these crimes are too weak and that congressional action is needed to address the wildlife poaching crisis.

This is why I am drafting legislation to make wildlife trafficking crimes a predicate offense under Federal racketeering and money laundering statutes, as well as under the Travel Act. Law enforcement already uses these laws to crack down on other major crimes like drug trafficking.

Secretary Jewell, how important will these strengthened tools be in helping your Department end the practice of wildlife trafficking?

Answer. Strengthening enforcement tools for those that enforce our wildlife trafficking laws is extremely important. Doing so would rightly elevate the stature of wildlife crimes within the U.S.'s judicial system to be on par with other serious crimes. Some judicial districts and U.S. Attorneys' Offices are reluctant to act upon wildlife crimes, such as cited in the Lacey Act, Endangered Species Act, Marine Mammal Protection Act, and the Migratory Bird Treaty Act because they view them as less serious, especially when they are legislatively structured as weaker and sometimes even "petty" offences that have weak penalties and cannot serve as predicates for laws that thwart organized crime. This ill informed view has often frustrated us at Interior because our agents have long known that wildlife trafficking violations are not isolated infractions worthy of a misdemeanor.

Wildlife crimes are serious crimes that have insidious effects upon society. In addition to destabilizing the ecology that human communities depend upon, wildlife

that is poached from iconic national parks and world heritage sites robs the surrounding communities of steady income, encourages corruption, and facilitates other crimes. More recently, we are even told of links to terrorism. Additionally, many lives are being lost in the war that is being waged to extract rare wildlife for consumption. Scores of park rangers have been murdered in recent years across Africa and Asia in their noble and nearly futile attempts to protect their wildlife from international crime syndicates. What used to be viewed as mere subsistence poaching has morphed into activity by highly motivated and ruthless criminal organizations that willfully murder park rangers on the lands they protect in order to slaughter and extract wildlife. Wildlife trafficking crimes are intrinsically organized trans-border crimes that undermine the general rule of law and the integrity of communities and rob them of their ability to manage and benefit from their natural resources. Our judicial system responds to the priorities set by the legislative system. Strengthening our wildlife trafficking laws would send a clear signal throughout the justice system from officers in the field to judges on the bench that these laws matter.

*Question.* What other resources would be useful to the Department in addressing this issue?

*Answer.* The United States is among the world's largest consumers of wildlife, both legal and illegal. As with any black market trade, it is difficult to determine the exact market value or rank the U.S. role in comparison to other nations. However, we remain a significant market for wildlife and wildlife products, including elephant ivory.

On February 25, 2014, the Service issued a Director's Order to help protect populations of elephants and other endangered or threatened species that are subject to illegal trade. Poaching and illegal trade have been decimating African elephant and rhinoceros populations in recent years. The changes in the Director's Order are among a set of administrative actions specifically called for under the National Strategy on Combating Wildlife Trafficking, which was issued by President Obama on February 11, 2014.

The most significant gaps in the regulatory regime in place before the National Strategy was announced was the continued allowance of some commercial imports and the largely unregulated domestic trade of African elephant ivory. The administrative actions we are taking or have taken include listing the Southern White Rhino under the Endangered Species Act based on similarity of appearance to other listed endangered rhino species, implementing a prohibition on all commercial imports of African elephant ivory regardless of age, implementing a prohibition on the sale of African elephant ivory across State lines, and implementing stricter controls over sale of elephant ivory within the United States, including within States.

The fiscal year 2015 President's budget requests the subcommittee's support of a \$3 million increase for its Law Enforcement and International Affairs programs as part of the administration's new National Strategy for Combating Wildlife Trafficking. The funding will be used to combat expanding illegal wildlife trafficking and support conservation efforts on the ground in Africa and across the globe. The budget includes important funding to expand wildlife forensic research to produce key advancements needed to pinpoint the origin of illegal wildlife products which is critical information necessary to prosecute criminal activity.

We believe that these actions will dramatically reduce the U.S. role in the illegal ivory trade and position the Nation to encourage other major ivory consuming countries to take similar actions. In addition, we continue to evaluate whether there are additional tools that could be used to combat wildlife trafficking.

*Question.* Secretary Jewell, you are no doubt familiar with the March 17 earthquake that struck the Los Angeles area. It is my understanding that this 4.4 magnitude earthquake is one of the strongest earthquakes to hit Southern California in recent years.

I firmly believe that it is a matter of when, and not if, our next significant earthquake event will occur.

In fact, the Southern California Earthquake Center estimates that California has a 99.7 percent chance of having a magnitude 6.7 or larger earthquake within the next 30 years. The chance of having a catastrophic earthquake with a magnitude greater than 7.5 during this period is nearly 50 percent.

Given the millions of lives and billions of dollars at risk of the next major earthquake, can you give me an update on the status of developing an earthquake early warning system for the West Coast?

*Answer.* Since 2003, the U.S. Geological Survey (USGS) has funded university research on earthquake early warning (EEW), and has invested approximately \$10 million in research, system development and seismic network modernization in California and elsewhere so that the networks are capable of generating earthquake

early warnings. In addition, in January 2012, the Gordon and Betty Moore Foundation awarded \$6 million over 3 years to the University of California–Berkeley, Caltech, and the University of Washington to perform further research leading to a prototype EEW capability for the U.S. West Coast. As a result of these efforts, in January 2012, the ShakeAlert earthquake early warning system began sending test notifications to a small number of test users, which include California emergency response organizations, utilities, rail operators and a number of private companies.

Before public warnings can be issued routinely, the current ShakeAlert test system must meet quality, speed and reliability standards. Those standards include having enough sensors to ensure coverage near earthquake sources. Currently there are not enough sensors in the Advanced National Seismic System (ANSS) network to provide fast and reliable alerts uniformly across the U.S. West Coast. Although the Los Angeles and San Francisco Bay areas have better sensor coverage than other parts of the State, it is estimated that several hundred additional stations will be needed to cover all of the earthquake source regions.

*Question.* What funding and assistance will your Department provide towards completing this critical project?

*Answer.* In 2014, Congress appropriated an additional \$850,000 for earthquake early warning development, which was added to a base funding amount of \$600,000. As part of the 2015 President’s budget justification, the Department’s request for fiscal year 2015 maintains these amounts.

*Question.* Secretary Jewell, I continue to be concerned about the management and well being of the wild horse populations on public lands managed by the Bureau of Land Management.

It is my understanding that there are now nearly 50,000 horses in long- and short-term holding facilities, and that the population of horses that remain in the wild is expected to surpass 60,000 during the next fiscal year.

It is my understanding that last year, the holding costs for horses was \$46 million, more than half of the Wild Horse and Burro programs’ annual budget.

This practice of placing horses into costly holding facilities is not sustainable. Long-term solutions for managing the wild horse population in a humane and efficient manner are desperately needed.

Secretary Jewell, how do you plan to ensure that BLM is on the right fiscal path in reducing the number of animals in holding facilities and meeting its goals with on-the-range management techniques?

*Answer.* For the BLM to sustainably manage wild horses and burros, two things are absolutely essential: forging a path forward to slow population growth and finding homes for families that are already off the range. To immediately address these issues, the BLM is implementing key recommendations from the June 2013 National Academy of Sciences (NAS) report:

—*Population Growth Suppression.*—Population growth suppression methods that are effective on western herds are needed to curb herd growth and reduce the need for removals. In April 2014, the BLM and the U.S. Geological Survey (USGS) initiated a second pasture research trial to evaluate the effectiveness of new formulations of the SpayVac vaccine, which is currently the most promising contraceptive vaccine available. The BLM has also issued a Request for Applications (RFA) for grant funding to support research projects developing techniques and protocols for contraception or the spaying/neutering of on-range male and female wild horses and burros. The RFA closes in May 2014.

—*Population Estimation.*—The BLM has entered into a new Interagency Agreement with the USGS to acquire the technical expertise and assistance necessary to implement NAS-endorsed population survey (census) methods. In 2014, the BLM will survey one-third of its Herd Management Areas using the NAS-endorsed methods to help account for undetected animals. Accurate population data is critical for effective land use planning and herd management.

The BLM is also collaborating with the White House Office of Science and Technology Policy to explore the feasibility of launching a prize challenge to inspire a scientific solution to wild horse and burro population management challenges. Through continued collaboration with stakeholders and an emphasis in developing effective population growth suppression methods built on the best available science, the BLM remains committed to reforming the Wild Horse and Burro Program and maintaining rangeland health on public lands.

A key component to ensuring long-term program sustainability by reducing the number of animals in holding facilities. Toward that goal, the BLM is implementing the following actions to curb off-range holding costs and reduce holding facility levels.

- Adoption Reforms.*—The BLM is entering into new partnership agreements to increase the number of trained animals available for adoption. The BLM has finalized a new agreement with the Humane Society of the United States, and also launched the Wild Horse and Burro Inmate Training Initiative to increase the number of inmate training programs. The BLM is also in discussions with the Defense Services Cooperation Agency and Heifer International to explore the possibility of providing animals for humanitarian purposes in developing nations.
- Lower Cost Holding Facilities.*—The BLM continues to seek lower cost holding facilities and is currently reviewing three new ecosanctuary proposals. The BLM will also be issuing a new Request for Proposals for lower cost long-term holding contracts.

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QUESTION SUBMITTED BY SENATOR TIM JOHNSON

*Question.* According to the President's June 26, 2013, Executive Order, the White House Council on Native American Affairs was established to ensure that the Federal Government engages in a true and lasting government-to-government relationship with federally recognized tribes in a more coordinated and effective manner, including by better carrying out its trust responsibility. It states that this policy is established as a means of promoting and sustaining prosperous and resilient tribal communities, which includes promoting infrastructure to drive economic growth and security and to support special efforts to confront historic health disparities and chronic diseases.

The Executive Order also states that the Council shall work across executive departments to improve the quality of life for Native Americans, and make recommendations to the President concerning policy priorities, including improving the effectiveness of Federal investments in Native American communities.

The Mni Wiconi Project Act of 1988 was enacted to ensure a safe and adequate water supply for the residents of the Pine Ridge, Rosebud and Lower Brule Indian Reservations. The Project delivers clean drinking water to the Reservations and the neighboring non-Indian communities. It is a significant Federal investment intended to improve the quality of life on the Reservations. The act clearly states that the United States has a trust responsibility to ensure that adequate and safe water supplies are available to meet the economic, environmental, water supply and public health needs of the Reservations. As you know, the health disparities between Native Americans and non-Indians are vast, with the Native Americans suffering from high rates of illness and low life expectancy especially on reservations such as those named above where poverty is rampant and access to healthcare is difficult.

The Mni Wiconi Project is nearly complete, but remaining pieces still must be built on the Pine Ridge and Rosebud Reservations to ensure the intended beneficiaries are served. Further, the existing community systems that are intended to become a part of the Project need to be upgraded and transferred into the Project. Also, the Project needs sufficient operation, maintenance and replacement funds to ensure the Project can function as intended especially given the United States' substantial investment in the Project to date.

The Cheyenne River Sioux Indian Reservation also has vast water infrastructure needs. The Federal Government, through the U.S. Department of Agriculture (USDA) Rural Development, has invested more than \$65 million in the Mni Wasté water system in recent years. This funding will replace and upgrade the core components of the water system, addressing an acute water shortage that threatens public health and safety and inhibits economic growth. The Cheyenne River Sioux Tribe and surrounding communities also face longer term concerns about the state of water distribution infrastructure, however. The cost of major upgrades and an expansion of the distribution system to serve the approximately 7,000-acre service area in Dewey, Ziebach, Perkins and Meade counties could reach several hundred million dollars.

It is clear to me that addressing infrastructure needs of this magnitude on Indian reservations will require substantial engagement and investment from a number of different Federal agencies.

What will you do as Chairwoman of the White House Native American Affairs Council to ensure that these critical water infrastructure projects, which are intended to meet basic human needs on Indian reservations, are adequately considered and furthered by the Council?

*Answer.* The United States has a unique legal relationship with Indian tribal governments as set forth in the Constitution of the United States, treaties, statutes, Executive Orders, and court decisions. The Federal Government has enacted numer-

ous statutes and promulgated numerous regulations that establish and define a trust relationship with Indian tribes. Moreover, the administration recognizes that federally recognized Indian tribes are sovereign, self-governing political entities that enjoy a government-to-government relationship with the United States Government, as expressly recognized in the U.S. Constitution. The President is a strong supporter of the principle of tribal self-determination and he is committed to working toward fully enabling tribal self-governance.

In my capacity as Chairwoman of the White House Native American Affairs Council, I will advise the President about the full range of issues affecting our Native American communities throughout the country, especially those issues addressing their health and safety. Critical water infrastructure leading to access to adequate potable water is an area on which I and my staff within the Department of the Interior have spent considerable time, especially given their importance. I am fully engaged in improving the circumstances of Native Americans and their access to clean water, though developing or improving water infrastructure projects, such as rural water projects with tribal components, and by coordinating the use of limited Federal resources by multiple Federal, State and local agencies.

The Department of the Interior supports the goal of interagency cooperation and efforts to engage other agencies to participate in the Mni Wiconi Project utilizing their existing authorities. An interagency agreement, as proposed by the Bureau of Reclamation during the August 8, 2012 Joint Consultation Meeting With Federal Agencies, has the potential to achieve this objective. The draft agreement discussed at that meeting provides that the agencies will meet quarterly during the first year to evaluate and prioritize potential system improvements. The agencies then would develop a schedule to fund and implement these improvements. By coordinating this effort, the agencies, utilizing existing authorities, could leverage multiple funding sources, and make more effective use of available Federal funds to accomplish the system improvements.

This proposed interagency agreement and effort also meets the intent of the Memorandum of Understanding Among the Department of Agriculture, Department of Health and Human Services, Department of Housing and Urban Development, Department of the Interior, and the Environmental Protection Agency To Better Coordinate the Federal Government Efforts in Providing Infrastructure and Promoting Sustainable Practices To Support the Provision of Safe Drinking Water and Basic Sanitation in American Indian and Alaska Native Communities signed in March 2013.

Also within my Department, and in cooperation with the Office of Management and Budget, I have charged senior staff with coordinating and improving the planning for future and current operations of Indian water settlements. Staffs from the Bureau of Indian Affairs, Bureau of Reclamation, the Office of Special Trustee, the Secretary's Indian Water Rights Settlement Office, and my immediate office are meeting to develop strategies to ensure the continuation of positive collaboration with tribal nations in successful resolving complex, contentious and longstanding litigation over water rights.

The administration will continue to commit significant Federal resources to improving the lives of Native Americans, and the availability of potable water is at the top of my agenda.

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#### QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

##### WILDFIRE CAP ADJUSTMENT EMERGENCY PROPOSAL

*Question.* For more than a decade, this subcommittee has provided the Forest Service and Department of the Interior with 100 percent of the funds requested to fight fires. That amount has been equal to the 10-year average. This has been an agreement between the Office of Management and Budget (OMB), the Congressional Budget Office (CBO) and the subcommittee. As the cost and severity of fires have increased, the agencies have run out of money mid-year and had to borrow money from other programs to pay for fire suppression. Fire borrowing has caused this subcommittee to appropriate additional funding the following year to back pay the borrowed accounts from the previous year. This has taken over \$1 billion out of programs across the bill over the last 2 years. We can all agree that this is an inefficient and problematic way to budget. I appreciate the proposal to create a wildfire cap adjustment to end fire borrowing, but there are many questions that remain unanswered.

Under the new proposal, the Department of the Interior (DOI) and Forest Service would only need to request 70 percent of the 10-year average and any amounts

above that would be eligible for disaster cap funding. Can you tell me why the administration chose the 70 percent level?

Answer. In the proposed new budget framework, the administration wanted to limit the use of the cap adjustment to just extraordinary fire costs. The 70 percent level is representative of the amount of funding historically needed for wildfires which occur in the expected seasonal activity level. The other 30 percent, which would be covered in the cap adjustment, represents the level of funding historically necessary to cover the wildfires that are above expected seasonal activity. More to the point, roughly 99 percent of fires comprise 70 percent of the costs in an average year, and thus requesting funding for 70 percent of the 10-year average within the discretionary budget caps is essentially funding all but extraordinary fires that carry outsized costs.

The Department of the Interior and Forest Service derived the 70 percent figure by analyzing their total number of fires for the years 2008 through 2011 and categorizing them according to each fire's total cost. Specifically, Interior's universe of fires was grouped into total fire cost categories of \$500,000 or less; \$500,000 to \$1 million; greater than \$1 million; greater than \$5 million; and greater than \$10 million. The Forest Service's (FS's) universe of fires was grouped into total fire cost categories of less than \$2 million; \$2 million to \$3 million; \$3 million to \$5 million; \$5 million to \$10 million; \$10 million to \$15 million; \$15 million to \$20 million; \$20 million to \$30 million; \$30 million to \$50 million; and over \$50 million. The total number of Interior fires for the years 2008 thru 2011 was 42,719 fires. The number of fires less than \$1 million in cost was 42,449 or 99 percent of the fires. The total number of Forest Service fires for the years 2008 through 2011 was 28,642. The number of fires less than \$10 million was 28,596 or 99 percent of those fires.

The total cost of Interior fires for the years 2008 to 2011 was \$1,247,755,482 (in fiscal year 2013 dollars). The total cost of fires which were \$1 million or less per fire was \$784,791,923 (in fiscal year 2013 dollars) in those same years, or 63 percent of the costs. The total cost of Forest Service fires for the years 2008 to 2011 was \$5,127,000,000 (in fiscal year 2013 dollars). The total cost of fires which were \$10 million or less per fire was \$3,836,000 (in fiscal year 2013 dollars) in those same years, or 75 percent.

The averages when both Interior's and Forest Service's data were combined resulted in a percentage split of approximately 70/30. In other words, for the two agencies combined, 99 percent of fires consumed 70 percent of total suppression costs, while 1 percent of fires consumed 30 percent of total suppression costs.

*Question.* For fiscal year 2014, the amount appropriated for fire suppression at DOI which was equal to the 10-year average was close to \$400 million. Isn't it the case that under your new proposal you would have only had to request 70 percent of \$400 million thereby freeing up funds (roughly \$100 million) to be used elsewhere in your budget? In fact, you have touted that these funds can now be used for fire prevention activity.

Answer. The new budget framework for suppression costs aims to stop the crippling fire transfers and create a more responsible way to budget for suppression operations that allows for improved agency planning and management. The budget includes increases of \$34.1 million in Preparedness, \$2 million in Burned Area Rehabilitation, \$4.2 million for fixed costs increases, and \$30 million to establish a new Resilient Landscapes program. It also funds the hazardous fuels reduction program at approximately the 2014 enacted level.

*Question.* Have you considered continuing to use the 10-year average as the benchmark and only amounts above that level would be eligible for disaster funds?

Answer. As reflected in its proposed new budget framework, the administration believes it is prudent to budget for wildfire suppression costs similarly to how the Federal Government budgets for other natural disasters. This means funding the more predictable suppression costs within the domestic budget caps and funding the unpredictable and extraordinary suppression costs through the cap adjustment. As explained in the response to the question above, the 10-year average includes the costs of all wildfires. This includes those wildfires that are above an expected seasonal activity level. The administration determined that funding 70 percent of the 10-year average within the discretionary budget caps is essentially funding all but extraordinary fires that carry outsized costs.

The underlying premise of the new budget framework for suppression costs is to stop the crippling fire transfers and create a more responsible way to budget for suppression operations that allows for improved agency planning and management. The proposed 2015 framework also allows for significant investments in other components of the Wildland Fire Management program which, over the long term, will help control suppression costs. Limiting the budget cap adjustment to only costs ex-

ceeding the 10-year average would undermine both of these attributes of the 2015 President's budget proposal.

Currently, the administration has not sent up any specific language on this issue but has instead been working with Senators Wyden and Crapo and Congressman Simpson on their companion bills.

*Question.* Does the administration plan to send up a specific proposal of its own?

*Answer.* The Department of the Interior and U.S. Department of Agriculture (USDA)/Forest Service, in conjunction with the Office of Management and Budget (OMB), are meeting with appropriations and authorizing committees about the proposal. The administration has also offered technical assistance in drafting authorizing language.

S. 1875, the Wildfire Disaster Fund Act of 2013, which would enact the proposed wildfire cap adjustment, has been referred to the Budget Committee, but last year the administration asked that we carry it in the Omnibus Appropriations bill for fiscal year 2014.

*Question.* If the Budget Committee does not take action on this bill—which appears unlikely with Chairman Ryan's objection—would the administration request we do it as part of the Interior appropriations bill?

*Answer.* The administration has been working closely with the committees of jurisdiction including the House and Senate Budget Committees. An amendment to the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA) is needed to authorize the cap adjustment and this authorization must be enacted prior to enactment of any bill containing the appropriation of wildfire suppression cap adjustment funding. Thus, the amendment could be included in authorizing legislation or in an appropriations bill that advances ahead of the bill containing that appropriation.

*Question.* If we were to do it on the fiscal year 2015 Interior bill, what would be the scoring impact?

*Answer.* Although the language to amend BBEDCA to authorize the cap adjustment does not itself score, it must be enacted in advance of an Interior bill that contains an appropriation for wildfire suppression cap adjustment funding. This is because the language establishing the cap adjustment must already be in law prior to the consideration of the funding for the cap adjustment in order to permit the Budget Committees to increase the 302(b) allocation by the amount of such funding. If the amendment is included in the same bill that contains that appropriation, the Budget Committees will instead count the cap adjustment funding against the Interior subcommittee's 302(b) allocation for purposes of congressional enforcement.

*Question.* Can you explain whether we could utilize the funding cap adjustment in 2015?

*Answer.* Yes, as long as the amendment to BBEDCA authorizing the cap adjustment is enacted prior to the consideration of any bill containing the appropriation of wildfire suppression cap adjustment funding, the cap adjustment can be utilized in fiscal year 2015.

Currently, CBO scores the Interior bill with the full outlays associated with the 10-year average. With your proposal, you would only be requesting 70 percent of the 10-year average.

*Question.* Would CBO continue to score the bill with 100 percent of the outlays for the 10-year average, or how would this change under your proposal?

*Answer.* Once the cap adjustment for wildland fire is enacted, we expect that CBO would continue to score budget authority and outlays to the Interior bill based on the total amount for that purpose provided in the legislation. However, only 70 percent of the 10-year average would be counted for purposes of enforcing the 302(b) allocation. The Budget Committee would permit an increase in the 302(b) allocation for the remaining funding provided for wildfire suppression as part of the cap adjustment, subject to the terms of the cap adjustment.

#### CONTRACT SUPPORT COSTS

*Question.* In fiscal year 2014, the administration proposed capping the amounts available to tribes for contract support costs, in what I believe was an effort to circumvent the tribes' victory in the Ramah case decided by the Supreme Court. Thankfully, my colleagues on both sides of the aisle and in the House and Senate determined this was not the right approach. Since then, the administration has announced it will pay full contract support costs for the current fiscal year and has also requested the full amount in the Bureau of Indian Affairs (BIA) and Indian Health Service budgets for fiscal year 2015. For BIA, this is \$251 million. I have a few questions about this that go to how your budget is formulated so I'll ask Ms. Suh.

How are these estimates for contract support costs estimated for your budget submission?

*Answer.* Indian Affairs used a number of factors to estimate the Contract Support Cost (CSC) amount that is requested in the President's budget request. The factors included prior year CSC Shortfall reports, estimating the CSC need based on the amount of funding requested in the Operation of Indian Programs account, and estimating the potential change in the cost associated with administering new and expanded self-determination or self-governance compacts for tribes or tribal organizations. After this analysis, Indian Affairs estimates the total CSC need for fiscal year 2015 at \$251 million (\$246 million for Contract Support Cost and \$5 million for the Indian Self-Determination Fund). This is similar to the methodology used to develop the CSC amount included in the Indian Affairs 2014 Operating Plan which was \$247 million (\$242 million for Contract Support Cost and \$5 million for the Indian Self-Determination Fund).

*Question.* For years, we've had shortfall reports which have come in after the fact and indicated that a sufficient amount was not appropriated in a particular year for contract support costs. How, if at all, has the process been improved to more accurately estimate the need in the upcoming year for contract support costs?

*Answer.* The methodology for estimating the CSC shortfall amount and total CSC funding need has been refined over the years. With each subsequent year, with an additional year of data and greater experience, Indian Affairs has aspired to become more accurate in estimating these costs. In recent years, one refinement has been greater emphasis on basing the CSC estimate on the amount of funding in the Operation of Indian Programs account, which is a major driver of CSC.

*Question.* Isn't it also the case that the need for contract support costs may change based on how Congress treats your budget? For example, if you get an increase in several program lines, that will also increase the need for the contract support costs that go to the tribes to deliver the programs.

*Answer.* Yes, the total CSC funding need can vary based on the final appropriated amounts that Congress enacts. If Congress increases funding for program lines that call for CSC, the CSC need will rise. If Congress reduces program lines that call for CSC, the CSC need will also decrease.

#### GREATER MOOSE'S TOOTH—NATIONAL PETROLEUM RESERVE—ALASKA

*Question.* The Bureau of Land Management (BLM) is working to finalize the Supplemental Environmental Impact Statement (EIS) for the Greater Moose's Tooth development project. This EIS tiers off the National Petroleum Reserve—Alaska (NPR) Final Integrated Activity Plan and EIS, and the Alpine Satellite Development Plan Final EIS. GMT-1, as it's referred to, will allow for the first oil production from the NPR, which the administration has specifically stated is part of its all-of-the-above energy strategy. As with all development projects in Alaska, construction timelines are tight, and several permits must be in place before the project may move forward. Simply put, GMT-1 cannot move forward until the EIS is finalized, as subsequent permits will be based on this document.

The public comment period on the Supplemental EIS is 60 days and does not close until April 22.

Given that this is a Supplemental EIS and tiers off two other Final EISs, do you agree that 60 days is sufficient for public comment?

*Answer.* The public comment period was not extended and the BLM expects to have ongoing public engagement.

*Question.* After the public comment period closes, how much time (weeks, months?) does the Department expect to need to finalize the document?

*Answer.* Public comments received will be reviewed and considered as the BLM prepares the Final Supplemental EIS.

*Question.* When do you expect the Final EIS to be released?

*Answer.* The BLM is working diligently to complete the Final Supplemental EIS; however, it is important to note this is a complex undertaking. The project continues to move forward as planned and will be released upon consideration of public comments and preparation of the Record of Decision.

*Question.* Does the Department have adequate resources to make sure this project moves forward this year?

*Answer.* The BLM has an interdisciplinary team focused on completing the requirements to move this project forward.

#### OIL AND GAS DEVELOPMENT ON PUBLIC LANDS

*Question.* Domestic oil and gas development plays a critical role in our Nation's economic and national security. We see daily evidence of this as we continue to

watch events unfold in Ukraine. Unfortunately, rather than encouraging onshore development, Federal policies make public lands less attractive to investment when compared to State and private lands. This results in important resources, revenues, and jobs left in the ground. I think it is unfortunate that resource rich States and our Nation are not able to take advantage of the myriad benefits responsible domestic development provides.

For perspective, for every dollar invested in onshore oil and gas development on public lands, \$88 in revenue is generated. In 2012 this resulted in \$3.5 billion in onshore lease and royalty revenues to American taxpayers.

I was dismayed to see the Department's proposals for oil and gas development, which focus on increased fees, higher royalty rates, and shorter lease terms. Especially since activities designed to improve permitting, such as continued funding for pilot offices, were not prioritized and the leasing reforms put in place have primarily served to give anti-development interests another bite at the apple when it comes to litigation. Contrast this with the budget's request for renewable energy which is designed to "continue to aggressively facilitate and support solar, wind, and geothermal energy development." I support responsible renewable energy development on public lands, but I do not support favoring it over traditional energy development.

Do you know how much revenue is generated by the renewable energy industry on public lands compared to the onshore program on public lands?

Answer. Total revenues from solar, wind, and geothermal authorizations and leases on public land were approximately \$25 million in fiscal year 2012 and \$25.5 million in fiscal year 2013. Revenues will increase substantially as construction is completed on many projects and these facilities enter operation and begin to deliver energy to the electric grid. Until recently, there were no commercial scale solar energy facilities operating on public lands managed by the Department.

The total revenues from the onshore oil and gas program were approximately \$2.9 billion in fiscal year 2012 and \$3 billion in fiscal year 2013 from oil and gas royalties, rents, and bonus bids.

*Question.* Do you believe we should also aggressively facilitate oil and gas development on public lands? Why or why not?

Answer. Promoting the efficient, safe, and responsible development of public land energy resources is a critical part of the administration's broad all-of-the-above energy strategy. The BLM actively facilitates oil and gas development on public lands as a critical contributor to both the national economy and energy portfolio, while also continuing to meet various Federal environmental requirements, such as the National Environmental Policy Act (NEPA) and Endangered Species Act (ESA). Following these mandates, the BLM supports vital oil and gas development activities which help our Nation achieve a more secure energy future.

*Question.* Do you believe the budget proposal increases or decreases competitiveness of public lands?

Answer. Federal oil and gas production is an important component in fulfilling our Nation's energy needs and the Department has an obligation to the public to ensure a fair return on that production. The Department deems the proposed changes necessary to ensure this fair return, and we do not believe they will make Federal lands less competitive compared to the States. Onshore Federal oil and gas royalty rates, which are currently 12.5 percent, are lower than most States' royalty rates.

The administration believes that American taxpayers should get a fair return on the development of energy resources on their public lands. We feel industry should pay the cost of inspecting and monitoring oil and gas activities, as is the case for other industries, including offshore oil and gas. This is consistent with the principle that the users of the public lands should pay for the cost of both authorizing and oversight activities.

The Department's intent behind the proposed fee on non-producing leases is to encourage more timely development of Federal lands. The fee will provide an incentive for oil and gas companies to either put their leases into production or relinquish them so the Department can re-lease those tracts to companies who want to develop them. Many States also have similar fees (e.g., escalating rental rates) to encourage development. Therefore, the Department does not believe the proposed changes will make Federal lands less competitive compared to the States.

The President's 2015 budget request also includes a more than 20 percent funding increase to strengthen the BLM's Onshore Oil and Gas Program and supports continued implementation of leasing reforms, enhanced oversight, and a strengthened inspections process. Leasing reforms launched in 2010 have cut the rate of protests from nearly 50 percent in fiscal year 2009 to approximately 18 percent in fiscal year

2013, leading to reduced costs and greater certainty for lessees. It is also important to note the BLM issued 1,468 leases in fiscal year 2013.

*Question.* Given the constraints of our current budget, does the Department consider the impact to investment that increased fees and duplicative regulations have on generating revenue for taxpayers when making funding request decisions?

Answer. The Department has not proposed duplicative or unnecessary regulations. Moreover, we believe that the modest fees proposed on oil and gas operations in the 2015 budget request will have a negligible impact on other revenue generation while providing important resources to fund the programs that support responsible oil and gas development on Federal lands.

The BLM's 2015 budget request for authority to collect inspection and enforcement fees aligns onshore oil and gas inspections and enforcement with the authority the Congress has enacted annually since 2010 for oil and gas inspection and enforcement on the outer continental shelf. The Department estimates the fees will generate \$48 million which will allow for a \$38 million decrease in net BLM appropriations while still providing for an increase of \$10 million for BLM to expand and strengthen onshore oil and gas inspection and oversight.

The additional funding provided by the fee authority is necessary to improve the BLM's capacity for production accountability, safety, and environmental protection. The BLM will use the funds to expand capacity to correct deficiencies identified by the Government Accountability Office (GAO) in a February 2011 report, designating Federal management of oil and gas resources as high risk. Funds from the fees will be used to increase inspections of Federal and tribal high risk oil and gas cases and complete more environmental inspections to ensure environmental requirements are being met in all phases of development. Expanding BLM's capacity to conduct production accountability inspections will better ensure American taxpayers are properly compensated for the value of oil and gas resources developed on the public lands.

The proposed inspection fees would also enable the BLM to be more responsive to market demand. This funding will be used to hire new inspectors and improve the tools and systems necessary to implement the risk-based inspection program.

#### NPRA LAND PLANNING/OTHER LAND PLAN COSTS

*Question.* The U.S. Fish and Wildlife Service more than 3 years ago began work on a new land management plan for the Arctic National Wildlife Refuge. The preliminary plan seemed to propose that most of the 19 million-plus-acre refuge, including all of the 1.5 million acres of the Arctic coastal plain that the U.S. Geological Survey (USGS) predicts contains between 6.7 billion and 16 billion barrels of oil—America's largest on shore petroleum resource—would be proposed for wilderness, rather than just the 8 million acres already placed in wilderness by the Alaska lands act in 1980. In 2013, however, efforts to finish the land management plan seemed to have gone into suspended animation, which means the area is being managed as if the new land plan is already in effect.

Where is the planning process at present and when is a final NPRA revised land plan likely to be unveiled?

Answer. The BLM released the National Petroleum Reserve in Alaska (NPR-A) Final Integrated Activity Plan (IAP)/EIS on December 19, 2012. On February 20, 2013, the Record of Decision for the Final IAP/EIS was released and superseded previous land use plans in the management of the 23-million-acre reserve.

As for the Arctic National Wildlife Refuge (ANWR), the U.S. Fish and Wildlife Service published a draft revised Arctic National Wildlife Refuge Comprehensive Conservation Plan/Draft Environmental Impact Statement (CCP/EIS) for public comment on August 15, 2011. The CCP/EIS proposed six alternatives ranging from recommending Wilderness designation for the Brooks Range, the Coastal Plain, and the Porcupine Plateau and Wild River designation for the Atigun, Hulahula, Kongakut, and Marsh Fork Canning rivers to recommending current management practices remain unchanged. A preferred alternative was not identified. Over 612,000 public comments were received on the draft. These included communications by mail, e-mails, faxes, Web site submissions, and statements at public meetings. The Department is considering the comments received and continues to prepare a final CCP/EIS.

*Question.* Also, can you supply for the record what both the Fish and Wildlife Service and the BLM are planning to spend in fiscal year 2015 on updating land management plans in Alaska overall?

Answer. The BLM funding allocation for updating land management plans in Alaska in fiscal year 2015 is \$2.1 million and the Fish and Wildlife Service (FWS) estimates that it will spend \$300,000 in fiscal year 2015 for updating Comprehen-

sive Conservation Plans on National Wildlife Refuges in Alaska. The FWS will also provide section 7 consultations to Federal agencies in Alaska in 2015, though the cost of these consultations is not tracked by agency.

*Question.* There are at least three other plans throughout western and central Alaska in varying stages of updating/completion, some before their normal planning windows. I'm curious about what they are costing the Department.

*Answer.* Following is a funding schedule for the Eastern Interior RMP, the Bering Sea/Western Interior Resource Management Plan (RMP), the Central Yukon RMP, and the NPR-A.

[Dollars in thousands]

Plan name	Fiscal year—							Total
	2009	2010	2011	2012	2013	2014	2015 <sup>1</sup>	
Eastern Interior RMP .....	\$763	\$608	\$44	\$150	\$300	\$70	\$50	\$1,985
Bering Sea/Western Interior RMP .....	.....	.....	.....	.....	659	825	948	2,432
Central Yukon RMP .....	.....	.....	.....	.....	561	675	1,020	2,256
NPR-A .....	.....	195	940	977	500	.....	.....	2,612

<sup>1</sup> Anticipated. Actual allocation may vary based on needs, scheduling, and competing priorities.

#### LEGACY WELL CLEANUP

*Question.* Madam Secretary, we have spoken often about the need for the Department to speed up the cleanup of 136 abandoned oil and gas exploration wells in northern Alaska, wells drilled by the Government in both the 1940s and late 1980s and early 1990s. You had about \$1 million in your budget last year for such cleanups. Fortunately, in the Helium bill last fall we were able to increase your cleanup funding by \$50 million so that the Department will be able to tackle the worst of the wells in coming years and gain efficiencies by being able to reduce mobilization costs and improve coordination of the cleanup efforts. But that \$50 million will not solve all of the problems.

Will the Department change its priorities and increase its regular budgetary funding to tackle environmental cleanups of abandoned Federal wells on an annual basis, since their cleanup truly is a Federal responsibility, so that we aren't back in the same position in 6 years of having insufficient funding to clean up environmental problems on Federal lands?

*Answer.* The Department appreciates your role in the passage of the Helium Stewardship Act of 2013, which allows BLM to continue to provide stability to the helium market and support 21st century jobs and industry. The bill also provides a major funding source to address the worst abandoned oil and gas exploration wells. This funding will significantly increase the speed of remediation efforts at those high priority wells.

When Congress transferred administration of the Naval Petroleum Reserve No. 4 in 1976 (legislatively renamed the National Petroleum Reserve-Alaska or NPR-A), the Department inherited a massive legacy of federally drilled oil and gas exploration wells. Some of these wells have never been properly plugged and closed and the workload was well beyond the scope of the DOI environmental cleanup budget. To date, nearly \$90 million has been spent cataloging, monitoring and remediating these legacy wells.

The BLM will continue to coordinate efforts with the State of Alaska and the North Slope Borough in addressing well plugging and cleanup activities so these wells can be closed in a manner consistent with State and Federal law. Although it is premature to discuss budget priorities for the years 2020 and beyond, the BLM will keep the subcommittee fully informed of its progress over time with the objective of ensuring no surprises as we work through this legacy workload.

#### NATIONAL PARK SERVICE CENTENNIAL INITIATIVE

*Question.* The Department's budget contains a proposal in support of the Park Service Centennial in 2016. We all support the National Parks and recognize the importance of this event. The most significant feature of this proposal is the request for \$300 million in each of the next 3 years in mandatory funding, \$100 million to be matched by private partners, for what your budget describes as signature projects and \$200 million for deferred maintenance projects. The budget also indicates that you plan to send up a legislative proposal for this initiative later this year.

Can you explain to me what you mean by signature projects? In other words, what are the criteria for qualifying for a project with these funds?

*Answer.* The minimum eligibility requirement for a project is that they have a one to one partner match to Federal funds. Preference will be given to projects with a higher partner match, a clear and immediate visitor benefit, and an ability to be obligated in a timely manner. The visitor benefit may include projects such as educational programing, providing increased visitor access, or rehabilitating a visitor use asset. All parks and partners are eligible.

*Question.* Will these projects also address the backlog or will they be for new construction? My concern is that many folks who may give private donations may be interested in new facilities rather than fixing up many existing sites.

*Answer.* These projects would support both infrastructure and non-infrastructure needs. There is evidence of strong partner support for projects other than new construction. For example, the Yosemite Conservancy is interested in repairing water lines to save the habitat of the giant sequoias, and the Gettysburg Foundation is interested in rehabilitating the Little Round Top visitor use area. These projects would be in addition to the deferred maintenance projects funded through the \$200 million proposal, which will have specific performance measures to track the restoration of the highest priority park assets to good condition.

*Question.* Will more rural States with less philanthropic resources be at a disadvantage in competing for funds against wealthier areas?

*Answer.* Our partners are very diverse, and their ability to raise funds varies widely, but we feel we will be able to match our myriad Centennial efforts to an appropriate partner—or partners—as 2016 approaches and the Centennial Initiative gains momentum. Our experience with managing the Centennial Challenge program from fiscal year 2008 to fiscal year 2010 does not indicate that rural States would be at a disadvantage. For example, successful projects were at rural parks such as Tallgrass Prairie National Preserve, Mesa Verde National Park, Redwood National Park, and Andersonville National Historic Site. Many parks in rural States have well established friends groups.

*Question.* While I support efforts to address the backlog which \$200 million of this proposal does, what offsets will be used to pay for this new mandatory funding?

*Answer.* The administration looks forward to working with Congress on the details of legislation that would advance the Centennial proposal, including the necessary offsets for this new spending. That includes revenue generating proposals in DOI's 2015 budget that are estimated to result in savings to the Treasury of more than \$2.6 billion over 10 years. While the fiscal climate requires prudence, national parks have a proven track record as economic engines. For example, the recently released, peer reviewed National Park Visitor Spending Effects report found that national parks across the country continued to be important economic engines, generating \$26.75 billion in economic activity and supporting 243,000 jobs. In terms of leveraging Federal funds, for every dollar invested by taxpayers, \$10 is returned to the American economy.

*Question.* As an appropriator, it always gives me pause when we move portions of an agency's budget offline. What role will this Committee have in overseeing how these funds are expended?

*Answer.* The administration recognizes the help the Appropriations Committee has provided in addressing deferred maintenance in national parks, so we would want a legislative proposal to provide for appropriate oversight by this Committee. There are a number of options, such as consultations on criteria to be used and notifications now included in annual congressional justifications on the planned allocation of Recreation Fee permanent appropriations.

#### KATMAI/BROOKS CAMP BRIDGE

*Question.* Madam Secretary, your budget request includes \$4.4 million for the first phase of a \$7.5 million project to replace the existing floating bridge at Brooks Camp in Katmai National Park with an elevated bridge and walkway. This new bridge will be a minimum of 10 feet above the ground. The purpose is to minimize human-bear interactions which frequently cause lengthy delays for workers and visitors getting back and forth across the Brooks River.

While these objectives may be worthwhile, I'm troubled by the fact that this bridge is part of what I view as an outdated Development Concept Plan (DCP) completed in 1996 that also calls for moving the entire existing Brooks lodge to the other side of the river. I completely disagree with that not only because it would be totally cost prohibitive, but also because of the historic significance of this facility. It was created by one of Alaska's aviation pioneers who built this camp before Katmai National Park was established. I don't want to see the construction of this bridge if it is part of an effort by the Park Service to move Brooks lodge.

Is it still the DOI's position that the Brooks lodge facility must be moved to the other side of the Brooks River?

Answer. The National Park Service (NPS) does not plan to move the historic Brooks lodge facility. Once the bridge is finished, the NPS will complete the supporting infrastructure at the Valley Road Administrative Area and move the majority of NPS housing to the south side. This combined effort will significantly reduce development on the north side, mitigating impact to cultural resources and bear use areas. It will greatly improve the visitor experience. The lodge, campground, cultural exhibits, and limited concessioner housing will remain on the north side.

*Question.* Would the Department agree to go back and re-do the existing DCP so that it reflects the latest science and budget realities that we are operating under?

Answer. The 2013 Brooks River Visitor Access EIS amended the 1996 Development Concept Plan (DCP) by retaining existing floatplane access on Naknek Lake and Lake Brooks, and approving an elevated bridge and boardwalk system across Brooks River. It improves visitor safety by reducing the risk of bear interactions and provides for permanent, reliable access across the river.

The NPS utilized scientific expertise in formulating the 2013 plan (Amended EIS). For instance, NPS convened a panel of State, Federal, and university brown bear experts to advise the planning team during project scoping. Other special studies of cultural resources, river hydrology, geotechnology, and bear movements informed the plan. The plan was vetted through full public involvement, including project scoping and meetings conducted in Anchorage, King Salmon, and Brooks Camp.

#### RED DEVIL MINE/NATIVE LAND CONTAMINATION

*Question.* First, I want to thank the Secretary for proposing to include \$2.7 million to speed remediation of mine waste at the old Red Devil Mine site in Southwest Alaska—a situation that has been under consideration between Interior and the State of Alaska for more than a decade. However, Red Devil also brings up the broader issue of environmental pollution and contamination on lands already conveyed to Alaska Natives under the Alaska Native Claims Settlement Act. Currently, there are more than 650 such sites on Native lands—lands contaminated prior to conveyance—where the Federal Government is statutorily responsible for the cleanup. In 1988, the Department studied the subject and proposed a six-point effort to speed up cleanup of such contamination but nothing happened. Last fall, I wrote and asked you about the Department's plans for cleanup. In January, you promised the Department would update its contaminated lands survey—and I understand you have assigned staff to update that survey.

My question is how quickly might the updated survey be finished and more importantly, how quickly will the Department devote actual funding and resources to clean up contamination caused by Federal agencies?

Answer. The Department shares your concern that contaminated lands may have been conveyed to the Alaska Native Claims Settlement Act (ANCSA) corporations. As I stated in my January 2014 letter, the Department is committed to determining what sites identified were conveyed under ANCSA in order to continue follow up on the six recommendations. The BLM is working cooperatively with the Alaska Native Village CEO Association on this issue and meeting regularly with them to gather information and complete the inventory. The BLM's goal is to complete the inventory by late summer this year.

Since January 2014, the BLM-Alaska has designated a full-time project manager to focus specifically on the contaminated lands. The project manager's group is reviewing the BLM's data to determine what contaminated lands may have been conveyed. A database of this information is being developed, which will allow us to prioritize future actions. Once the inventory is completed, the Department will be better able to assess the resources appropriate to remediate the contaminated lands.

#### ALASKA VOLCANO OBSERVATORY FUNDING

*Question.* The United States Geological Survey operates the Alaska Volcano Observatory, a joint entity with the University of Alaska. USGS operates five such observatories in the western United States. The observatory maintains a series of seismic monitors on volcanoes in Alaska, largely on the Alaska Peninsula and the Aleutian Chain, near the air corridor for flights to America from Asia. Ash from eruptions is particularly dangerous to such flights as shown by the near crash of a jumbo jet years ago.

According to USGS's own count, many of the seismic monitors need to upgrade to digital technology, as well as the replacement of antennas and batteries since the stations are rapidly going off line. Not only is this causing a real health and safety issue not just for Alaskans, but international passengers on trans-Pacific flights.

Your budget contains several increases, such as a \$17.1 million increase just for climate change research, while it appears to contain roughly flat funding for the Natural Hazards Program, even though tracking and predicting earthquake and volcanic eruptions would seem to be one of the Department's most important health and safety responsibilities. Your budget seems to call for increases of just \$314,000 for the Earthquakes Program—a sore subject in this the 50th anniversary year of the strongest earthquake in North American history—the Good Friday quake in Alaska in 1964—and just \$187,000 for the Volcano Program, even though the estimate just to maintain just the Alaska seismic monitoring network will cost millions additionally a year for maintenance to keep the network from collapsing.

I'm afraid we're going to reach a point in the very near future where we simply don't have enough information available to predict and monitor the volcanic activity in Alaska, which could have catastrophic consequences. The fiscal year 2014 Conference Report contained language noting these challenges and concerns.

What is USGS doing to make sure that these monitoring systems don't collapse in the near future, as is predicted?

Answer. The fiscal year 2014 Omnibus Appropriations report provides \$400,000 toward rapid response to ash forming eruptions and network restoration activities. As proposed in the 2015 President's budget request, these funds will be applied toward installation of monitoring instrumentation at other U.S. volcanoes prone to ash-forming eruptions in Washington and Oregon. Restoration of existing Alaskan volcano networks is a long-term project with anticipated duration of 3 to 4 years at the current funding level.

The Alaska Volcano Observatory (AVO) received an additional \$119,000 in 2014 to support maintenance work on geophysical monitoring networks on Alaska volcanoes. Of this amount, the USGS will spend \$73,000 on equipment and maintenance costs for ailing monitoring networks and \$46,000 for helicopter support will be routed to the Alaska Division of Geological and Geophysical Surveys through a cooperative agreement to support maintenance of monitoring networks. The high priority targets for AVO maintenance work in the summer of 2014 will be the repair of instruments on Shishaldin, Westdahl, and Fisher volcanoes on Unimak Island, where all seismic instruments are operating at an impaired level. Shishaldin is experiencing an ongoing low level effusive eruption and seismic instruments are critically needed. Additionally, AVO plans network maintenance on the Katmai volcanoes of Spurr, Redoubt, Augustine, Akutan, Makushin, and Okmok in 2014, where seismic instruments are also operating at an impaired level. No maintenance is planned in 2014 for Aniakchak or Four Peaked volcanoes where networks have recently failed. AVO hopes to re-engineer these networks so they will be more robust and cost effective to operate and plans to make repairs/upgrades in 2015 pending availability of funds.

AVO is also partnering with a National Science Foundation (NSF) funded archeology project through the University of Kansas and Whitman College to place two new monitoring stations on Cleveland volcano. Cleveland volcano has been the most consistently active volcano in Alaska over the past 5 to 10 years and is currently not monitored with ground based instrumentation. This maintenance will lower the hazard risk posed to NSF-funded researchers and accompanying USGS scientists and provide the means to detect and warn of future eruptions of Cleveland much more rapidly than is currently possible. This partnership significantly lowers the logistical costs on placing monitoring instrumentation on this very active and very remote Aleutian volcano. Future commitments by the NSF GeoPrisms initiative suggest that cost effective ship and helicopter access for maintenance work will continue for at least several more years.

*Question.* Could you provide this subcommittee with the current gaps in the monitoring infrastructure at the Alaska Volcano Observatory and the estimated costs to maintain a sufficient monitoring system?

Answer. Currently AVO seismic networks on Aniakchak, Little Sitkin, Four Peaked, Wrangell, and Semisopochnoi volcanoes are not operational and seismic networks on Gareloi, Westdahl, Fisher, Shishaldin, Dutton, Peulik, Katmai, and Pavlof volcanoes are operating at an impaired level. To repair and consistently maintain these networks AVO would need an additional \$2.5 million a year for an annual budget of \$6.5 million to \$7 million. AVO currently has no ground-based monitoring at several moderate to high threat volcanoes including Kiska, Kasatochi, Seguam, Amukta, Yunaska, Carlisle, Cleveland, Herbert, Kagamil, Vsevidof, and Chiginagak and these volcanoes represent significant gaps in our ability to address volcanic hazards in Alaska and on North Pacific air routes.

The Volcano Hazards Program (VHP) has to balance the high threat volcanoes in Alaska needing instrumentation with the Very High Threat volcanoes in the conterminous United States whose monitoring networks are inadequate for the

threat they pose—most notably Glacier Peak, Washington (virtually no instrumentation); Baker, Washington; Mt. Hood, Oregon; Lassen Peak, California; and Mt. Shasta, California.

#### LAND AND WATER CONSERVATION FUND

*Question.* Your fiscal year 2015 proposal asks for \$550 million in mandatory spending for the Land and Water Conservation Fund (LWCF) program. The administration has been making similar requests to use mandatory funds for LWCF over the last several years and Congress has not enacted any of them. Your budget documents indicate that in fiscal year 2016, the administration will propose the fully authorized level of \$900 million for LWCF, paid for entirely through mandatory appropriations. I wholly disagree with this. In a time of tight budgets and overwhelming debt, why should Congress, and especially this subcommittee support putting this program on auto pilot? LWCF has received roughly \$300 million over the last few budget cycles in discretionary funds.

Why should this program be placed above other critical priorities in the Interior bill like Indian schools and healthcare and receive guaranteed full funding?

*Answer.* The Department of the Interior is entrusted with overseeing Federal lands for the benefit of current and future generations. The Land and Water Conservation Fund is an innovative program that has, for nearly 50 years, used revenues from offshore oil and gas development to enhance parks and open spaces in every county across the country. The LWCF Act has been one of our Nation's most effective tools for protecting our Nation's cultural resources, protecting important habitat, expanding access for hunting and fishing, creating ballfields and other places for kids to play and learn, and protecting Civil War battlefields.

Congress passed the LWCF Act and established \$900 million as its authorized funding level to ensure balance between the depletion of one national resource—our offshore oil and gas reserves—and the permanent conservation of our lands and waters. Authorizing mandatory funding for the LWCF would realize the original intent of this law: to set aside a meaningful portion of the royalties that companies pay for developing America's offshore oil and gas reserves, and reinvest those funds in land and water conservation for the benefit of all Americans and future generations. Mandatory funding will not remove all congressional discretion over the use of the funds, but will provide greater certainty that this portion of our offshore royalties are used for their intended purpose: to support the national endowment of lands and waters which provide our cities with clean drinking water, provide our children with safe places to play, and protect the way of life of our farmers, foresters and ranchers.

Wisely utilizing the revenues that are deposited into the LWCF account has been a high priority for the Department across many administrations, regardless of political affiliation. However, it is one of many priorities that must be balanced. The administration is also committed to ensuring that Native American youth who attend Bureau of Indian Education-funded schools benefit from academically rigorous, culturally appropriate education that will prepare Indian students to be successful citizens and future leaders in their communities and help build safer, stronger, healthier, and more prosperous Indian communities and economies. Improving education and literacy in tribal nations is essential to vitalizing community life, stimulating economic development, increasing employment opportunities, and improving standards of living for future generations of Native Americans. A thriving educational system for American Indian students is a critical component of the broader initiative to strengthen tribal communities.

Indian Affairs owns or provides funding for a significant inventory of buildings and other facilities across the Nation, including education facilities in Indian country. Currently, Indian Affairs provides funds for facility programs for 183 academic and resident-only campuses. From 2002 through 2014, over \$2 billion, including \$300 million of funding made available in the American Recovery and Reinvestment Act, has been provided for construction, improvement, and repair projects that have reduced the number of schools in poor condition from more than 120 of the 183 schools to 63 today. Appropriations for education construction over the last 15 years has funded 42 complete school replacements and 62 major renovations, which are either completed, funded or under construction. The budget supports progress in completing the 2004 Replacement School Construction priority list, providing funding for the Beatrice Rafferty School.

#### ALASKA LAND CONVEYANCE

*Question.* I was disappointed to see that the Department is once again proposing to cut funding for completion of Alaska land conveyances. The State of Alaska and

the Alaska Native corporations are still awaiting conveyance and patenting of the 149 million acres promised them in 1959 and 1971 in the Statehood Act and the Alaska Native Claims Settlement Act. The last official numbers I saw showed that combined, the Government still owes the State and Natives interim conveyance of approximately 7 million acres and patents to about 46 million acres.

Only 4 years ago, the funding for these conveyances was roughly \$34 million, but the administration proposed to cut that by over 50 percent to just \$16.6 million in fiscal year 2013. In fiscal year 2014, Congress provided \$22 million, which should help to speed up the required land surveys. I was disappointed, then, when your fiscal year 2015 budget request of only \$19 million again proposes to cut funding for this important program. While \$3 million may not seem significant, the extra funding could help complete conveyances within 5 to 10 years, instead of the 20 or 30 years that likely would be result if funding fell back to fiscal year 2013 levels.

Why is the Department again seeking to cut conveyance funding when completing the conveyances is clearly a legal obligation under three different Federal laws?

Answer. The BLM has innovated and modernized its survey and business practices in Alaska and is already achieving faster and improved outcomes with a smaller investment. Under previous processes, the remaining conveyances would have taken decades to complete (until approximately 2045). To accelerate the timeframe for completing the remaining survey and conveyance requirements, the BLM transformed its survey technique to expedite land transfers. The new approach reduces physical monuments in the ground and provides precise geospatial data for land boundaries, reducing the cost of surveys by up to 50 percent and accelerating timeframes for the final patenting of lands to the State. With this new initiative, the BLM will meet its obligation to the State and Alaskan Natives substantially sooner and more economically. The 2015 request level plots a course for completing all surveys and land transfers in 10 years.

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QUESTION SUBMITTED BY SENATOR THAD COCHRAN

*Question.* In February 2013 a study was released that estimated National Heritage Areas contribute \$12.9 billion annually to our Nation's economy. The study also reported that the 49 National Heritage Areas across the country support 148,000 jobs and contribute \$1.2 billion in Federal taxes annually. Would the President's budget proposed 54 percent reduction in funding for the Heritage Partnership Program have an effect on the economic impact and jobs supported by National Heritage Areas?

Answer. The reduction proposed in the President's budget supports the directive for the more established National Heritage Areas (NHAs) to work toward becoming more self-sufficient. This directive was provided in the House Report 111-180 for the fiscal year 2010 Interior appropriations bill. As NHAs develop other sources of non-appropriated funding to attain operational self-sufficiency, appropriated funds would still leverage significant economic benefits, including job creation, through tourism and visitor spending.

The budget provides support to sustain critical functions of the National Park Service's (NPS) valued NHA partners, especially those areas that are in the process of developing and implementing their sustainability plans and forming networks of operational and financial partnerships. The performance-based funding formula currently in the process of being implemented for NHAs will, once fully implemented, reward NHA entities that bring in additional non-Federal investment and which have also developed a sustainability plan.

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QUESTIONS SUBMITTED BY SENATOR LAMAR ALEXANDER

WHITE-NOSE SYNDROME

*Question.* In February 2010, white-nose syndrome was confirmed in the State of Tennessee and continues to spread. I am very concerned about this because of the potential long-term impact it could have on Tennessee.

Bats are consumers of enormous numbers of insects that threaten crops and forests. Because of the insects and the amount of insects that bats consume, economic analysis estimates that the value of pest suppression bats have per acre ranges from \$12 to \$173, with an average benefit of \$74 per acre. The same study estimates the total annual agriculture benefit of bats ranging from \$3 billion per year to \$53 billion per year, with the most likely annual benefit of \$22 billion per year.

As of 2011, agriculture and forestry industries in Tennessee impact the State's economy with \$66.4 billion in total economic activity and more than 337,880 in em-

ployment according to the Tennessee Department of Agriculture. So the loss of these bats could severely damage the Tennessee economy.

Would you provide an update on the research the Department has conducted on the spread of white-nose syndrome and what the Department's goals for white-nose syndrome are and how do you plan to achieve them?

Answer. Since discovered in 2007, white-nose syndrome (WNS), caused by the fungus *Pseudogymnoascus destructans* (Pd), has killed over 5 million bats, and the disease has spread to 25 U.S. States and five Canadian provinces. The National Park Service has detected the fungus in 10 park units. Formally accepted in 2011, the National Plan for Assisting States, Federal Agencies, and Tribes in Managing White-nose Syndrome in Bats (National Plan) provides a framework for coordinating the WNS investigation and identifies research and management goals for the collective response to the disease. Numerous discoveries stemming from collaborative research conducted over the last several years at the U.S. Geological Survey (USGS) and other centers, universities, and State and Federal laboratories have contributed to current understanding of WNS and the ability to closely monitor disease spread. The result of this research has enabled the USGS to develop an enhanced molecular method (real-time Polymerase Chain Reaction) to detect Pd, demonstrate that bat hibernacula serve as long-term reservoirs for Pd, characterize the influence of temperature on growth of Pd, determine that infection by Pd disrupts the physiology of hibernating bats, and demonstrate that Pd was likely introduced to North America from Europe.

This fundamental understanding of WNS and the fungus that causes it has facilitated the USGS' ability to shift the focus of research from disease and pathogen characterization to disease management, in accordance with the goals identified in the National Plan. Some of the objectives defined below (e.g., enhanced disease surveillance) are sufficiently developed for immediate implementation, while others (e.g., vaccination of bats or implementation of a bio-control-based disease management) will require further development and longer-term investment. Ongoing and proposed management-based WNS research efforts at the USGS will:

- Enhance disease surveillance to more precisely define where the fungus Pd occurs and monitor the efficacy of proposed management actions.
- Investigate the role that environmental conditions play in the outbreaks of WNS to provide information to managers to manipulate the environment as a strategy to manage the disease.
- Define the host (bat) response to infection by Pd and what causes the manifestation of the disease to support the development of a vaccine.
- Develop and disseminate an edible vaccine to protect bats against infection by Pd.
- Define a host (bat) response to fungal infection to support bio-control-based suppression of WNS by manipulation of microbial populations naturally found on bat skin (micro-biomes).
- Characterize soil microbial communities that suppress Pd in underground bat hibernation sites to support a bio-control-based strategy to reduce pathogenic environmental reservoirs of the fungus.
- Develop a coordinated bat population monitoring database (NABat) to support regional and range-wide inferences about trends in distributions and abundances of bat populations in North America facing mortality from stressors such as white-nose syndrome and wind energy.
- Develop an online national wildlife mortality event reporting system that will facilitate the sharing of disease event information, such as outbreak onset and ending date, location, species involved, numbers involved, diagnoses, laboratory, and contact names.

*Question.* Does the research partnership between multiple Federal agencies and State agencies provide the best platform for solving this issue of white-nose syndrome? Are we seeing signs of improvement or should there be a more aggressive approach to solving this issue?

Answer. White-nose syndrome is still a significant problem and the continued spread of the disease is anticipated to threaten hibernating bat species throughout North America. The National Plan for assisting States, Federal agencies and tribes in managing WNS in bats was formally accepted in May 2011 and serves as the framework for the coordination of agency and partner efforts to respond to WNS. The multi-agency response to WNS has been greatly enhanced by operating collectively under the National Plan by providing a governance structure and mechanism for collaboration to ensure agency actions are coordinated, meeting the priority needs, and are not duplicative. A sister Canadian plan, adapted from the U.S. National Plan, has also facilitated research and response activities with many agency and academic partners in Canada. The National Plan identifies seven elements that

are critical to the investigation and management of the disease and describes the goals, objectives, and action items of the working groups established to handle each element. Collectively, the objectives and actions identified in the base plan address the greatest needs and knowledge gaps that must be covered in order to manage the disease. The objectives also reflect a scientific approach that is solidly based in research, which is necessary when facing the many questions inherent in the response to the outbreak of an emerging disease.

The response to WNS has been significantly enhanced by the partnerships and collaborations that have developed to combat this novel disease, and the participation of State and Federal agencies has been integral to the efforts. The progress that has been made since the discovery of the disease in 2007 is considerable, and is virtually unprecedented in a wildlife disease response of this nature. WNS has brought Federal and State agency researchers and managers together with academics and non-government researchers across multiple disciplines and multiple countries. State agencies are largely responsible for monitoring populations of susceptible bat species, most of which are State trust species, and for managing the disease at the local level. State agencies also provide critical support for research projects conducted by Federal and non-government researchers. Federal agencies fund and conduct research, facilitate cross-border collaboration, and promote consistent approaches among States and on Federal lands. Additionally, the ability of the Fish and Wildlife Service to make funds available to State and Federal agencies, as well as academic and other private researchers, has also helped to promote collaboration, maintain critical State activities, and further the research achievements.

WNS has continued to spread, and observations this past winter suggest that impacts to bats may be just as severe in the Southeast and Midwest as they have been in the Northeast and eastern Canada. There is cause for hope, however, in that there is evidence of small numbers of little brown bats persisting in the affected area and the USGS is studying these populations to learn how and why they are surviving. The advancements to our understanding of disease mechanics and transmission, along with promising research into possible treatment options, are also cause for hope that the USGS will be able to develop new tools to manage the disease. These advancements have allowed researchers to shift their focus from basic science to management and conservation efforts. These efforts will continue to require attention and resources from all agencies and partners engaged in the international response, and will continue to be guided by the National Plan.

The progress and successful collaborations fostered by the national response to WNS support the use of the WNS National Plan as a model for future wildlife disease response by formalizing this collaborative arrangement into a robust infrastructure to address emerging wildlife diseases. The USGS is working with partners to create a National Fish and Wildlife Health Network designed to build a collaborative, operational framework by which Government agencies, tribes, universities and professional conservation organizations will cooperate to assist tribal, State and Federal agencies in their responsibilities to manage wildlife diseases, and wildlife-associated pathogens. The mission of the Network will be achieved through collaborative partnerships and the collective, voluntary adoption of protocols and actions to address fish and wildlife health issues, such as has been seen with the response to WNS. As currently planned, a Coordinating Committee will oversee and coordinate implementation of the Network. The Network will consist of agencies and organizations with the technical expertise to implement the guidelines and plans. The primary stakeholders are the tribal, State, and Federal government agencies responsible for managing the health of free ranging fish, wildlife, and marine animal populations. Specific areas of focus for the Network will include: (1) wildlife diagnostic laboratory protocols; (2) disease information management and dissemination; (3) coordinated disease surveillance; (4) interagency communication and response plans; and (5) species specific health issues. The Network will endeavor to address deficiencies in fish and wildlife disease monitoring and prevention programs where they exist, and facilitate the work of existing systems. The creation of this Network will be an important step in addressing this critical need.

In addition to interagency collaboration, the USGS has been working with non-governmental organizations in support of the Network, including the Marine Mammal Commission, the Wildlife Society, the American Fisheries Society, and the Association of Fish and Wildlife Agencies. Activities include hosting a successful subject matter expert workshop, developing a concept paper, and drafting a coordinating committee charter.

The National Park Service (NPS) has detected the fungus in 10 park units. The NPS restricts access to caves serving as bat hibernacula or maternity roosts and restricts cave access to visitors which have been screened and hold permits or tour tickets. Show caves such as Mammoth Cave National Park remain open with

screening and decontamination procedures in place. The NPS only approves requests for scientific or educational permits when benefits outweigh the risk.

QUESTIONS SUBMITTED BY SENATOR ROY BLUNT

*Question.* Secretary Jewell, when you came before this Committee on May 7, 2013, we discussed at length the CityArchRiver project in St. Louis. As you and Director Jarvis have both stated, public-private partnerships will be a part of the new vision for Park Service operations. I wanted to review the topics you addressed in the hearing last year. If you can please provide the subcommittee with a written response to these items I would appreciate it.

You stated that:

- You would visit the Arch soon. I appreciate that you and Secretary Foxx visited on August 2, 2013 for the highway groundbreaking allowing time to meet with local elected officials, Civic Progress, and Regional Business Council leaders and to tour the ground.
- You would look into the pending agreement between the National Park Service and Bi State Development Agency, the long-term agreement having expired in December 2012. I am appreciative of your personal attention. The new agreement was signed finally 9 months after in January 2014. However I have concerns the delay has cost the project time and money.
- You would appoint one point person with whom the local partners can talk and help get decisions made. You stated that Peggy O'Dell, the Deputy Director was such a point person. Peggy O'Dell has been helpful and I know she is in charge of operations at the Park Service headquarters. However it is my understanding Ms. O'Dell is not the person who regularly interacts with the project partners, such as the Missouri Department of Transportation (MoDOT), Great Rivers Greenway or CityArchRiver. The partners need a facilitator who can provide consistent and transparent communication. The facilitator should meet in person with key partners to work through open issues, ensuring that decisions are timely. Project partners have brought an enormous amount of resources to the table. When the Park Service is inconsistent or not transparent in communicating and resolving schedule and policy issues, there are consequences, including financial impacts.
- You were willing to look at public private partnerships “in a different way” and to understand partnerships only work in a collaborative way. I again want to stress that while I appreciate that the Park Service is in agreement with this goal, words must be put into action. Schedule delays because of slow legal reviews or document processing cost the project considerably. Current proposed schedule changes will already impact the schedule with a delay of 2 months to 1 year. I have been informed that extra costs resulting from these schedule delays could total approximately \$8.7 million. In the joint report language accompanying the 2014 Omnibus Appropriations bill, the Committee included language encouraging the use of public-private partnerships. I will repeat it and ask that you include in your responses to these questions the Park Service’s plans to meet this charge:

The Committees encourage the use of public-private partnerships as an important tool in the successful operation of land management agencies. These partnerships, which leverage Federal dollars with State, local, non-profit and philanthropy entities, have proven effective at achieving partner and Service goals and objectives. The Committees urge the Department and Service to reassess recent policy interpretations and review procedures to facilitate partnerships that have historically proven beneficial to national parks and partners.

*Answer.* The National Park Service is extremely pleased to have successfully executed a new agreement with the Bi-State Development Agency. This 50-year partnership serves as one of the best partnership models in the Service and we look forward to a continued relationship. The delay in construction start, along with the associated financial impact, is not a result of the delay in the execution of the Bi-State Development Agency agreement. The project team, including representatives of all key partners and the National Park Service (NPS) project management and technical team, meet daily to work through design, schedule, and funding issues. The NPS team strives to communicate the legal and policy requirements of the project, and to explore all opportunities to expedite and benefit the project. We continue to work closely with the Foundation to help them develop an approach to fulfill their commitment to fund increased operation and maintenance (O&M) costs resulting

from implementation of the proposed project. The Foundation-managed design process is also approaching completion. Once the Supplemental O&M Agreement with the Foundation is executed, completed designs are delivered, and construction funding is in place, we will be able to move forward into long anticipated construction phase. The Great Rivers Greenway-funded landscape construction is anticipated to begin soon, with the Foundation-funded Arch Visitor Center/Museum project following.

*Question.* I understand that the Department of the Interior, through the U.S. Fish and Wildlife Service, along with other Federal agencies and the State of Missouri, is engaged in discussions with The Doe Run Company concerning their legacy liabilities in Southeast Missouri. I had a meeting with your Deputy, Michael Connor, on this topic before he was confirmed. Mr. Connor also assured me he would inform you of the issue, which I have been told he has. As I hope you will appreciate, Doe Run is vital to the regional economy of Southeast Missouri, and the continued viability of the company is a matter of keen interest and importance to me.

Are you aware of the ongoing discussions involving your Department?

Answer. Yes, I am aware of the discussions.

*Question.* I would also like to ask for your personal assurance that you will pay close attention to this matter, and that you will make sure that Doe Run receives fair treatment, consistent with the importance of this company to the long-term economic interests of Southeast Missouri.

Answer. The importance of Doe Run to Southeast Missouri is well understood by the Department, as it has been in operation for over 150 years. Close attention is being paid to the Doe Run situation. Senator Blunt's concerns have been heard and Doe Run will receive fair treatment.

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#### QUESTIONS SUBMITTED BY SENATOR JOHN HOEVEN

*Question.* You were recently quoted as saying that you anticipate releasing your new regulations for fracking on public land "sometime in 2014." As you know, I have had serious concerns about new Federal regulations of hydraulic fracturing on Bureau of Land Management (BLM) lands, which is why I introduced the Empower States Act, allowing States and tribes the ability to regulate hydraulic fracturing on Federal lands, like BLM land.

Our tribes still have concerns about the proposed regulation. On March 18, 2014, the Three Affiliated Tribes on the Fort Berthold Reservation participated in a consultation with the BLM and the Bureau of Indian Affairs (BIA) on the proposed rule for Hydraulic Fracturing on Federal and Indian Lands. Following the consultation, the Three Affiliated Tribes sent you a letter expressing their concern that your Department is not seriously considering the tribal impacts of the proposed rule.

How does your Department plan to work with the tribes to develop a rule that affirms tribal self-determination and authority and to comply with the Department's tribal consultation policy?

Answer. The goal of the hydraulic fracture (HF) rule is to ensure a consistent, minimum baseline standard for operations across all public and tribal lands that are available for oil and gas development, and aims to streamline and minimize the efforts required to comply with any new requirements, while also protecting Federal and tribal interests and resources. The BLM has revised the proposed rule to reduce some of the information requirements and avoid duplication with the requirements of States (on Federal land) and tribes (on tribal land). The BLM has included various options in the revised proposed HF rule to encourage streamlining, flexibility, and more efficient operation on both public and tribal lands. The BLM is committed to working closely with tribes to address any concerns on the impacts of the revised proposed rule for hydraulic fracturing. The BLM has been actively engaged in tribal consultations from the onset of this rulemaking effort.

*Question.* North Dakota and other States regulate hydraulic fracturing on State, Federal, and private lands. Why do you believe we need the Federal Government to add additional regulations when the States regulate this area and FracFocus discloses the chemicals?

Answer. The BLM has an important role to play in ensuring the safe and effective use of hydraulic fracturing techniques on Federal and tribal lands. The current rules covering these operations are 30 years old. The goal of the rulemaking is to ensure a minimum baseline standard for operations across Federal lands and for Indian trust minerals, including in States and on Indian reservations that are not regulating hydraulic fracturing. The BLM intends to continue to work with the State and tribal regulatory agencies to avoid duplication of requirements from certain States (on Federal land) and tribes (on tribal land), while also protecting Federal

and tribal interests and resources. The revised proposed rule also adds a provision allowing the BLM to approve a variance that would apply to all lands within the boundaries of a State, a tribe, or described as field-wide or basin-wide, that is commensurate with the State or tribal regulatory scheme. The BLM must determine that the variance would meet or exceed the effectiveness of the revised proposed rule. States and tribes would be invited to work with the BLM to craft variances that would allow technologies, processes, or standards required or allowed by the State or tribe to be accepted as compliance with the rule. Such variances would allow the BLM and tribes to improve efficiency and reduce costs for operators and for the agencies.

*Question.* The President's budget provides for \$310 million for Public Safety and Justice, which funds law enforcement activities on approximately 56 million acres of Indian country in 35 States. Programs under this activity include investigative, police, and detention services; tribal courts; fire protection; and facilities maintenance.

In North Dakota, we've had significant population growth in the Bakken, which includes the Fort Berthold Reservation, and the BIA recently assumed the child social services on the Spirit Lake Reservation.

I need to know if you believe this money will help reduce crime on the reservations and help ensure children on the Reservation are safe.

*Answer.* The 2015 budget includes a comprehensive and integrated approach to address the interrelated problems of poverty, violence, and substance abuse faced by Indian communities. In addition to continuing the robust funding support for public safety programs, the 2015 budget incorporates an increase of \$11.6 million for social services and job training programs as part of the Tiwahe Initiative. As a longer term effort to address conditions that contribute to crime in Indian communities, the Tiwahe Initiative will support culturally appropriate services with the goal of empowering individuals and families through health promotion, family stability, and strengthening tribal communities as a whole.

Beyond funding, the BIA Office of Justice Services constantly looks for ways to improve program effectiveness with other tools and resources. For example, the lessons learned from a successful pilot program to reduce violent crime at four reservations were published in a handbook in June 2012. This compendium of best practices serves as a valuable resource to guide law enforcement entities operating throughout Indian country. It includes strategies that proved effective and those that didn't. The information it offers ranges from general approaches to communities policing to detailed instruction on specific crime reduction plans.

The BIA fully utilizes all resources at its disposal to help reduce crime and ensure children are safe in Indian communities across North Dakota, as well as throughout the Nation.

*Question.* As you are aware, North Dakota's BLM Field Office in Dickinson has been facing a backlog of permit applications for drilling on Federal lands. I am pleased that my bill to create the Montana/Dakotas State Office became law last December. The BLM has also used innovative approaches to help tackle the workload—bringing in strike teams to the Miles City district headquarters, using teleworkers, and securing land for employee housing.

In one notable example, the BLM has worked with the North Dakota (ND) Petroleum Council to facilitate extra funds from the oil industry to help pay salaries and benefits for five additional employees to process permits in the Bakken region. The agreement has important protections against favoritism, so no company receives expedited treatment. I commend BLM for finding creative solutions and fostering collaboration.

In this time when additional Federal funding is limited, do you think that this model can be replicated to other areas and States across the country? Are there any other steps that can be taken to increase partnerships with other agencies—like the U.S. Forest Service and BIA—as well as industry stakeholders?

*Answer.* The BLM remains committed to expediting the processing of applications for drilling permits nationwide and advancing the responsible development of oil and gas resources on public land. As part of this commitment, the BLM is expanding remote processing so additional staff are able to assist in reviewing permits, and establishing one-stop shops where resources are consolidated to further accelerate permit review. The BLM is conducting outreach to industry to reduce instances of incomplete permitting packages, thereby reducing labor costs and processing times. BLM has signed agreements with oil and gas associations that allow industry to provide supplemental financial support for agency permitting activities under certain circumstances; however, BLM would prefer to fund these activities through more traditional means (e.g., standardized user fees and/or discretionary appropriations) to avoid the potential for conflicts of interest. It should be noted that the

President's 2015 budget request includes a more than 20 percent funding increase to strengthen the BLM's Oil and Gas Management program and supports continued implementation of leasing reforms, enhanced oversight, and a strengthened inspections process.

*Question.* Another issue I am concerned about is the impacts of the proposed grazing administrative fee of \$1 per animal unit month will have on our ranchers. How has the administration taken into account the impacts this new fee would have on ranchers?

*Answer.* After analyzing several different fee proposals, including (1) a flat fee of \$500/permit, (2) a graduated fee schedule based on labor spent by category, (3) a graduated fee schedule based on animal unit months (AUMs) billed by category, and (4) a fee based on AUMs billed, the BLM determined that No. 4, an administrative fee charged on the basis of actual grazing use, or animal unit months (AUMs), is the most equitable and fair for permittees. The impacts to ranchers would vary depending on their size, i.e. a rancher with 500 AUMs billed would have a \$500 bill. This may not reflect the actual cost of doing the work; i.e. the cost to process a permit for a 100 AUM permit may be the same as a 5,000 AUM permit. The BLM will analyze potential impacts from the permit administration fee proposed in the President's fiscal year 2015 budget request during the 3-year pilot period.

*Question.* Grazing provides numerous environmental benefits such as managing vegetation. How have you taken into consideration the effects that could take place if fewer ranchers pay to graze in BLM lands due to increased cost?

*Answer.* As a tool for improving the BLM's administration of grazing permits and use, the proposed fee would help the agency manage livestock grazing in a manner which achieves and maintains the health of public lands. The BLM will analyze potential effects from the permit administration fee proposed in the President's fiscal year 2015 budget request during the 3-year pilot period.

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#### QUESTIONS SUBMITTED BY SENATOR MIKE JOHANNIS

*Question.* Last year I wrote to the Department of the Interior (DOI) about a draft environmental impact statement (EIS) for the Proposed Niobrara Confluence and Ponca Bluffs Conservation Areas, first asking that the comment period be extended, and later asking follow-up questions and expressing strong concerns I was hearing from Nebraskans. My office continues to hear of strong concern from constituents in that region.

What are the next steps on this project, and when will they occur?

We have been told that the U.S. Fish and Wildlife Service (FWS) and the National Park Service (NPS) will complete a final EIS for the project sometime this summer—perhaps early this summer. Is that a correct understanding?

After the submission of that final EIS, can we expect an open comment period and public meetings in Nebraska?

*Answer.* The FWS and the NPS core planning team involved in developing the Draft Environmental Impact Statement (EIS) and Land Protection Plan—Niobrara Confluence and Ponca Bluffs Conservation Areas—met in Yankton, South Dakota in February 2014 to review the extensive public comments received, develop responses, and discuss a proposed course of action. Due to overwhelming interest, the original comment period had been extended to a full 6 months.

The planning team is continuing to look at the best way to complete the final EIS, taking into consideration the desire for additional public input. In early summer, a full briefing package will be sent to each member of the Nebraska and South Dakota congressional delegations to answer remaining questions on the overall status of the project and when the planning process is expected to be finalized. The current goal is to finalize the Land Protection Plan and complete a Record of Decision in summer of 2014.

*Question.* For the current fiscal year or in the fiscal year covered by the fiscal year 2015 budget request, do you have any plans to make any designations under the Antiquities Act, or to consult or otherwise cooperate with the Executive Office of the President to identify properties for designation under the Antiquities Act?

*Answer.* As I stated at the hearing, the Antiquities Act, as provided by Congress, has been used by Presidents of both parties for more than 100 years as an instrument to preserve and protect critical natural, historical, and scientific resources on Federal lands for future generations. As Secretary of the Interior, I do not have the authority to designate monuments under the Antiquities Act; that authority is vested in the President. I support the administration's interest in conducting an open, public process that considers input from local, State, and national stakeholders be-

fore any sites are considered for designation as national monuments through the Antiquities Act.

*Question.* For fiscal year 2015, please explain the extent to which DOI budget resources will be used to help make or manage any forthcoming designations under the Antiquities Act and where these designations will be located.

*Answer.* There are no specific funds set aside in the fiscal year 2015 budget for unplanned yet possible new designations under the Antiquities Act. If necessary, the Department could rearrange 2015 funding priorities to accommodate the costs associated with making or managing an unforeseen designation, as such costs would be very modest in the first year.

*Question.* Are any Antiquities Act designations planned for either the State of Nebraska or in lands or waters contiguous to the State in the current fiscal year or in fiscal year 2015?

*Answer.* I am not aware of any such planned Antiquities Act designations.

*Question.* Is there any legal bar to DOI preparing statements of environmental impacts consistent with principles found in the National Environmental Policy Act for designations made by the President under authority granted to him in the Antiquities Act?

*Answer.* As stated above, the administration supports conducting an open, public process that considers input from local, State, and national stakeholders before any sites are considered for designation as national monuments through the Antiquities Act. While land management agencies typically use the National Environmental Policy Act (NEPA) process in their development of management plans for new national monuments, I understand that NEPA does not apply to these discretionary decisions by the President because the President is not an agency.

#### SUBCOMMITTEE RECESS

Senator REED. And with that, the hearing is adjourned.

[Whereupon, at 10:59 a.m., Wednesday, March 26, the subcommittee was recessed, to reconvene subject to the call of the Chair.]

**DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2015**

**WEDNESDAY, APRIL 9, 2014**

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The subcommittee met at 9:25 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Jack Reed (chairman) presiding.

Present: Senators Reed, Leahy, Udall, Murkowski, Cochran, Hoeven, and Johanns.

**ENVIRONMENTAL PROTECTION AGENCY**

**STATEMENT OF HON. GINA McCARTHY, ADMINISTRATOR  
ACCOMPANIED BY MARYANN FROEHLICH, ACTING CHIEF FINANCIAL OFFICER**

**OPENING STATEMENT OF SENATOR JACK REED**

Senator REED. I would like to call the hearing to order and welcome everyone here, particularly Administrator Gina McCarthy. Thank you. Gina and I understand each other because she has an accent similar to mine, and she is a devout Red Sox fan, so the rest is sort of nice, but not important.

So thank you for being here. And she is joined by the Acting Chief Financial Officer, Maryann Froehlich. Thank you, Maryann.

The President's fiscal year 2015 budget request includes \$7.9 billion for EPA, and that amount is \$310 million, or 4 percent, below the fiscal year 2014 enacted level of \$8.2 billion. Regrettably, this is the fourth year in a row that the administration has set up a declining budget request for the Environmental Protection Agency (EPA), and I want to express my disappointment frankly. We worked awfully hard, Senator Murkowski and I, to ensure that there were adequate resources for EPA facing significant challenges. And again, the administration sent up a budget that rolls that progress back.

In addition to cutting the Agency's budget this year, the Agency is proposing a workforce reduction that will bring EPA down to its lowest staffing since 1989, and we will talk about that. But despite the overall cut, the budget makes some important investments: dedicating \$200 million to addressing the threat from climate change, and providing an additional \$23 million for chemical safety work that will reduce the risk with the exposure to chemicals. The budget request also includes \$70 million for an issue called

E-Enterprise, which will improve electronic data collection and availability for States and the regulated community.

There are other encouraging fund increases. The request proposes \$5 million for the geographic program to restore southern New England watersheds, and I thank the proposal for that. These funds will support the effort to protect, enhance, and restore the coastal watershed of southern New England, including Narragansett Bay and Rhode Island. The National Estuaries Program is funded at \$26 million, an increase of \$1.6 million. And also an additional \$76 million is provided for categorical grants to help States and tribes with their environmental problems and programs for a total of \$1.13 billion.

Unfortunately, these very positive signs are undercut by the proposal with respect to clean water and drinking State revolving funds. Once again, I voice my strong disagreement with the proposed decreases to the State revolving funds. The largest reduction in EPA's budget request is to these funds, cutting them by \$581 million, or 25 percent below the fiscal year 2014 enacted level. And if realized, this cut would translate into 32,000 fewer jobs and 270 fewer infrastructure projects nationally.

This program is not only necessary to replace aging infrastructure and to create new environmentally sensitive infrastructure, but also directly cuts job creation. And I find that ironic because the President in February said one of the fastest and best ways to create new jobs is rebuilding America's infrastructure. And if we take this money, you impede the reconstruction of our infrastructure, and I am troubled to see this proposal, very troubled.

And I believe the cuts to the State revolving funds will be a setback for the economy as well as the environment. This is one of those programs that is not just about environmental quality. That is central. But it is also about economic progress, and that is critical at this moment.

So there is lots to discuss this morning, and again, I thank the Administrator. I commend the Administrator. She has brought extraordinary experience and dedication to her task, and she is someone that I respect immensely.

With that, let me turn to the ranking member, Senator Murkowski, and ask her for any comments she might make.

#### STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman, and welcome, Administrator. Mr. Chairman, I want to follow on your comments about the State revolving funds for water. You and I have had an opportunity to discuss the significance of these programs. I was reminded just yesterday in a video teleconference with residents in the Yukon-Kuskokwim region, and a woman came to the microphone. She was from a small village called Kalskag, and she spoke specifically to the importance of Federal funding to help with water and sewer infrastructure.

She said in her community of Kalskag, they still lack basic infrastructure. It is not like we are trying to build out existing; there is none. And it is a situation where in her village they are still using honey buckets, which basically means that they have got to haul their human waste and dump it, oftentimes very—clearly very

unsanitary conditions. But she reminded me that in many parts of Alaska, we continue to live in third world conditions. And so, I share your concern about the significance of funding for our water projects.

Ms. McCarthy, I thank you for your willingness to come to Alaska last August to learn about our State. I got good feedback from some of your meetings. I think Alaskans were impressed with your candor. You clearly demonstrated a willingness to listen, to really try to get a feel for the nature of our land and our people. I think that you saw that we have got some pretty unique needs and resources, which present us with some very diverse challenges. And, of course, the hope is that when you have an opportunity to come and see, there is a greater understanding, a greater appreciation of who we are in the places that we call home.

And I think it is unfortunate that you made some comments a couple of months ago, some unfortunate comments that showed some insensitivity not only Alaskans generally, but more particularly towards Alaska native culture, and I do appreciate that you have apologized for your remarks. But I think it is important that you recognize that the way this was then interpreted by Alaskans was that this was just yet one more example of how folks in Washington, DC, do not get us, do not understand our way of life, do not understand the issues that are so critical between Federal agencies and a State like mine.

And then we have hearings like this where the agencies say we understand it. We get it. But when given an opportunity to make good on the word, oftentimes we do not see evidence of that. There are rules after rules of that that come out, and sometimes we feel like we are either ignored or disrespected.

So I want to make clear to you how some of the statements and actions are being interpreted back home because I think that that is important for you to include into your calculus. Alaskans are looking for collaboration from the agencies that have such a significant impact on our State. We are clearly ready to partner with the EPA to continue what we believe is a proud record of resource production and environmental protection. But unfortunately, rather than collaboration, we have been on the receiving end of what we believe to be a regulatory onslaught that threatens our economy and, in certain cases, our way of life. And I think that this budget proposal is no exception to that.

Last year when Deputy Administrator Perciasepe appeared before the subcommittee, we discussed the fact that for several years running I have heard more complaints from Alaskans about the EPA than any other agency out there. And that trend is still continuing. I am sure that this is the case for other colleagues as well. The sheer number of proposed rulemakings coupled with the cost of compliance with the vast array of regulations already on the books and what at times are the unreasonable consequences of their enforcement is very, very frustrating to Alaskans and around the country.

I could spend my entire time here talking about the many existing and proposed EPA regs that profoundly affect the livelihood of our families and our businesses, but one of the most troubling is the recent development with the EPA's proposal to change its ap-

plication of the definition of “Waters of the United States” under the Clean Water Act. EPA claims that this would clarify the law, but in reality it promises to drastically increase EPA’s reach.

I have described this as a potential showstopper for new development in Alaska. Roughly two-thirds of our State is already considered wetlands, and this rule could dramatically expand the lands subject to regulation. So it is not hard to see it as a continuation of this administration’s unofficial policy of what I have described as protecting Alaska from Alaskans. But in this case when it comes to this particular rule, I would suggest that it also has very serious impacts across the rest of the country as well.

I would also note my concerns with rules that are proposed or expected for new and existing power plants—methane emissions and hydraulic fracking, among others. I am concerned that EPA continues to regulate without appropriate coordination with other agencies and impacted industry. I think that this agency, above others, could jeopardize the affordability and reliability of our energy supply. If we are not careful, I think its rules could cost jobs and force us to forego opportunities to create new ones.

It is not an overstatement to say that recent actions taken by EPA would fundamentally change our economy and the lives of the people we are here to represent. And so, for this reason it is all the more critical that we here in Congress diligently exercise our oversight role.

I do look forward to our discussion during the hearing. And again, thank you for your willingness to serve.

#### PREPARED STATEMENT

Senator REED. Before recognizing the Administrator, does anyone have a brief statement? All written statements will be made part of the record.

[No response.]

If there are no opening statements by colleagues, without objection, all statements will be accepted into the record.

[The statement follows:]

#### PREPARED STATEMENT OF SENATOR PATRICK J. LEAHY

Administrator McCarthy, thank you for taking on one of the most important and challenging jobs in the United States. Your agency invokes a lot of strong reactions from the public, and certainly from Congress, but in its 43 year history the EPA has cleaned the country’s drinking water, reduced our exposure to dangerous chemicals, and penalized polluters.

Vermonters truly value the environment and the work of the EPA. From cleaner air, to conserving open spaces and wildlife, protections from exposure to toxic chemicals, to improving water quality and addressing climate change, I hear regularly from Vermonters about issues affecting all aspects of our environment.

Right now, Vermonters are concerned about our “great lake,” Lake Champlain. They want and need a lake for swimming and fishing, and for drinking water. The Lake Champlain Chamber of Commerce can tell you that a clean Lake Champlain attracts businesses and tourists to the region. It serves as a major driver of the State’s economy.

Lake Champlain is, overall, very clean, but some sections of the Lake at some times of the year can become seriously impaired with nutrient pollution. For this reason, your agency is requiring a new restoration plan, and is working closely with the State to review a phase one draft at this time. As we discussed in person late last month, success of the new plan will hinge on having a full suite of tools available to address the major sources of phosphorus pollution in the Lake including

farms, rural town roads, culverts, river channels, as well as small town stormwater and transportation infrastructure.

I hope that the EPA, and this Committee, understands that we face a unique challenge for Lake Champlain, compared with other, more urbanized, areas of the country. We have a small rural population spread across a largely undeveloped landscape, something I know our ranking member can easily relate to. Pollutants reach the lake from thousands of small, non-point sources rather than from easily identified discharge pipes. This is not a problem that can simply be solved by investments to improve wastewater treatment plants. Those plants contribute only 3 percent of the total phosphorus in Lake Champlain.

Instead, we must have a broad mix of common-sense policy tools and coordinated education, outreach, and funding assistance to a dispersed rural population. Vermont cannot afford to handle these tasks on its own. We will need to partner with every Federal agency from the Army Corps of Engineers, to Transportation, Housing and Urban Development, the Fish and Wildlife Service, the Department of Agriculture, and of course the EPA in order to succeed in this cleanup, and I thank you for your support of those efforts.

Senator REED. Thank you, Senator. Administrator McCarthy.

#### SUMMARY STATEMENT OF HON. GINA MCCARTHY

Ms. MCCARTHY. Thank you, Chairman Reed, Ranking Member Murkowski, and members of the committee. I appreciate the opportunity to discuss the Environmental Protection Agency's proposed fiscal year 2015 budget. As the chairman indicated, I am joined at the table by the Agency's Acting Chief Financial Officer, Maryann Froehlich.

EPA's budget request is \$7.89 billion for fiscal year 2015 which starts on October 1, 2014. This budget meets the challenges of domestic spending constraints while still fulfilling our mission to protect public health and the environment. The fiscal year 2015 budget reflects EPA's plans to take advantage of new technologies and new regulatory and non-regulatory approaches. It recognizes that EPA is part of a larger network of environmental partners, and State, and tribes, and communities.

This budget will provide the support for a smaller workforce by focusing on real progress and priority areas in communities, climate change and air quality, toxics and chemical safety, and clean water. We are asking for \$7.5 million and 64 staff in fiscal year 2015 to help provide green infrastructure, technical assistance for up to 100 communities to promote cost-effective approaches for water management.

In addition, this budget request continues our environmental justice efforts. We will do more to partner with States, tribes, and local governments, and other Federal agencies. Funding for State and Tribal Assistance Grants, or STAG, is once again the largest percentage of EPA's budget.

Addressing the threat from climate change is one of the greatest challenges of this and future generations. The request designates \$199.5 million specifically for this work. The Agency has added \$10 million and 24 full-time equivalents (FTEs) in fiscal year 2015 to support the President's climate action plan with \$2 million designated for adaptation planning.

The Agency will focus resources in the development of common sense and achievable greenhouse gas standards for power plants, the single largest source of carbon pollution. When it comes to cutting greenhouse gas emissions, the President's budget provides support for the States to help them implement the Clean Air Act.

The EPA budget requests almost \$663 million to support the work to improve chemical safety for all Americans and especially for our children. We are requesting \$23 million and 24 FTEs in fiscal year 2015 to support activities under the President's Executive order on chemical safety, as well as Agency efforts on chemical prioritization, air toxics, radon, and volatile, again, compounds in drinking water.

The Nation's water resources are the lifeblood of our communities. We are requesting \$1.775 billion for clean water and drinking water State revolving funds. The Agency is also directing \$8 million and 10 FTEs to advance clean water infrastructure and sustainable designs like the Municipal Separate Storm Water Sewer System Programs for technical support to communities.

E-Enterprise is a major initiative between EPA and our States to modernize our business practices, to get into the 21st century, and to look towards the future. The benefits of implementing the e-Manifest system include annual savings estimated at \$75 million for over \$160,000 waste handlers.

In fiscal year 2015, the Agency is requesting over \$1.33 billion to continue to apply effective approaches for clean up under the Resource Conservation and Recovery Act (RCRA) Superfund leaking underground storage tanks and other authorities. This strategy will ensure land is returned to beneficial use. \$1.16 billion is requested for the Superfund, and you will see that it includes a \$43.4 million increase from remedial work and an increase of \$9.2 million for emergency response and removal.

The fiscal year 2015 budget includes a total of \$1.13 billion for categorical grants. Within this total is over \$96 million for tribal general assistance grant programs, an \$18 million increase for pollution control, a \$16 million increase for environmental information grants, and a \$15 million increase for State and local air quality management.

Lastly, science is the foundation of our work at EPA, and EPA is supported by the President's request of \$537.3 million. Recognizing the importance of the two-year budget agreement Congress reached in December, the levels are appropriate for us to be requesting, but they are not sufficient to expand opportunities for all Americans and to really drive the kind of growth that we all would like to see. For that reason across the Federal Government, the budget also includes a separate fully-paid \$56 billion initiative. Within this initiative is a Climate Resilience Fund, which includes \$10 million for protecting and enhancing coastal wetlands, and \$5 million to support urban forest enhancement and protection.

#### PREPARED STATEMENT

Mr. Chairman, Chairman Reed, I thank you for the opportunity to testify, and I would welcome an opportunity to answer your questions.

[The statement follows:]

#### PREPARED STATEMENT OF HON. GINA MCCARTHY

Chairman Reed, Ranking Member Murkowski, and members of the subcommittee, thank you for the opportunity to appear before you to discuss the Environmental Protection Agency's (EPA) proposed fiscal year 2015 budget. I'm joined by the Agency's Acting Chief Financial Officer, Maryann Froehlich.

EPA's budget request of \$7.890 billion for the 2015 fiscal year starting October 1, 2014 reflects our ongoing efforts to meet the challenges facing the agency today and into the future. Despite these challenges, we remain dedicated to protecting public health and the environment, and we know we must target staff and resources and find new ways to fulfill our mission. We will focus those resources in a way that will allow EPA to be more effective and efficient.

The fiscal year 2015 budget reflects a strategic approach to our budget planning process, looking toward the future rather than continuing to simply react to tough budget choices with cuts across the Agency. The fiscal year 2015 budget request does this in the following ways:

- It reflects EPA's incorporation of new technologies and new regulatory and non-regulatory approaches that can help us maintain our efficiency and effectiveness.
- It strengthens EPA's partnership with public health and environmental protection partners in States, tribes and local communities with a focus on aligning our resources, avoiding duplication, and identifying and closing any gaps in the broader environmental enterprise system.
- It invests our funds and leverages funds of our partners where it makes the most sense and gets the biggest bang for the buck.

Following the framework of priorities laid out in the fiscal year 2014–2018 Strategic Plan and working within our budget, we are committed to ensuring the staff we have in program areas and regions make the most sense and will have the most impact.

EPA has already taken steps toward proactive management of our operating budget. Through the VERA/VSIP process, we have begun to accelerate attrition within EPA both at headquarters and the regions toward a ceiling of 15,000 non-refundable full-time equivalents (FTE's).

Our fiscal year 2015 budget relies on a reduced workforce focused on programs, policies, and regulations that matter most to public health and the environment. This is not simply about cutting the workforce to save costs. We are reshaping the workforce and our work to meet current and future challenges. Doing this includes making key investments.

It makes long-term fiscal sense to invest the cost savings achieved—through a smaller workforce and improved use of technology—to work smarter and more effectively. This approach will keep EPA strong, focused on science and the law, and transparent in addressing environmental challenges and the results we have achieved.

This budget will provide the support we need to move forward by targeting real progress in priority areas: communities, climate change and air quality, toxics and chemical safety, and clean water.

Building on current work on the ground in our communities, we are asking for \$7.5 million and 64 staff in fiscal year 2015 to work toward efforts that will make a difference in people's everyday lives and in their communities. Those efforts include providing green infrastructure technical assistance for up to 100 communities that will promote cost-effective approaches to water management.

This budget request furthers our environmental justice efforts. The protections provided by our national environmental laws must be accessible to everyone. We will do more to partner with States, tribes, and local governments and other Federal agencies to better coordinate and leverage resources supporting community efforts.

Addressing the threat from a changing climate is one of the greatest challenges of this and future generations. The request for climate change and air quality is \$1.03 billion—over \$41 million more than fiscal year 2014. And it designates \$199.5 million specifically for climate change work.

Building on existing efforts and base budget resources, the Agency has added \$10 million and dedicates 24 FTE's in fiscal year 2015 to support the President's climate action plan. \$2 million is designated for technical assistance for adaptation planning for water utilities at greatest risk from storm surges. Research and development efforts will focus on support tools for at-risk communities and tribes in preparing for the impacts of climate change.

The Agency will focus resources on the development of common sense and achievable greenhouse gas standards for power plants—the single largest source of carbon pollution. The President's budget provides support for the States to help them meet their obligations under section 111 of the Clean Air Act with regard to cutting carbon emissions.

This request also supports the President's interagency methane strategy and the President's recently announced directive to EPA to develop phase 2 fuel efficiency and greenhouse gas standards for heavy-duty vehicles. EPA also will be imple-

menting a range of activities in support of the President's call to cut energy waste in homes, businesses, and factories.

Chemicals and toxic substances are prevalent in our everyday lives. The EPA budget requests almost \$673 million to support work to reduce the risk and increase the safety of chemicals and prevent pollution for all Americans and especially children.

We are requesting \$23 million and 24 FTE in fiscal year 2015 to support activities under the President's Executive order on chemical safety, as well as Agency efforts on chemical prioritization, air toxics, radon, and volatile organic compounds in drinking water. \$5 million in resources for air toxics work will enhance our capabilities to design effective regulations and continue developing the national air toxics assessment.

The Nation's water resources are the lifeblood of our communities. The fiscal year 2015 budget recognizes the long-term benefits of healthy aquatic systems for all aspects of our daily lives.

The Agency is directing \$8 million and 10 FTE to advance clean water. Resources are also proposed for the municipal separate storm sewer systems program for technical support to communities that must develop effective stormwater permits for the first time.

We are requesting \$1.775 billion for the clean water and drinking water State revolving funds (SRFs). Although this is more than a \$580 million decrease over fiscal year 2014 levels, Federal capitalization of the SRFs totals over \$22 billion since fiscal year 2009, if you include the fiscal year 2015 request. The fiscal year 2015 budget seeks to ensure that Federal dollars provided through the fund lead to the design, construction, and support of sustainable water infrastructure.

The EPA is looking toward future ways to better serve the American people by employing technology where it can be used more effectively. E-Enterprise is a major joint initiative between EPA and States to modernize our business practices and to increase responsiveness. This effort holds the promise of increased effectiveness and savings for businesses as well as government. The agency is expanding efforts in the second year of the multi-year E-Enterprise business model including focusing people and resources to accelerate development of the E-Manifest system and associated rule-making work. For example, the benefits of implementing the E-Manifest system include annual savings estimated at \$75 million for over 160,000 waste handlers. Transitioning from a paper-based system saves time and effort for every person who used to handle that paper.

In addition, EPA is making changes to long-standing business practices such as contracts, grants management, and the regulation development process. One important area of emphasis is improving freedom of information act (FOIA) and records management.

In fiscal year 2015, the Agency is requesting over \$1.33 billion to continue to apply the most effective response approaches for cleanups under the Resource Conservation and Recovery Act (RCRA), Superfund, Leaking Underground Storage Tank, and other authorities. This strategy will help ensure land is returned to beneficial use in the most effective way. \$1.16 billion is requested for Superfund which includes a \$43.4 million increase for remedial work and an increase of \$9.2 million for emergency response and removal.

In this budget, we hold firm our priority support for State and tribal partners, the primary implementers and front line of environmental programs. Funding for State and tribal assistance grants—or STAG—is once again the largest percentage of the EPA's budget request and prioritizes funding for State categorical grants.

The fiscal year 2015 budget includes a total of \$1.13 billion in categorical grants—a net \$76 million increase over fiscal year 2014.

- Within that total is over \$96 million for tribal general assistance program grants—a \$31 million increase over fiscal year 2014.

- We also included an \$18 million increase for pollution control (section 106).

- There is a \$16 million increase for environmental information grants.

- There is a \$15 million increase for State and local air quality management in our request.

Science is the foundation of our work at the EPA. And science is supported by the President's request of \$537.3 million. In fiscal year 2015, the EPA is focusing research on the most critical issues facing the Agency.

These include efforts to: advance chemical prioritization and predictive toxicology, help communities make sustainable decisions regarding environmental protection and resilience, and inform regional and community level strategies for the use of green infrastructure and other innovative alternative practices.

The EPA continues to focus on reducing its physical footprint and achieving greater energy efficiency. Since 2006, the EPA has released approximately 428 thousand

square feet of space nationwide, resulting in a cumulative annual rent avoidance of over \$14.6 million.

The EPA continues to eliminate programs that have served their purpose, accomplished their mission, or are duplicative. The fiscal year 2015 budget eliminates a number of such programs totaling nearly \$56 million. These include beaches protection categorical grants, State indoor radon grants, and diesel emissions reductions assistance grants.

Recognizing the importance of the 2-year budget agreement Congress reached in December, which the President's budget adheres to, levels are not sufficient to expand opportunity to all Americans or to drive the growth our economy needs.

For that reason, across the Federal Government, the budget also includes a separate, fully paid for \$56 billion opportunity, growth, and security initiative. This initiative—split evenly between defense and non-defense funding—shows how additional discretionary investments in fiscal year 2015 can spur economic progress, promote opportunity, and strengthen national security.

—Within the initiative is \$1 billion for a climate resilience fund, through which the budget will invest in research and unlock data to better understand and prepare for impacts of a changing climate. These investments will also fund breakthrough technologies and resilient infrastructure.

—Within the climate resilience fund, EPA will support a nation better prepared for the impacts of climate change—with \$10 million for protecting and enhancing coastal wetlands, and \$5 million to support urban forest enhancement and protection.

We have made some very difficult choices in this budget. But we need to look realistically at challenges we face in the future and make sure we have the best tools and people in the right places to make the most difference. Our final fiscal year 2015 budget reflects a balanced approach to accomplishing this.

Thank you for the opportunity to touch upon some of the highlights of EPA's fiscal year 2015 budget request in my testimony today. I look forward to answering your questions.

Senator REED. Thank you very much, Madam Administrator. I will yield my time to Senator Leahy because he has to chair the Judiciary Committee at 10:00 this morning. Senator Leahy.

#### LAKE CHAMPLAIN GEOGRAPHIC PROGRAM

Senator LEAHY. Mr. Chairman, I appreciate the courtesy very much. And, Administrator McCarthy, we recently met in my office, but we have also, even more importantly, met at the celebration with the Red Sox at the White House.

I have put a full statement in the record. It speaks about the EPA's geographic programs, and it speaks about Lake Champlain and what we have been doing to try to clear that up. This is the largest body of fresh water in the United States outside of the Great Lakes and borders New York State, Vermont, and Canada.

The Federal funding for Lake Champlain that has been cut by more than 60 percent over the past 4 years just as we are undertaking a comprehensive lake restoration plan. So my question is, how can EPA better support and be involved with the work of the Lake Champlain Basin Program, which for 20 years has convened all the Federal agencies working to restore and protect Lake Champlain. And how can EPA help to make the case to support Federal funding for the kind of assistance we need to do that restoration? And I know we have talked with the Governor and everybody else on that.

Ms. MCCARTHY. Well, Senator Leahy, first I want to thank you for your leadership on recognizing as you do the value of Lake Champlain and how important it is to the region and to your State in particular. I know EPA shares your recognition of that value.

We are going to be working pretty hard as a follow-up to the meeting. The concern is that we are in the process of working together on a Total Maximum Daily Load (TMDL) and getting that implemented, but all of these things do carry some costs associated with it. So we are working with our own EPA offices to look at how we can be more supportive, as well as look across at other agencies in the programs and the Federal funding that is available.

But we will be following up with you, and we will do everything we can to make sure that we can work with you to restore Lake Champlain and maintain its beauty, resilience, and the economic vitality it brings to your region.

Senator LEAHY. Well, it has been authorized at \$11 million per year. The need has never been greater than what it is going to be in 2016.

Ms. MCCARTHY. Yes.

Senator LEAHY. I would hope the EPA would support a larger funding request for the Lake Champlain Geographic Program in 2016. We absolutely need it. It is one of the things we do not ever want to get into the position, for example, that Lake Erie did decades ago where they had much of the same headwaters in nature in their lake. And it became so polluted that one of its tributaries, the Cuyahoga River, caught fire. Here is a river on fire for a couple of days before they could put it out.

We are at a point with a beautiful, pristine lake that we can keep it that way, but it is going to take some real efforts. So please work with us to request more money for that area.

Ms. MCCARTHY. We are happy to work with you, Senator.

#### NATIONAL RESILIENCE TASK FORCE

Senator LEAHY. You know, in 2011 we had a catastrophic flood in Vermont that dumped nearly as many tons of polluted sediment into Lake Champlain in a matter of hours that we normally would see in a year or more. So I might ask, how will the proposed budget request for climate resilience support with our work in protecting Lake Champlain, particularly since EPA has mandated the new TMDL will be one of the first in the Nation required to account for climate change aspects?

Ms. MCCARTHY. Yes. Well, our work on resilience is multi-faceted, and it is across the administration. Very directly, I know that the good folks in Vermont have been very closely working with the States that experienced the damage from Hurricane Sandy. They have been helping to advise us on how you respond to those challenges, as well as prevent them in the future.

We have funds set aside to work with a number of communities, not only to look at resilience, but how that relates to green infrastructure and our opportunity to look at our waste water and water quality changes and our storm water challenges differently. We also have a National Resilience Task Force that the President has pulled together, and that is an opportunity to learn from across the country about the efforts that are underway to adapt to a changing climate.

Each of the agencies, including EPA, has also developed their own adaptation plan so that while Vermont may be first, you are not going to be the last. We are going to look at actually how State

Revolving Fund (SRF) funds can be better informed by the changing climate that we see.

So there are a number of efforts underway, Senator, and we are very serious about working with communities to see how we can help them stay safe in a changing climate.

#### STATE REVOLVING FUND FUNDS

Senator LEAHY. A lot of these efforts cost money. The EPA budget seems to be a more and more bare bones request each year. For example, the grants to States for the Clean Water State Revolving Fund has been cut by \$431 million. The Drinking Water State Revolving Fund, the Geographic Program, EPA cut that by \$14.6 million. In a little State like ours, that clobbers us.

Ms. MCCARTHY. Yes, it is very difficult, Senator. There are some decisions that have to be made. I think we can all agree that the SRF is one of the most important to maintain health protections for our communities. We have done, I think, a good job over the past 5 years to really provide significant resources for these efforts.

We again did the best job that we could in the 2015 proposal to continue with that and to also recognize that the States have significant money available to them from the already-existing State revolving funds. We are hoping that the money that the States have available on this will be sufficient to continue to maintain progress moving forward.

Senator LEAHY. We will keep working on this.

Ms. MCCARTHY. We will.

Senator LEAHY. And I appreciate your willingness to keep talking with us. But we do have a very critical moment in our State. And, Mr. Chairman, thank you very, very much for your courtesy.

Senator REED. You are entirely welcome, Senator. Senator Murkowski.

Senator MURKOWSKI. Mr. Chairman, thank you. I am going to yield to my colleague who also has to go chair another Appropriations Committee hearing.

#### FOREST ROADS

Senator COCHRAN. Mr. Chairman, thank you very much. And thank you to the Senator from Alaska.

Let me ask you about forest roads. The U.S. Forest Service lands in our State of Mississippi, there have been some recent changes from EPA's decisions regarding forest roads as a point source of pollution and thereby requiring the filing of compliance with regulations or looking to other agencies besides the U.S. Forest Service for regulations in this area. I raise this because in my State we have some U.S. Forest Service lands, and logging is permitted, and has enjoyed an exemption really in many cases from the filing of compliance information with EPA.

I would just ask you to look into that and be sure that it has not been abused or over zealously restricted the use of forest roads, which has been a tradition in the Forest Service by anybody, EPA included, in maintaining healthy forests. So I am hopeful that maybe you can work that out among the two agencies and come out with a solution that recognizes legitimate interest of the logging community.

Ms. MCCARTHY. I will, Senator. This issue should have been resolved when we revised our storm water permitting program to recognize that you do not need National Pollutant Discharge Elimination System (NPDES) permits for those roads. If, in fact, we are also still continuing our interest in this in other ways, I will get on that right away, and we will make sure we work something out that is reasonable and appropriate.

Senator COCHRAN. Thank you very much for that assurance. Thank you, Mr. Chairman. Thank you.

Senator REED. Thank you very much, Senator Cochran. I will recognize Senator Udall now, and then return to my colleagues on that side of the aisle.

#### ABANDONED URANIUM MINES SETTLEMENT

Senator UDALL. Thank you, Chairman Reed. And I was pleased to see the announcement that the U.S. Government has entered into a settlement to clean up toxic remains of abandoned uranium mines on the Navajo Nation and elsewhere in the country. This is the largest environmental settlement, Madam Administrator, as you know, largest environmental settlement in history. And \$1 billion of that will go towards clean up of abandoned uranium mines and mills on the Navajo Nation.

Let me first say that I think this is really important progress, and it is a vindication of the polluter pays principle, which I think is a good, solid free market principle. For too long private industry and the Federal Government failed to ensure the safety of uranium miners, their families, and people affected by the hazards of exposure to radioactive materials.

Uranium mining companies emerged overnight, left a legacy of sickness and contamination, and then tried to walk away leaving others to foot the bill. The Navajo Nation fought hard for fairness and settlement, and this settlement helps to right a historic injustice to the Navajo people and the surrounding communities, and I think will restore the environment.

This is a big step forward, but we should remember we still do not know the full scope of the contamination. This remains a monumental injustice, and I want to work with you closely to follow the progress of the cleanup conducted with these funds to help the Navajo Nation until we are all satisfied that the job is done.

So let me ask, have plans been developed already on how to use this settlement money, and when can we expect to see them, and when we will see new cleanup activities on the ground in the Nation using these funds?

Ms. MCCARTHY. Well, Senator, first let me thank you for raising this. I am pretty proud of this settlement and the work that our enforcement staff did on this as well as the Department of Justice (DOJ). \$4.4 billion dedicated to cleaning up hundreds of contaminated sites is quite an accomplishment.

The settlement was just announced. The court has to approve the settlement. There is a 30-day public comment period associated with that. We are very confident that the court will approve it, but it has to go through that step. We already have trusts established to transfer these funds so that they should become readily available in the shortest time possible.

Senator UDALL. And you are looking at doing that planning that needs to be done so after the court approves it, we can get the funds in the right hands.

Ms. MCCARTHY. Absolutely.

Senator UDALL. Good.

Ms. MCCARTHY. We have been working on these issues, and, in fact, 50 abandoned uranium mines are on our agenda to be one of the first orders of business in the Navajo Nation. So we are very excited.

#### WASTE ISOLATION PILOT PROJECT

Senator UDALL. Yes, that is great. Well, thank you. And as I said, I think this is historic, and I think it is going to make a big difference to the Navajo Nation and to many places where you have this uranium contamination.

I wanted to ask you also about the Waste Isolation Pilot Project (WIP), and I would like to thank you, Janet McCabe, and Ron Curry for the important EPA presence in Carlsbad to add additional independent air monitoring and personnel. I appreciate that many in your Agency have made it clear that the radioactive releases from WIP have been at levels that are a public health danger. And I am hopeful that your monitoring and verification will continue to support that.

Unfortunately, the facts are that two accidents have happened at WIP that were not supposed to happen, a fire in a mine and a radiological release. The Department of Energy (DOE) oversight has already been found to be lacking, and that is why it is important to the community that an independent public health agency like EPA be on the ground overseeing the recovery phase to ensure public health is protected. Can you give me an update on the EPA's arrival at WIP and their planned activities there? My understanding is that personnel arrived this week to coordinate their monitoring with the reentry of WIP.

Ms. MCCARTHY. That is right. EPA's main job in this is to ensure that we are looking at any level that could have been exceeded in terms of protectiveness to the outside so that surrounding communities are aware of any concerns. We are monitoring that.

So far, it looks like any release has been far below any levels that are necessary for protection, but we are there. We are on the ground. As you know, our region is doing a great job working with DOE because we know people have concerns. This is a big deal. So we have added our own monitors to DOE's. We are going to be monitoring independently so that we can verify those results. We can assure folks that we are doing the right thing and they have the information available to them that they need.

Senator UDALL. Thank you very much. And I cannot tell you how much it has been welcomed in the community that you are there and doing this monitoring. I think it has brought a comfort level in terms of health and safety to the community that we have the EPA being an independent monitor of these radiation releases. So I thank you for that.

I just wanted to mention one thing before my time runs out here. Our State Environment and Health Department has brought to my attention a concerning reduction in the EPA budget on radon. And

so, we want to work very closely with you on that as we go through the budgeting process with Chairman Reed.

And I thank you again for all the things that you are working on. Very much appreciate the New Mexico presence. Thank you. And thank you, Mr. Chairman.

Senator REED. Thank you, Senator. Senator Murkowski.

PEBBLE MINE

Senator MURKOWSKI. Thank you, Mr. Chairman. Ms. McCarthy, I want to start my questions with an issue that Alaskans have really been buzzing about, and this is the issue of the Pebble Mine. When you were up in Alaska, you had an opportunity to go out to the region. You spoke with people.

I have reserved judgment on the potential Pebble Mine waiting for the project developers to present an official plan and then seek the permits for it. EPA has decided not to wait, and has instead initiated this process that could very well lead to the first ever preemptive veto under 404(c) of the Clean Water Act.

So my questions to you this morning are in a certain part related to timing here. Do the folks at EPA believe that they know exactly how the Pebble Mine would be developed?

Ms. MCCARTHY. I think that we are well aware of the Security and Exchange Commission (SEC) filings that indicate how the Pebble Mine intends to develop. However—

Senator MURKOWSKI. But we have not seen any permits. We have not seen any application.

Ms. MCCARTHY. That is correct.

Senator MURKOWSKI. We have not seen the definition of that plan. So is it not accurate, though, that EPA would still be able to veto the project once details and specifics are actually permitted? You do not lose that ability to veto later.

Ms. MCCARTHY. That is correct.

Senator MURKOWSKI. And so, I guess my question has always been, why not wait until we know what the specifics and what the criteria are before you move to effectively veto? And again, a preemptive veto is—this would be first ever.

Ms. MCCARTHY. Senator, without getting into the history of the use of 404(c), I want to assure you that what we have done here is to take a first step in this conversation. We have not made any decision.

Senator MURKOWSKI. I understand.

Ms. MCCARTHY. And so, one of the, I think, good things about the 404(c) process that we have just taken a first step on is a first step is to talk to the company. It is to talk to the Army Corps and to the State to understand the scientific concerns, we have identified about this unique place. As we all know, its beauty as well as its importance in terms of the world's largest sock-eyed salmon fishery, and the extent of the mine given how deep the ore is and how low grade it is. What kind of lodge transition that area would go through is how we make sure that we are going to protect it.

We do have an option to wait, but we were petitioned and we felt that given the science, it was really worthy of a unique response, which is to try to get at these issues more quickly given the uncertainty it has raised for the tribes, for the regions, for the economy

in that area, and that it was worth at least exploring and going through the public process associated with it.

Senator MURKOWSKI. Well, and, again, I appreciate you outlining that. But I guess I would ask you to put on a different hat rather than as head of the EPA. Look at it from the investor's perspective. You are—as an investor, you are now asked to consider the fact that EPA may choose to veto a project either before, during, or after, maybe even years after it seeks and receive permits. Why would anybody choose to put the money out? You mentioned the uncertainty to the tribes, but you have got a situation where you are effectively stopping any potential for development before the idea can really get off the ground if you have this notion that you could preemptively veto it before permits come in, during such time as you are constructing, or even afterwards. So how are we promoting certainty here?

Ms. MCCARTHY. Well, I think that the Pebble Mine and its investors are well aware of the authority EPA has here. I think the most important thing we wanted to do was after you complete a scientific assessment and it shows the potential impacts from a mine of this magnitude in that special area—

Senator MURKOWSKI. But again, it is a definition that we have not seen yet because no permits have been filed. No application pending. You can see the concern from the investor side, I hope, as well as from the folks on the ground, how we balance this.

Ms. MCCARTHY. Yes.

Senator MURKOWSKI. But if we have a process that does not allow for certainty along the way, it is pretty difficult to entice anybody to come in and put the dollars up front that would allow for a project, allow for economic development within the region, and allow for jobs and opportunities.

Ms. MCCARTHY. Well, Senator, I do not think that our intent is to create more uncertainty. Our intent is to actually have the conversations we need. If the company is ready for the permit application, they are still free to submit, and we would encourage that. But right now, you have a science document that we think deserves to be looked at and to be discussed with the company.

We also want to make clear that this is a very unique circumstance, both what we believe to be such an extraordinarily large mine in such a unique area, that this is not a change in EPA's operating procedure. It is an opportunity, I hope, to have the conversations that will provide the certainty that the company is looking for and the investors are looking for as well.

Senator MURKOWSKI. So you are not planning on exercising a preemptive veto then.

Ms. MCCARTHY. I have no idea what the end point of this discussion is because it is a process that begins with a conversation. If that conversation indicates that concerns remain, it can then go to a public process, and so it is an extensive public dialogue. And I think that that is what is deserved at this point.

Senator MURKOWSKI. Well, I think you are aware that just at the beginning of this week, one of the investors, one of the principals, has chosen to convey their interest in the mine to not only Bristol Bay Economic Development Corporation, but to a community foundation. And part of the reason for this was a recognition that there

is so much uncertainty that their ability to, whether it is to find additional resources or to really continue in the project, have been compromised.

And so, whether this is intended or unintended, and many in Alaska believe that it is intended by the EPA, that this very, very strong signal that the Agency could come in at any point before, during, or after and pull those permits, it would be a pretty speculative investment on anyone's behalf to continue on.

Mr. Chairman, my time has expired. I will have an opportunity for others when we resume second round.

Ms. MCCARTHY. Thank you, Senator.

Senator REED. Thank you very much, Senator Murkowski. Madam Administrator, let me go back to the—no surprise—the State revolving funds.

Ms. MCCARTHY. Yes.

#### STATE REVOLVING FUND

Senator REED. Over the last 5 years, the administration has sent up a budget each year, that reduces their request. Working closely with Senator Murkowski and my colleagues, we have restored funding and kept our commitment to States and localities. Again, this year, rather than simply meeting what we did last year, which would be some progress on the side of the administration, they again are suggesting a 25 percent cut. EPA's own estimates suggest that over the next 20 years, we are going to need in the order of over \$600 billion for infrastructure needs. And at the rate we are going, we will never get there, and every year it will get worse and worse and worse.

And we all recognize, too, that the nature of these funds, there is State leverage. It is a revolving fund. Some money comes in, some goes out. It is one of the most efficient ways to build in this country. And it is just baffling to see the administration ignore this at a time when every part of this Nation—Senator Murkowski spoke about the need to get plumbing out literally to some of her constituents. In my situation in Massachusetts and Connecticut, it is trying to repair sewer systems that are over a hundred years old in many cases, here in Washington, DC, even. So it is just inexplicable that we have to again start not from where we were last year, but a 25 percent reduction. So simply, how are we going to do this?

And the final point, everyone here is talking about jobs because that has to be our number one priority, and either creating them or doing things to avoid their inhibition. This program, it is very straightforward. The estimate is about 30,000 people working, and these are good jobs. These are technicians and people who are skilled in terms of installing, designing. We also have provisions in Buy America in the last appropriations bill, which requires that the materials now are going to be produced here in the United States.

Again, I find it baffling that the administration would send up this budget and you would come up and sort of say, well, everything is fine. So can you explain, please?

Ms. MCCARTHY. Sure. Senator, all things being equal, I would love to have given a budget that was much larger on SRF, but we

had choices to make, and the President was respectful of the bipartisan agreement that was reached.

The one sort of emphasis I want to place on this is the fact that I do not want you to think that the investment in infrastructure is limited to what EPA is putting in in terms of new dollars. We do anticipate that somewhere in the order of \$6 billion will be invested between EPA and State dollars as a result of the State revolving fund. It is an incredibly valuable and important program, but it competes against the many other dollars that we are trying to support States in our categorical grants and tribes as well in local communities. We are doing our best to try to, you know, manage the demands on the agencies in a way that will continue to allow EPA to function appropriately and operate.

These are very difficult decisions, and everyone will have certainly their say. And you will finally on what you think is most appropriate to do, and I respect that.

#### CLIMATE CHANGE

Senator REED. Well, thank you. Working with my colleagues as we have done in the past, I can tell you, my intent is to change this so that we put more resources into the SRF than your budget calls for. It will translate into a modest step in terms of the overall infrastructure problem we have, and also it will put people to work.

Let me pursue an issue that came up in the context of some of your previous responses, and that is how is the climate change issue, the monies that you might have there, together with the President's Opportunity Growth Security Initiative, might be able to leverage additional support for water and sewer infrastructure.

Ms. MCCARTHY. That is a really good question, Mr. Chairman, because I know that we have funding that is dedicated towards climate resilience in this budget. We also have funding that is dedicated towards green infrastructure. We have worked with some of the larger urban areas on our combined sewer work. All of those will be coordinated in a way that will provide additional resources to communities and allow them to identify in the case of green infrastructure opportunities to not only recognize that storm water demands are changing with a changing climate, but there are less expensive ways that allow them to stretch their dollars that are being expended on water and waste water infrastructure in a way that increases the protectiveness as well as lowers the cost.

Now, this is not a panacea, but it is a way of trying to stretch those dollars effectively. We will be coordinating all of those efforts with the States as we move forward.

Senator REED. Well, thank you, Madam Administrator. And I think it is clear, at least I think you know where I am coming from—

Ms. MCCARTHY. I do.

Senator REED [continuing]. When it comes to this State revolving fund issue. Let me recognize Senator Johanns.

#### AERIAL OVER FLIGHTS

Senator JOHANNNS. Thank you, Mr. Chairman. Administrator McCarthy, let me start today on a positive note, if I could. Before I came over to this hearing, cattlemen were in my office, and they

wanted me to express to you that they appreciate what they feel is a more open environment to the EPA, and I know you are working on that communication. And they feel good about the fact that they at least get a chance to be at the table. So I thank you for that, and want to express their appreciation.

Let me, if I might, now ask you a question about actually the omnibus appropriations bill that funded the Government for 2014. There was language directing the EPA to file a report with this committee within 180 days, and it required the amount of funding spent to contract for aerial over flights, the contractor doing the work, number of flights performed, geographical areas including county and State, fiscal year that the number of enforcement actions was utilized, and there were some other requirements.

But let me just ask you, do you anticipate any problems in meeting the requirements of that language, number one. And, number two, do you anticipate any problems in doing it within the 180 days that is specified in that legislation?

Ms. MCCARTHY. Senator, first of all, thank you for the message from the Cattlemen's Association. I am actually meeting with them tomorrow.

Senator JOHANNNS. Yes, I know that, and that is good.

Ms. MCCARTHY. So that will be great. On the aerial over flights, I am aware that language was inserted into the budget or a report. I am not sure which it was. But we are certainly going to be complying with that to the best that we can. I can certainly get back to you in advance of that if we see any particular problems.

Senator JOHANNNS. That would be appreciated. This is something I have been working on, as you know, for an extended period of time. I just want to know what we are doing here.

Ms. MCCARTHY. I understand.

Senator JOHANNNS. And my hope is that there will not be any issue, that compliance will be timely, and it will be done as required by the legislation. So I would ask you to reach out to me and, for that matter, the committee and let us know how you are doing on that.

Ms. MCCARTHY. That would be fine.

Senator JOHANNNS. We will be paying attention.

Ms. MCCARTHY. I am more than happy to do that, Senator. I know this is an issue of great interest to you.

#### WATERS OF THE UNITED STATES

Senator JOHANNNS. Yes. Let me ask you, if I might, a question or two about this issue of Waters of the United States. And I must admit how this was done I find to be somewhat confusing, and maybe you can fix that. Maybe you can clarify what is going on here.

As I understand, you put the roll out that was intended to clarify Waters of the United States, the proposed rule. And then at the same time, there was issued a—it is entitled U.S. Environmental Protection Agency and U.S. Department of Army interpretive rule regarding the applicability of the Clean Water Act such and such and such.

The reason why I find that confusing is that the rule comes out—the proposed rule, then you have this interpretive document. But

my understanding of the interpretive document is that you could change it this afternoon if you wanted to. You do not have to go through any kind of rulemaking process. Why would you not take what is in that interpretive document and put it into the proposed rule, and are you considering that in terms of the final product?

Ms. MCCARTHY. Well, let me explain a little bit for those who may not be following it as closely. The Waters of the United States was really a rule to try to clarify the jurisdiction of the Clean Water Act. It was on the face of some decisions by the Supreme Court which really called into question earlier decisions by EPA. We wanted to make sure that we provided some solid ground.

One of the things we did in this was to really work closely with the U.S. Department of Agriculture to identify the best we could not just the fact that we were maintaining all of the agricultural exemptions that were currently in place, those not in question, was to make sure that we saw over time that the farm practices that were exempt under the Clean Water Act were constantly evolving, and the U.S. Department of Agriculture (USDA) had tremendous expertise in conservation practices, that we thought we could give a nice boost in the arm to, and at the same time clarify these farm practices in a way that did not limit the exemptions, but limited the questions that were coming up about what were legitimate farm practices.

So we not only took the exemptions, but we developed this interpretive rule that identified 56 farm practices working with USDA so that if these farm practices are what you are doing, you did not need to ask a single question about whether they were exempt. You knew they were. And so, we tried to do that in a way that would allow us to expand on those.

It is really a collaboration between the USDA and us, and hopefully the agriculture community when they see this as an ability to allow farmers to do farming, and to not have to ask permission, and to farm with more confidence, and to run their ranches with more confidence. So, we will work through these issues. If people think we did not get it right, I am fine with that, but just because it is not on the list, it does not mean it narrows the exemptions. The list is an attempt to say if you are on here, you do not even to ask whether it is a farm practice that is exempted.

We thought we were doing something really good. If in the end people do not think it is the right strategy, we can certainly rethink this because it is a proposed rule. I am there tomorrow to ask questions and to see how people are thinking about it.

Senator JOHANNNS. Yes. I have already run out of time. So many questions.

Ms. MCCARTHY. I am sorry. I did not mean to take all your time.

Senator JOHANNNS. No, so many questions, so little time. But if I might, as you know, you have farm groups already who are weighing in expressing concern about the proposed rules, et cetera. I think this is an opportunity. I think you think it is an opportunity to say to the farm groups, hey, we are listening. We are hearing what you are saying. We want to get this right for you. We want to clarify.

And I think if you just delivered a message for the next weeks saying, hey, this not permanent ink on the paper, what we are try-

ing to do and what we are willing to do and want to do is circle back with you to get your impression as to whether we get this right or not. And if you do not think we did, tell us what direction you think we should be going. I think that would be enormously reassuring.

Ms. MCCARTHY. Senator, we have gone—I appreciate that, and I totally agree with you. I will be out and about not just in DC, but we also had a really good meeting with stakeholders in our Office of Water Leadership. What we offered to do was instead of just getting together every once in a while, would develop some workshops and look at specific areas of concern so that all the issues could be on the table. We could figure out how to collaborate more effectively. I really want this rule to work for the agriculture community.

Senator JOHANNIS. Okay. Thank you, Mr. Chairman. I appreciate your patience.

Senator REED. Thank you, Senator. Senator Hoeven, please.

Senator HOEVEN. Thank you, Mr. Chairman, and thank you, Administrator, for your recent visit to North Dakota. I want to pick up on the Waters of the United States proposed rule that Senator Johannis was just asking you about.

Our farmers are very concerned about this. I want to emphasize that. Farm groups and our farmers. I was just back in the State, and they are very, very concerned that you are extending the reach of EPA beyond navigable waters to anything that you determine has significant nexus, which we have no idea what that means or how far now you are going to extend EPA reach and authority. And when you talk about legitimate farming practices, our farmers think they know what those are, and they are very concerned that now EPA is going to weigh in and start trying to make that decision.

So this is of immense concern to the ag community. And how are you going to assure us that private property rights are going to be protected as you work to extend the reach of EPA beyond what has traditionally and historically always been navigable bodies of water?

Ms. MCCARTHY. Actually, Senator, we will do everything we can to walk through this rule, and to listen to all the comments, and to try to walk through the history of what the Clean Water Act is supposed to do.

The Clean Water Act is supposed to protect navigable waters. We did not define the jurisdiction of protecting navigable waters to just navigable waters. It is all of the streams and tributaries that can actually significantly impact the integrity of navigable waters. That has always been part of the jurisdiction of the Clean Water Act, and we are not changing that.

But what we are doing is paying very careful attention to what the Supreme Court told us about it is not just enough to be hydraulically connected to navigable waters. You have to really have an ability to significantly impact the integrity of those waters in order for a permit to be required. So we are really trying to pay attention to that, narrowly crafted to what the Clean Water Act said, and to pay attention to the science.

Our intent is to stick with what we have historically regulated under the act, do what the Supreme Court said, and hopefully do a little bit more to the agricultural community to provide them the certainty that they are looking for.

Senator HOEVEN. I think there is going to be significant disagreement on whether or not you are, in fact, extending your authority here depending on what you do with this significant nexus determination.

Ms. MCCARTHY. Nexus, right.

#### AGRICULTURAL COMMUNITY

Senator HOEVEN. Going back to what you just talked to Senator Johanns about, we need some kind of process for the ag community to weigh in here. So you need to build it with USDA wherein stakeholders have opportunity.

Ms. MCCARTHY. Absolutely.

Senator HOEVEN. If we are going to do what you just described, this needs significant involvement and input from the agricultural community. How do we accomplish that?

Ms. MCCARTHY. Well, I just indicated that we have already had many meetings, and we are going to have some workshops around this. If there are other suggestions, Senator, I am open to them. I know that there is concern about this, but there is also an indication to—well, let me just say it clearly. There is a distrust between agriculture and EPA, and when we say one word and it can be taken well, it might be taken exactly the opposite. We need to work on that as a whole, and we need to get the language correct so that you are certain that we are doing the right thing here. We will work hard to do that.

Senator HOEVEN. When do you anticipate finalizing the rule?

Ms. MCCARTHY. I cannot tell you exactly, Senator. We are going to take whatever time it takes to get this right. But we generally would look for about a year in between a proposal and final is a standard process for EPA.

Senator HOEVEN. One more time. So a year?

Ms. MCCARTHY. About a year between proposal and final is just generally what we look at. But we know there is a lot of anxiety about this rule, and we want to get it right.

Senator HOEVEN. And you are willing to engage in a process with USDA and with the farm community—farm and ranch community to have a dialogue on this?

Ms. MCCARTHY. Absolutely.

Senator HOEVEN. Okay. So then we need to work on setting that up.

Ms. MCCARTHY. Appreciate that.

#### CARBON POLLUTION STANDARDS FOR NEW POWER PLANTS

Senator HOEVEN. Let me switch for just a minute to the subject that you were in our State to work on, the CO<sub>2</sub> rules. Tell me, with these CO<sub>2</sub> rules, first in regard to new plants, it is not a rule that is achievable in terms of meeting the CO<sub>2</sub> emission requirements with a natural gas equivalency as you have proposed it, because carbon capture and storage (CCS), carbon, capture, and sequestration, is not commercially viable. So how are we going to build any

new coal plants, even with the latest technology and CCS, with your proposed rule?

Ms. MCCARTHY. Well, Senator, with all due respect, we believe that carbon, capture, and sequestration is actually technically feasible, and it is available.

Senator HOEVEN. No, no—I am sorry. I apologize for interrupting. I did not say “technically feasible.” I said “commercially viable.”

Ms. MCCARTHY. Well, technically feasible and available is the standard under the law, and nobody is indicating that CCS is not adding cost. The challenge we have here is that we need to provide a path forward for coal in what we know is a future that will be carbon constrained.

There are already facilities that are being constructed with CCS. This is where new coal and clean coal investment is happening. We are hoping to continue to provide an emphasis for that in this regulation, but certainly it is still a proposal and we are looking at the comments we receive. But we think this is the future, and we think that facilities are investing in it now. We see it for new power plants. CCS has been around for a very long time in other applications.

Let me just mention one thing, Senator. We also took a look at what we could do to keep the cost of CCS down as much as possible while still providing an emphasis for this technology to continue to be developed, continue to be enhanced, and be more cost effective by lowering the amount of capture that is required in this rule from what we had been considering before. So it is partial capture. It is lower cost. It is available now, and we believe it has been technically demonstrated.

Senator HOEVEN. I know my time is up here, but just let me wrap up with the only way that CCS is going to be developed is if it becomes commercially viable, so we have got to get it to that point. By having a rule that prevents it from ever being put in place or from having any company move forward with it, we are never going to develop the very technology we need both to produce the energy and get the stewardship—environmental stewardship we want.

And that also goes to the proposed rule that you are going to be bringing out for existing plants. You have got to show us that whatever rule you bring out is commercially viable and that it is not going to shut down plants, and what the cost to consumers and small business across this country is going to be. It is vitally important as you move forward now with the existing plant rule as well. We need to see that it—you know, that it is something is truly achievable, not technically achievable. It has to be commercially viable.

Ms. MCCARTHY. Senator, I heard you and I heard the good folks in North Dakota when I was there. And we are working hard to do exactly that, and we will have this conversation as many times as we see one another and when it comes out, and I will be looking forward to it. We are working hard on it.

Senator HOEVEN. Thank you.

## RENEWABLE FUEL STANDARDS

Senator REED. Thank you very much. Let me begin the second round by focusing on the issue of renewable fuel standards, the EPA proposed volume requirements last November for cellulosic biofuel, biomass based diesel, advanced biofuel, total renewable fuel. These are sort of stagnant at the 2013 levels. You are recommending about 1.28 billion gallons for both 2014 and 2015. In fact, this is not only less than anticipated, it is less than the actual production today, which is about 1.7 billion gallons.

So, many of my colleagues joined together in a letter, and also biodiesel producers in not my State, but across the country, see a threat to their operations because of the standards you are setting. Can you tell us when you anticipate finalizing the volumes of 2014, and will they be increased to encourage more biodiesel?

Ms. MCCARTHY. Well, the good news is, Senator, that when we put the proposal out, we got lots of comments, and there was lots of concern. That was not necessarily the good news part is the lots of concern, but we got lots of comments. We are looking forward to considering those comments in a final. We are hoping to get it done quickly.

You know, personally I think June is likely, and it should never go beyond that. I am hoping that we could do better than that, but it is pretty complicated, and we need to work it through the process.

## SOUTHERN NEW ENGLAND ESTUARIES

Senator REED. Thank you. Let me turn now to another issue, and that is the southern New England estuaries. In the omnibus, we had \$2 million for it. It is very critical to my part of the country, your part of the country. And we are pleased that the 2015 budget request includes a \$3 million increase. Can you give us an idea of what activities you hope to pursue, how you are going to select these projects and measure success, and the types of projects that you would anticipate?

Ms. MCCARTHY. Well, as you know, these projects are really all about habitat restoration and water quality. I am pretty excited about the opportunity for increased funds if that comes about. Certainly I think it is pretty important as I know you do as well, Mr. Chairman.

The region has been working pretty hard to put a vision together for how these funds could be best expended, and we certainly have not done it all alone. We actually have a work group that has been initiated that is advising the expenditures and how we can most effectively meet the expectations of the people that will be served with these dollars.

So we will not be sitting in our own offices making this decision. We will be taking a lot of input from the communities themselves. We hope to have a lot that actually provide information that will be available for how you deal with climate resilience and adaptation, green infrastructure. We have seen some of it already starting to happen, and it is pretty exciting.

## BEACH ACT GRANT PROGRAM

Senator REED. Thank you, Madam Administrator. Let me talk about another concern, and that is that in this budget EPA is proposing to eliminate the Beach Act Grant Program. And as you know, this program helps States—coastal States to monitor the quality of the water. It is actually part of your not only environmental, but your health responsibilities. Without continued funding, there is a real possibility that the States will not have the budgets, particularly in our part of the country, to replace this money. And the monitoring and water quality attention will diminish significantly.

Prior to making this determination, did you consider the ability of the States to sort of fill the gap, one. Two, you have now, as you point out, a significant amount of your resources going to State programs to support State activities all across the country.

Ms. MCCARTHY. Yes.

Senator REED. Is this something you are going to insist that they continue through other sources so that this beach grant money will not be detrimental in its absence?

Ms. MCCARTHY. Well, as you know, categorical grants were proposed to increase by \$76 million. And really the intent of the program eliminations was to look at whether or not there is an ability to continue with that without us independently interjecting or creating a fund specifically for that purpose.

On the Beach Monitoring Program, it is a pretty sort of robust program that has been operating for a long time. We think that the States have the ability to do this and will continue to do this given the importance to them and to us, but clearly there are difficult choices that are made. Radon was mentioned as well, which is another eliminated program, as well as the Diesel Emissions Reduction Act (DERA) Program, which for me is a really hard one as well. But we did the best we could, and we are hoping to work with the States moving forward on beach monitoring.

Senator REED. Well, thank you. Again, you put your finger on the next issue, which is the radon program. Senator Leahy mentioned that.

Ms. MCCARTHY. Yes.

## RADON PROGRAM

Senator REED. My home State of Rhode Island, we have, I think, three times the national average in terms of the sort of presence of radon in homes and other buildings. And it seems we are taking away some of these programs, and then we are giving a little bit more money to the States in terms of your general support, but giving State budgets their ability to cover all these sorts of gaps—beach monitoring, radon programs, et cetera.

Indeed 23 States reported that they will probably have to eliminate their radon program, and that is another health threat, which, you know, you have a lot of issues from the Waters of the United States, to the air of the United States, to the health of the American people. And we also understand that States—many States are in very difficult situations, Rhode Island being sort of one of those.

Ms. MCCARTHY. Well, thank you for raising the rate on it. If nothing else, I can remind people that after smoking, the leading cause of lung cancer, and it takes approximately 22,000 lives every year. It is something that I have been working on myself for quite a while.

We still have a program on radon, Mr. Chairman, so I do not want you to think that this is an indication that EPA is not going to continue to work with States on radon. But I perfectly understand that it does take some funds away from the States that they have been directing towards this issue.

But we have been working on a Federal radon plan that we actually think is gaining some significant momentum about making sure that people who are buying homes and mortgaging homes through the Federal Government are actually checking for radon, needing to address it, because these are deaths that do not need to happen. Every one of them is preventable with really inexpensive tests and, frankly, incredibly inexpensive renovations to address those.

So it is a frustration, I think, for all of us that we continue to talk about radon decades after it hit the news as one of the leading causes of death. We need to do better, and I know that.

Senator REED. Thank you, Madam Administrator. Senator Murkowski.

#### CLEAN WATER ACT

Senator MURKOWSKI. Thank you, Mr. Chairman. I want to take you back to the Clean Water Act and the connectivity issue. You have indicated to both Senators Hoeven and our colleague from Nebraska that you are continuing these discussions, and I think that that is going to be critically important moving ahead. Are you planning to hold any meetings in Alaska on the impact of the rule?

Ms. MCCARTHY. Is that your interest, Senator?

Senator MURKOWSKI. That is absolutely my interest.

Ms. MCCARTHY. Okay. I will take—

Senator MURKOWSKI. In fact, I would ask for a commitment that we would—that you would be able to hold at least one, hopefully more, public events scheduled in the State so that resource producers, other stakeholders can express their views and concerns.

Ms. MCCARTHY. Well, Senator, I certainly realize that it was very helpful for me to go to Alaska because you have told me that Alaska is different. I got to see it myself. And I recognize just how much of the land mass there is wetlands and how important this is going to be.

Senator MURKOWSKI. Well, let me ask on that question. Do the folks at EPA have an estimate for the approximate number of acres of land in the State or the percentage of our State that would be subject then to the Clean Water Act as a result of this re-interpretation of the Waters of the United States? Do you have that number?

Ms. MCCARTHY. Well, let me see if we do have that. I know we have a national estimate. I do not know the exact impact on Alaska, but we will certainly respond to that after the hearing.

[NOTE: The information was not provided for the record.]

## MAPS OF STREAMS AND WETLANDS

Senator MURKOWSKI. Well, I would appreciate that. And the other thing I would like you to look at, when my staff was looking at the EPA website, they noticed links to maps that purported to show streams and wetlands in all the 50 States. But what was more of a surprise was that the map of seasonal and rain dependent streams does not actually feature Alaska because apparently there is a lack of data. There is a map of drinking water that did include Alaska, but again it shows zero data available.

So it is obviously an issue of concern where supposedly this rule is attempting to provide for clarity and efficiency, but in a State like Alaska where at least your own maps are not indicating that we have the appropriate data within which to base any decisions. So I would like talk with you about that as well. But I think prior to any meetings that you might be holding in the State, I think it is going to be important to be able to provide data so that we can look at that as well.

Ms. MCCARTHY. Well, Senator, I am happy to provide you with what information I have. But, you know, clearly the interest that EPA has is to clearly define what is within the jurisdiction, and then what is the process that you need to go to when there is uncertainty. Because what the science has told us is that science can define certain parameters, but others require a closer look working with States and communities on a case by case basis.

And so, there is the opportunity to be certain in some areas, but to hopefully define a streamlined process in areas where the data is not available so that judgments can be made, and the basis of those judgments can be consistent as the Army Corps makes 404 decisions and EPA interjects and comments on some of those.

Senator MURKOWSKI. And I appreciate a desire for consistency and certainty, but you have started your comments out recognizing that there are unique—

Ms. MCCARTHY. There are.

Senator MURKOWSKI [continuing]. To a State like Alaska—

Ms. MCCARTHY. Absolutely.

Senator MURKOWSKI [continuing]. One-fifth the size of the United States of America, a State where—you will get the percentage for me, but in terms of wetlands in our State, some would say that almost the entire State is subject to a wetland determination. So what that might mean for us is incredibly significant.

And as I have mentioned in my comments, an interpretation that goes a different way could really be a showstopper for us. So we need to—we need to have greater understanding. I think it will be critically important that you and your staff make sure that Alaska is very much given an opportunity to weigh in as these issues move forward.

And I will ask you, we have had a, I think, a pretty good working relationship between the senior staff at EPA, who have made themselves available to meet with my senior folks to talk about usually a laundry list of issues that we have compiled that come up. Some of them we have been able to work through. The issue last year was the mom and pop veterinarian clinic—

Ms. MCCARTHY. Right.

Senator MURKOWSKI [continuing]. That subject to the same incineration rules as a major factory. We were able to work through some of the specifics. We have a lot more on our plate, not the least of which we are still continuing to work on the small incinerator initiative. Great deal of concern still with where we are with the fish grinding requirements for discharge from offshore processors.

So I would like your commitment to continue the practice that we have had over the past couple of years to have your senior folks with operational authority sitting down with my senior advisers in discussing many of these issues. And if we can get a meeting scheduled sooner than later I think that that would be helpful for both sides.

Ms. MCCARTHY. It has been incredibly valuable, and of course we will continue that, Senator.

#### HYDRAULIC FRACTURING AND DRINKING WATER

Senator MURKOWSKI. Good. I appreciate that. And, Mr. Chairman, I have one more quick question, if I may, and then I will conclude. And this relates to the budget request. On the Agency's hydraulic fracking study, you have requested an increase of \$8.1 million over last year's level. This study was the result of congressional direction in the 2010 interior bill, which requested an analysis of the "relationship between hydraulic fracturing and drinking water."

So now, according to your budget, you are expanding that study beyond the original congressional mandate to include additional issues, such as water quality in general, air emissions from oil and gas operations, including volatile organic compounds and hazardous air pollutants. So the question that I have for you now is why has the Agency gone beyond the original scope that was outlined in 2010, and how much are we actually paying for an expansion of this study cost? How much has the Agency spent to this point in time?

As you know, many of us are very concerned about this, and feel that the effort coming out of EPA is a duplicative effort. And if we are just spending more money in an effort to expand a project that really does not have the authorization to expand, we want to know.

Ms. MCCARTHY. Well, let me be a little bit clearer because I do understand your question. On the Office of Research and Development study, which is really focused on looking at the potential water impacts related to the full range of hydro fracking operations, we have been expending in 2013, 2014, and 2015, \$6.1 million. My understanding is that this budget requests a similar amount of \$6.1—I am sorry, did I say "billion?"

Senator MURKOWSKI. You said "million."

Ms. MCCARTHY. Oh, I was thinking, wow, that would be great, would it not? A million for the drinking water study. The additional funds are being used for research that is being done collaboratively with the Department of Energy (DOE) and the Department of the Interior (DOI). \$4.3 million of that is looking at water quality in ecological studies that is separate from the Office of Research and Development (ORD). That is research efforts.

Then the \$3.8 million is air emissions. This is an effort to look at methane that is being emitted in the hydro fracking process

where we have effectively, and I think nice and quietly and collaboratively, regulated that from natural gas operations during hydro fracking. We have other work to do that in area, including in tribal regions to actually expand some opportunities for controls to be recognized and sources to be permitted through our minor source permitting process.

So there is work to be done, and that is a reflection of that overall work on hydro fracking, not an expansion of the ORD study.

Senator MURKOWSKI. I do not know. Based on what you have just said, it still sounds to me like there is an expansion of that study. You have indicated that you have other agencies that are a part of this, but it would appear that it goes beyond what was originally asked in our fiscal year 2010 interior bill.

Now the budget indicates that you expect to have a draft report to your scientific advisory board by the end of this year, then you publish a final report in—at the end of 2016 apparently. I guess the last question would be whether at a minimum, would you agree that it does not make sense for the EPA to issue a major rule-making concerning fracking before the final report is issued and reviewed by the Scientific Advisory Board?

Ms. MCCARTHY. I am not aware of any rule that is currently being contemplated, Senator. This hopefully will bring to light data that we have not seen before and will allow everyone to make judgments. Right now, the most important thing that I think we are doing is working to provide States some technical information that they can use if they want to as the line of first defense to protect water in their States. That is how I envision we will continue to operate, unless there is a reason that national intervention is necessary.

Senator MURKOWSKI. Well, and do not get me wrong here. I think that the States are doing a good job here in terms of regulating hydraulic fracking. And so, I just do not see that we need to add another layer with EPA onto that regulation.

Ms. MCCARTHY. I fully understand that.

Senator MURKOWSKI. I am just—I am looking at your budget and trying to follow the timeline here, and that is why I raise that question.

Ms. MCCARTHY. All right. I appreciate that, Senator, and we are not in disagreement.

Senator MURKOWSKI. Okay. Mr. Chairman, that concludes my questions. I appreciate the comments today.

Senator REED. Thank you very much, Senator Murkowski.

#### ADDITIONAL COMMITTEE QUESTIONS

Thank you, Madam Administrator for your leadership and for your testimony here today. And let me indicate that the record will remain open for statements and for questions from my colleagues until April 16. And I would ask you to respond as quickly as you can to any questions that are forwarded to you from the subcommittee.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

## QUESTIONS SUBMITTED BY SENATOR JACK REED

## CUTTING THE WORKFORCE

*Question.* The fiscal year 2015 budget request proposes cutting EPA's workforce, which is a significant departure from prior years. This year the budget proposes a staffing level of 15,000. This is almost 1,600 fewer staff than you asked for last year and would result in the lowest agency staffing level since 1989. Please outline EPA's plans for reshaping the workforce? What assurance is there that EPA will retain sufficient expertise to fulfill its mission?

*Answer.* In the fall of 2013, the EPA began researching the use of voluntary retirement and separation authorities to streamline organizational practices and to realign our workforce to meet changing mission requirements in light of technological advances, resource constraints and limited hiring capacity. Nineteen of our regional and program offices began developing strategic, office-level proposals that formed the basis for Voluntary Early Retirement Authority (VERA) and Voluntary Separation Incentive Payment (VSIP) requests that were submitted to the Office of Personnel Management in late December 2013. Proposals emphasized streamlining administrative processes, consolidating functions to the greatest extent possible and, in some cases, updating the skill sets of our workforce. This agency-wide effort was undertaken strategically and with thoughtful consideration by all levels of leadership to ensure that critical expertise was retained while allowing the agency to increase efficiency, thus enhancing EPA's ability to meet its mission.

*Question.* There seems to be a discrepancy in the fiscal year 2015 request between staff numbers that will decline and an operating budget that will increase. Why does the Environmental Programs and Management (EPM) account increase by \$113 million dollars if the overall number of employees will be reduced? If EPA isn't investing in its workforce, how will additional operating funds be used?

*Answer.* The increase in EPM funds in the fiscal year 2015 President's budget is relative to the fiscal year 2014 enacted level. Despite the reductions to the workforce, a portion of this increase is for additional payroll costs. Our fiscal year 2015 request also invests in our workforce by supporting efforts to build a High Performing Organization (HPO). These efforts support our workforce by maximizing efficiency and allowing them to focus on the most important aspects of their work—interacting with communities; problem solving by applying accessible and accurate data; and developing new approaches to emerging issues—rather than working through process steps that add little value. This requires changing the way we do business through modernizing our work and taking advantage of advances in technology (e.g. applying software that allows more efficient learning events for all employees and reduces the number of redundant learning management systems). On the programmatic side, the additional EPM non-payroll funds requested will enable the Agency to make progress on priorities such as implementing priority water projects in communities, increasing outreach for brownfields projects to help ensure the success of these well received grants, improving data on watersheds to help enhance priority-setting, improving the coordination on chemical plant safety, and working with localities at risk for direct impacts from severe storms or other climate related events.

*Question.* EPA has already started to reduce its workforce through an early buyout that offers incentives for voluntary separation from the Agency. Are there particular groups of employees targeted for the buyout? Which programs are most heavily impacted? When reductions are completed, what will the smaller EPA look like?

*Answer.* Nineteen of our regional and program offices developed strategic, office-level proposals that formed the basis for Voluntary Early Retirement Authority (VERA) and Voluntary Separation Incentive Payment (VSIP) requests that were submitted to the Office of Personnel Management in late December 2013. The proposals emphasized streamlining administrative processes, consolidating functions to the greatest extent possible and, in some cases, updating the skill sets of our workforce. Based on these proposals, the five occupational series most often identified to be authorized for VERA/VSIPs across the agency were Environmental Protection Specialist (0028), General Physical Science (1301), Environmental Engineering (0819), General Attorney (0905), and Management and Program Analyst (0343).

The programs with the highest acceptance rate of VERA/VSIP offers were Superfund: Remedial, Superfund: Enforcement, Civil Enforcement, Surface Water Protection, and Compliance Monitoring. The impacts of these departures were considered in the proposals prepared by the regions and programs.

As a result of the VERA/VSIPs, the EPA will be a more streamlined, efficient organization that is well-poised to take on today's challenges and those that present

themselves in the future. The reductions achieved through the VERA/VSIPs are spread across 19 regional and program offices; no single office lost a significant number of employees. Most offices are now or will soon be engaged in limited, strategic hiring efforts to obtain employees that possess needed skill sets, which will ensure that EPA maintains its scientific and technical edge, and enable the EPA to meet its mission requirements.

#### EPA FURLOUGHS—PAYROLL DISCREPANCIES

*Question.* One of the tough budget choices that EPA made last year was the decision to furlough EPA employees. Since that time, it has come to the subcommittee's attention that EPA had at least \$33 million dollars of unspent funds at the end of the fiscal year.

Please explain why EPA had unspent funds from fiscal year 2013 and why these funds weren't used to minimize the impact of the furlough on EPA employees?

*Answer.* The agency continues to focus on timely use of appropriations to ensure that all funds are expended efficiently but also effectively to ensure the most environmental benefit. In many cases, (competitive grants or large contracts, for example) the nature of the work leads to 2-year appropriation funds being committed in the second year. Final calculations identifying the amounts and location of carryover were completed following the end of year closeout. However, the original need for those resources to support the agency mission remained.

In addition, to maintain the commitment to treating all employees equally, a One EPA approach, the carryover would have to have been distributed in the appropriation and program projects aligned with the total payroll need. Lacking transfer authority and certainty on congressional approval for reprogramming requests as well as continued uncertainty concerning fiscal year 2014 appropriation levels at that time, diverting these carryover funds to pay was very problematic and would not guarantee equitable furlough reductions.

*Question.* While it's not unusual for an agency to have some carryover funds, fiscal year 2013 was not a normal year. How did the agency make its spending decisions and determine funding priorities?

*Answer.* Working within the appropriation, program area, and project levels provided following sequestration reductions, highly detailed analysis was conducted to balance payroll needs and critical support for the agency's mission with extramural resources. Based on this analysis, our commitment to treating employees equally with respect to furloughs, and the need to continue the work of the agency, the Acting Administrator made a decision concerning the maximum number of hours as well as a firm commitment to reevaluating that number at the midpoint to find any possible reductions made possible by savings in non-pay funds. Over the course of the furlough period, the maximum number was reduced on two occasions resulting in total agency furlough hours being a maximum of 47 per employee.

*Question.* How many hours of furlough could have been avoided with the unspent funds from fiscal year 2013?

*Answer.* Without using congressional reprogrammings and having access to transfer authority, the EPA could not have avoided any hours of furlough with unspent funds from fiscal year 2013 while still maintaining its commitment to treating all employees equally.

#### E-ENTERPRISE INITIATIVE

*Question.* EPA has proposed a major \$70 million dollar initiative, called E-Enterprise, to transition compliance reporting from paper to electronic web-based reporting. What does EPA hope to achieve with the \$70 million dollar investment and what will its effect be on States and the regulated community?

*Answer.* E-Enterprise is a broad strategy to modernize how EPA and its co-regulator partners do business, going far beyond the move from paper to web-based (electronic) reporting. The E-Enterprise business strategy will reduce the burden and impact of environmental regulations on regulated entities and co-regulators (States, tribes, and territories) through applying LEAN management principles to programs, improving business processes and modernizing data flows. For fiscal year 2015, the E-Enterprise Leadership Council (EELC), a joint governing body between the States and the EPA, identified \$70 million high-potential projects which align with the E-Enterprise business strategy and are ripe for near-term investment. The majority of these funds are in existing programs/projects, and are contained in EPA's base budget which supports critical functions within those programs. Examples are the Safe Drinking Water Information System (SDWIS), the National Pollutant Discharge Elimination System (NPDES), and e-Manifest in the Resource Conservation and Recovery Act (RCRA) waste management.

Approximately \$19 million of the \$70 million has been identified by the EELC as new work with the immediate potential to significantly reduce burden on States and regulated entities. This includes grant resources to enable State (and tribal) participation in E-Enterprise; development of the Regulatory and Public Portal for data exchange and transparency; and support for streamlining and modernization in a number of environmental programs through the use of shared services.

The Agency has established a new fiscal year 2014–2015 Agency Priority Goal (APG) to improve environmental outcomes and enhance service to the regulated community and the public. The E-Enterprise strategy will help the Agency achieve these burden reduction goals through modernizing data flow processes (e.g. moving from paper-based to electronic reporting) while requiring no additional data to comply with existing regulations. For example, with the Hazardous Waste e-Manifest, burden reduction is estimated between 370,000 and 700,000 hours (and more than \$75 million) for States and the regulated community.

States are supportive of the E-Enterprise business strategy and are already engaging in E-Enterprise efforts. For example, Ohio EPA launched its electronic Discharge Monitoring Report Submission (eDMR) system,<sup>1</sup> which uses electronic reporting to allow permittees to report their discharge measurements quickly and easily online. This method of reporting has increased data quality (errors have dropped from 50,000 per month to 5,000), while also saving significant time and resources for all stakeholders. Ohio EPA reduced the number of reporting staff from 5 FTE to zero through the automated compliance tools and a positive ROI was achieved within 2 years.

Below are a few of many examples of stakeholder (e.g. States and the regulated community) comments expressing support for key pilot projects of the E-Enterprise business strategy including streamlining existing regulations in the Tier 3 Vehicles Emissions and Fuel Standards Program and the NPDES Electronic Reporting rule:

—*Marathon Petroleum Company*.—EPA has made regulatory streamlining a priority and we appreciate the Agency's efforts. We agree that regulatory streamlining will result in more efficient and less costly compliance. We support the elimination of unnecessary and outdated provisions. These provisions are independent of Tier 3 and should be promulgated in a final rule earlier than the Tier 3 final rule. We agree with the Agency that these are straightforward and should be implemented quickly. [EPA-420-R-14-004 p. 6-1]

—*Phillips 66 Company*.—We are appreciative of the effort to streamline various portions of existing regulations. With changes over time, there are several areas that need “clean-up” and this effort will reduce confusion and burden on the regulatory parties. We offer the following comments on the proposed revisions as well as suggestions for other provisions that we feel would add value and should be considered. [EPA-420-R-14-004, p. 6-2]

Change in reporting dates—Overall, the concept of aligning the various reporting dates and being able to develop a unified and simplified reporting form is a good one. Providing additional time is beneficial. We appreciate the Agency providing this change. [EPA-420-R-14-004, p. 6-13]

—*Massachusetts Water Resources Authority (MWRA)*.—MWRA appreciates that the proposed rule [NPDES Electronic Reporting Rule] will allow EPA to obtain, and provide to the public, a more complete picture of NPDES discharges—one that includes small as well as large discharges. Electronic data collection has the potential to reduce the errors in ICIS–NPDES and also allow errors to be corrected in a more timely way. In summary, MWRA generally supports the idea of phased-in electronic reporting, provided data can be accompanied by qualifying comments. Document No. EPA-HQ-OECA-2009-0274-0263-A2.

—*Metropolitan Sewer District of St. Louis (MSD)*.—In general MSD supports the purpose of the rule [NPDES Electronic Reporting Rule] in moving to electronic reporting for many NPDES related activities. We agree that electronic reporting will likely provide for better data recording and management by EPA and authorized States, tribes, or territories. Some portions of the proposed rule will also support communities like MSD in their continued efforts in transparency and to provide the public with uncomplicated access to quality information which is free of errors due to multiple data entry points. Document No. EPA-HQ-OECA-2009-0274-0364-A2.

—*North East Biosolids & Residuals Association (NEBRA)*.—We support the overall concept of the proposed rule [NPDES Electronic Reporting Rule] and agree that, if implemented thoroughly with considerable support, it might achieve the benefits stated in the Federal Register discussion. The increased availability of

<sup>1</sup><http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>.

data would serve to enhance public understanding of wastewater treatment and biosolids management. NEBRA feels that the proposed rule merits further consideration, but that the details of the proposed electronic reporting system are critically important and will determine whether or not the system is a success. Document No. EPA-HQ-OECA-2009-0274-0288-A1.

—*United States Steel.*—U. S. Steel generally supports the rule [NPDES Electronic Reporting Rule] and its goals, such as publically sharing discharge information, improving the Agency’s decisionmaking capabilities, and enhancing Agency resources through minimizing expenditures for monthly reporting. Document No. EPA-HQ-OECA-2009-0274-0268-A2.

*Question.* How many years does EPA expect to request funding for the initiative? What is the total cost estimate and how does EPA expect to spread these costs over future budget cycles?

*Answer.* Out-year requests are expected to be similar to current request levels. Investments in individual projects are expected to be recouped through the deployed business efficiencies.

Each budget cycle will include investments to transition the Agency and its co-regulator partners to an updated customer and information-centric business strategy. In a phased implementation approach, a set of programs and projects are chosen for modernization and E-Enterprise supports the planning and development phases.

Aligning EPA’s existing programs to the E-Enterprise business strategy will remain a priority for the EPA and States. In the out-years, individual projects will continue to be jointly selected by States and the EPA based on their potential for streamlining, modernization, and potential Return on Investment (ROI). Rather than EPA and States creating a particular capability several times over, the E-Enterprise strategy incorporates a “build once, use many” approach. As individual projects are completed, resources shift to the next priority. Once program systems have been modernized, the program offices manage the ongoing operations and maintenance (O&M) of the systems at a reduced cost for the participating co-regulators than would otherwise have been possible, allowing resources to be used for program implementation. The additional benefits from increasing transparency and improving customer service to stakeholders provide additional value.

Under the E-Enterprise strategy, investments in individual projects have individual value. While priorities will change annually within the overarching E-Enterprise strategy as determined by the co-regulator partners, individual projects that have been completed will continue to operate and provide value.

*Question.* The budget request discusses the potential cost savings that the regulated community will realize through electronic reporting. Please share details about anticipated savings and, if funding is provided in fiscal year 2015, when is it anticipated that the initiative be fully operational?

*Answer.* Savings under the E-Enterprise business strategy to the regulated community can be measured in time and resources that will be reduced (e.g. burden reduction) through streamlined regulations and implementation of individual projects. The streamlining of regulations, shared State and EPA information reporting approaches, and moving from paper-based to electronic reporting will result in significant burden reduction. The agency has a commitment of one million hours of burden reduction in one of its fiscal year 2015 Agency Priority Goals. Examples of burden reduction and cost savings estimated for key projects coordinated under the E-Enterprise strategy include the following:

—*Safe Drinking Water System (SDWIS).*—910,000 hours of burden reduction for States, 80,000 hours for Public Water Systems and Labs.

—*National Pollutant Discharge Elimination System (NPDES) e-reporting Rule.*—914,000 hours of burden reduction, \$28.5M savings for States, \$1.1M savings for permittees, EPA savings of \$0.7M.

The E-Enterprise strategy will cover a series of programs and projects, each of which is designed to be modular with regular milestone deployments. Smaller projects can be fully operational within 1–2 years; projects of larger scope will operational within 3–5 years. Some projects are already underway such as SDWIS and NPDES mentioned above. The intent is for E-Enterprise to continually improve the full range of EPA’s environmental programs and projects. The EPA, States, tribes, and territories have a set of legacy information systems to be transitioned and integrated without interruption in service. All programs/projects will undergo an alternatives analysis and business case with a return on investment (ROI) study to determine the cost-effectiveness of proposed changes to the investment.

## QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

*Question.* Administrator McCarthy, both you and President Obama have said that we must have the courage to act before it is too late and make historic investments in resilience to climate change. The President further promised that his fiscal year 2015 budget proposal would include a \$1 billion Climate Resilience Fund. I applaud this priority considering the accelerating impacts of climate change. In Vermont, the EPA recognizes that climate change is impacting water quality in Lake Champlain and is requiring the State of Vermont to address these impacts as part of a new EPA Total Maximum Daily Load (TMDL) plan for phosphorus pollution. In light of the administration's strong commitment to spending \$1 billion in fiscal year 2015 for climate resilience, and that the Lake Champlain phosphorus TMDL will be among the first in the country where the EPA requires climate change to be addressed, please tell me how in fiscal year 2015 and beyond, you will direct additional Federal resources to support implementation of resilience measures as part of the EPA's Lake Champlain phosphorus TMDL efforts?

*Answer.* The EPA is responsible for developing a new phosphorus Total Maximum Daily Load (TMDL) because, in January 2011, the EPA disapproved Vermont's 2002 Lake Champlain TMDL. The EPA disapproved the 2002 TMDL because it did not provide sufficient assurance that phosphorus reductions from polluted runoff would be achieved, and did not provide an adequate margin of safety (MOS). The development of the new TMDL has given the EPA the opportunity to re-examine and update all the elements of the TMDL and consider factors that would affect phosphorus loads.

Regardless of whether or how potential climate change impacts may be reflected in this TMDL, the EPA remains committed to improving our understanding of how climate change may impact the Lake, such as influencing changes in flow, sediment, and phosphorus inputs. The EPA has funded two climate-related studies in the Lake Champlain watershed. Based on these studies and recent storm events, the EPA and the Vermont (VT) Department of Environmental Conservation (DEC) recognize the importance of incorporating additional resiliency into Best Management Practice designs (e.g., culvert sizing to accommodate larger stream flows) that will be important components of VT DEC's TMDL implementation planning.

The EPA remains committed to supporting implementation of the Lake Champlain TMDL, and it will work with Federal and State partners to leverage the much needed Federal investment in climate resiliency.

I have heard from a number of Vermont residents, farmers, and businesses with concerns about the use of persistent herbicides and the presence of such herbicides in compost. Their gardens and farms have been seriously damaged by compost or mulch that was contaminated with persistent herbicides. These potent chemicals are applied to lawns, pastures, hayfields, and roadsides, and continue to be highly toxic to plant growth even after residues on grass or hay have been composted. These herbicides even remain potent in the composted manure of livestock and horses that graze on treated pastures and hay.

I am worried about the environmental and financial risk to the multi-billion dollar compost industry if new standards and testing are not developed to identify the presence of these herbicides in compost, and if steps are not taken to ensure that persistent herbicides cannot persist in compost at dangerous levels. I fear that, without new protections, there will continue to be tremendous financial loss and environmental damage similar to what we have already experienced in Vermont.

This problem will only escalate as more States and municipalities make it illegal to send leaf and yard debris and food scraps to landfills, and require greater use of composting. Unless the issue of persistent herbicides in compost is addressed, the market for finished compost may simply disappear, or composters may find themselves liable for sizeable payments to their customers with damaged crops, as happened in Vermont.

*Question.* As the EPA continues its work to review registration for these persistent herbicides, beginning with the ongoing review of Picloram, can you assure me that you will take into account the impact on the compost industry and will the EPA require these persistent herbicides to break down in the composting levels that are not phytotoxic to plants?

*Answer.* The pyridine class of herbicides (the group of pesticides recently associated with compost problems) are currently in, or approaching, registration review, the program that requires us to re-evaluate registered pesticides every 15 years to ensure the product continues to meet the statutory standard. During this registration review, we are requiring additional data to aid our understanding of how persistent these herbicides are in compost and manure. These data may inform the development of mitigation measures and advisory resources. All members of the pyri-

dine class will be screened for potential compost concerns during the problem formulation stage of the program. Following this initial analysis, we may impose compost-specific data requirements as needed. These data include a dissipation study in compost and an environmental chemistry method (with accompanying independent laboratory validation) on compost. The agency is working with interested stakeholders to develop a protocol for conducting the compost dissipation study. These data will be used to characterize the potential risk from residues in compost and may inform the development of guidance resources for composters.

While the pyridines registration review is underway, we have taken a number of interim steps that appear to have had a positive impact on this issue, including stronger label warnings and restrictions and registrant educational outreach materials. EPA will continue to monitor incidents related to contaminated compost to evaluate the effectiveness of these steps. If these efforts do not resolve contaminated compost issues, the EPA intends to consider additional regulatory action for these herbicides.

*Question.* What is the EPA doing to develop publically available test methodologies to detect the presence of these herbicides in finished compost and in compost feedstocks?

*Answer.* We have established a workgroup that is evaluating a standardized testing procedure for pesticides that could persist in composted material. Representatives from the U.S. Compost Council, the California Recycling Council, and the State FIFRA Issues Research and Evaluation Group, participate in this workgroup. We hope to have a standardized testing procedure in place within the next few years.

The EPA has proposed new fine particulate matter (FPM) emission standards for residential wood heaters. I applaud this long overdue update of new source performance standards, considering that cordwood heater technology has improved in the 25 years since the standard was first issued and we now better understand the serious health impacts of fine particulate matter air pollution. I am concerned, however, that implementation of the new standards will place heavy burdens on manufacturers of EPA certified wood heaters as they transition to cleaner technology, while not moving fast enough to take the most polluting devices, those currently exempted from regulation, off the market.

*Question.* How will the EPA's implementation of a final standard for FPM emissions from wood heaters protect public health while ensuring emission limits and compliance schedules that are viable for U.S. manufactures of high quality certified appliances?

*Answer.* The proposed rule considers both protection of public health and viability of U.S. manufacturers by using a phased implementation approach. Step 1 of the proposal would level the playing field by requiring emission levels that over 85 percent of currently certified wood stoves already meet and requiring reasonable emission levels for those devices that are not regulated by the 1988 New Source Performance Standard (NSPS). Five years later, Step 2 would require emission levels for all devices that correspond to what the best systems of emission reduction are achieving in the marketplace today.

*Question.* What more can and will the EPA do to encourage homeowners across the country to make investments in new wood heater technology to change out their older inefficient wood stoves or fireplaces with new EPA certified wood stoves, while also encouraging homeowners to support American manufacturers?

*Answer.* The EPA places a high priority on encouraging homeowners and manufacturers to invest in cleaner and more efficient technology. We will continue to inform homeowners of the benefits via our Burn Wise program ([www.epa.gov/burnwise](http://www.epa.gov/burnwise)), provide tools for State, tribal, and local agencies to conduct changeout programs, and provide a means for manufacturers to promote cleaner wood-burning fireplaces.

The EPA is working with the Environmental Defense Fund and others to coordinate a national roundtable to help identify potential funding and technical resources needed for residential changeout programs and promoting other ways to reduce residential wood smoke. The roundtable expects to host members from the EPA, other Federal agencies, such as the Department of Energy, and Housing and Urban Development, manufacturers, and State and local air agencies.

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QUESTION SUBMITTED BY SENATOR TOM UDALL

RADON

*Question.* Our State Environment and Health Department has brought to my attention a concerning reduction in the EPA budget.

I understand the President's budget zeroed out a categorical grant program for radon detection and information. This is disappointing. I understand that we need to make hard choices, but this program provides a lot of significant impacts for every dollar spent.

After smoking, radon is the second leading cause of lung cancer in the United States and the leading cause in non-smokers. It's a significant public health problem throughout the United States.

States like New Mexico have used these grants to inform citizens through outreach, education, and training to lower their risk from exposure to this natural radioactive gas that exists in our homes, schools, and commercial and government buildings. I'd like to work with you to discuss the future of this program.

Can you explain why this program was zeroed out and what we can do to restore funding?

Answer. The State Indoor Radon Grants (SIRG) program was established by Congress to fund the development of States' capacity to raise awareness about radon risks and promote public health protection by reducing exposure to indoor radon gas. After 26 years in existence, the radon grant program has increased States' technical expertise and capacity to raise awareness about radon risks and promote public health protection by reducing exposure to indoor radon gas. Eliminating the SIRG program is an example of the difficult choices the agency has made in this budget to help meet the Nation's fiscal challenges. The Radon Program will continue to be a priority and the EPA will focus on driving action at the national level with other Federal agencies, through the Federal Radon Action Plan. Released in June of 2011, the Action Plan aims to increase radon risk reduction in homes, schools, and daycare facilities, as well as radon-resistant new construction. It contains both an array of current Federal Government actions to reduce radon risks and a series of new commitments for future action. More information about the Action Plan and its progress is available at: [http://www.epa.gov/radon/action\\_plan.html](http://www.epa.gov/radon/action_plan.html).

#### QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

##### GREENHOUSE GAS NEW SOURCE PERFORMANCE STANDARDS (NSPS)—NEW UNITS

*Question.* Ms. McCarthy, I am concerned about the impact of the EPA's proposed rule setting New Source Performance Standards for new units and soon to be issued proposed rule for existing units. Alaska's electric system is unique compared to the grid in the lower 48. As you may know, there are 126 certified electric utilities in Alaska, and only 6 of those utilities are connected to each other through the "Railbelt Grid" that serves the most populated areas of the State. The other 120 electric utilities provide electric power to approximately 30 percent of Alaska's population that is spread out over millions of square miles. Usually the "one size fits all" approach to regulations does not work for my State.

Alaskans are concerned they will not have reliable, affordable electric service as a result of the NSPS rules. The utilities in my State face many challenges that utilities in the lower 48 do not face, such as the option to rely on an interconnected grid and the availability of infrastructure and support services.

Would EPA consider providing a waiver to the NSPS rules for electric generating units/utility power plants not located in the contiguous United States?

Answer. The proposed performance standards to limit carbon pollution from newly constructed power plants were published on January 8, 2014 and the public comment period recently closed on May 9, 2014. We are currently reviewing the nearly 2 million comments that we received on the proposed rule. Please note that the proposal does not cover newly constructed oil-fired turbines, which we were told in previous comments are expected to be the most commonly built new sources in remote areas of Alaska and some other areas. The proposal for emission guidelines to limit carbon pollution from existing power plants was signed on June 2, 2014. The Agency heard from many stakeholders—including States, municipalities, utilities, and others—regarding the need for flexibility in developing State plans. The Agency looks forward to receiving comments from the public during the comment period.

##### SMALL REMOTE INCINERATORS

*Question.* I want to thank you for your continued efforts to work with the oil and gas and mining industries in Alaska on a new testing program for emissions from small remote incinerators (SRIs). The expectation is that the EPA will consider the emissions data from this program and revise the emissions limits for SRIs, if warranted, based on the new data. If the limits are not revised, no incinerator will be able to continue operating. For most of these incinerators, there simply is no fea-

sible alternative to incineration, or the alternative risks increase environmental damage or risks human and wildlife health and safety. For example, the only alternative for the Oooguruk oil field is to helicopter sling garbage hundreds of miles away to the closest landfill; and this would necessitate waste storage in polar bear habitat.

Do you acknowledge that there is no viable alternative to incineration for most, if not all, of the oil and gas and mining projects where SRIs are located?

Answer. Because of the remote location, SRI units do not always have lower-cost alternative waste disposal options (i.e., landfills) nearby. Emissions associated with transporting the solid waste could be significant.

*Question.* Please explain why the Park Service may operate the same type of incinerators in Glacier Bay and Denali National Parks, yet they are exempt from emissions limits requirements?

Answer. Incinerators subject to the Commercial and Industrial Solid Waste (CISWI) rule are those located at commercial or industrial facilities. The Park Service operates municipal and/or institutional incineration units. Institutional units and certain municipal units are subject to standards under the Other Solid Waste Incineration (OSWI) Rule, which was finalized in December 16, 2005 but does not apply to incinerators located in isolated areas of Alaska. The EPA will evaluate whether to establish standards for such units when it next reviews the OSWI rule pursuant to the periodic review provisions of section 129 of the Clean Air Act.

*Question.* Is the EPA's intent to continue working with the oil and gas and mining industries on a new testing program for emissions from small remote incinerators to sufficient data will be provided to warrant the EPA taking a second look at the emissions limits for SRIs?

Answer. The EPA is willing to work with SRI stakeholders to ensure that the appropriate data are collected. The EPA staff are engaging regularly with the SRI stakeholders regarding the proposed testing protocol for collecting additional emissions data. On May 27, 2014, we had a meeting to discuss the EPA comments on the most recent revisions to the testing protocol. The EPA will continue engaging in discussions with the SRI owners and operators to develop the protocol for gathering more data.

*Question.* Does the EPA still intend to consider emissions data from the new testing program and potentially revise the emission limits for SRIs?

Answer. The EPA has a history of considering data submitted by industry and we would do so in this case as well. If SRI stakeholders collect additional data, the new data could be submitted to the EPA with a petition for rulemaking. The EPA is committed to working with the SRI stakeholders to further develop and refine the testing protocol, review a petition for rulemaking and accompanying data, and determine whether further rulemaking is appropriate.

#### DISCHARGES FROM OFFSHORE FISH PROCESSORS

*Question.* EPA currently requires that offshore catcher processors operating in Federal waters off the coast of Alaska have a National Pollutant Discharge Elimination System (NPDES) Offshore Seafood Processors General Permit. This NPDES permit applies national effluent limitation guidelines requiring that no "pollutants" may be discharged which exceed ½ inch in any dimension. This standard dates back to 1975 and was developed for shore-based wastewater treatment plants, and applying it to fishing vessels at least 3 miles from shore never has made much sense. In fact, there is little, if any, measurable benefit to the environment. Instead, the offshore catcher processors have experienced significant difficulties in achieving the ½ inch in any dimension standard due to challenges with grinding fish skin, slime, muscle, cartilage, and other internal organ fibers. As they have attempted to meet the standard by installing larger and larger grinders, their fuel consumption, costs, and emissions have gone up, as have the risks for crew operating this dangerous equipment.

It is my understanding that staff in EPA's Office of Water and Region 10 are working with the freezer longline sector to determine whether to take this "fish grinding" requirement through the annual Effluent Limitations Guidelines review process.

Can you confirm that this review is proceeding expeditiously and provide a timeline for the agency's decision on eliminating this permit requirement?

Answer. The Office of Water and Region 10 continue to work with the Freezer Longline sector with respect to their NPDES permit requirements. The EPA expects to complete its evaluation prior to issuance of the next applicable permit.

## NPDES GP FOR GEOTECHNICAL DISCHARGES/ARCTIC OIL AND GAS DEVELOPMENT

*Question.* In November 2013, the EPA released a draft National Pollutant Discharge Elimination System (NPDES) General Permit for geotechnical discharges associated with oil and gas activities off the coast of Alaska. Geotechnical work is a necessary precursor to development, and without coverage under the permit, operators cannot conduct critical soil surveys along potential pipeline routes and at potential production facility locations. Unfortunately, the draft permit is completely unworkable, and forced at least one operator to cancel a geotechnical program planned for 2014. The comment period closed for the draft permit, with extensive comment detailing technical and logistical issues with it.

Is it the agency's intent to put out a revised draft permit for public comment that addresses those issues?

*Answer.* Based on the comments received during the public review of the draft geotechnical general permit, on March 21, 2014, the EPA determined that certain permit provisions may warrant further consideration. To further that process, the EPA has met with representatives from Shell, BP, and ConocoPhillips to clarify several technical issues and obtain additional information. The EPA is in the process of reviewing this new information, in addition to considering all comments received. The EPA will make a determination shortly whether to make changes to the draft general permit and whether these changes are significant enough to warrant re-noticing the draft general permit for public review and comment. The EPA will provide the public with an updated project timeline once this decision has been made.

The draft permit incorporates monitoring and testing requirements (i.e., before, during, and after each borehole) that are similar to the requirements for drilling exploration oil wells. But this is a permit for geotechnical boring discharges.

*Question.* Can you explain why the requirements for both activities are essentially the same even though the environmental impacts are significantly different?

*Answer.* The draft geotechnical general permit requirements for environmental monitoring are not essentially the same as those for exploration wells, and in fact, reflect the different nature of the activities.

The draft geotechnical general permit requires two phases of monitoring:

- Phase I includes a physical (wind/current speed and direction, water temperature, salinity, depth and turbidity) and visual characterization of the seafloor at each borehole location. Obtaining this information is relatively straightforward and can be based on existing data. The baseline information is necessary to ensure the geotechnical activity site is not located in or near a sensitive biological area, habitat, or historic properties.
- Phase II is only required if drilling fluids are used and is conducted during and after the geotechnical drilling occurs. Phase II includes observations for potential marine mammal deflection during discharge of non-contact cooling water, which is the largest volume discharge and consists of elevated temperatures, and a physical sea bottom survey. This basic level of monitoring is consistent with NPDES permits where drilling fluids are used.

In contrast, the exploration general permits require four phases of monitoring at each drill site location. Because of the increased discharge volumes and levels of activity, these requirements are more extensive than those in the draft geotechnical general permit:

- Phase I (baseline).*—Initial site survey; collect physical and receiving water chemistry data; analyze drilling fluids for metals; analyze sediment characteristics; evaluate benthic community structure; and conduct dilution, plume, and deposition modeling.
- Phase II (during drilling).*—Effluent toxicity characterization; sample the drilling fluids and drill cuttings discharge plume in the water column; and collect observations for potential marine mammal deflection during periods of discharge.
- Phase III (post-drilling).*—Survey sea bottom; analyze sediment characteristics; and conduct benthic community bioaccumulation monitoring.
- Phase IV (15 months after drilling ceases).*—Survey sea bottom; analyze sediment characteristics; and conduct benthic community bioaccumulation monitoring.

The draft permit incorporates a whaling blackout throughout the Chukchi Sea in the spring and the Beaufort Sea in the fall, which goes beyond the recommendations of the Alaska Eskimo Whaling Commission.

*Question.* Can you explain to me why the EPA went beyond what even the local subsistence users requested in terms of when geotechnical activities should not occur?

Answer. The draft geotechnical permit does not go beyond the recommendations of the Alaska Eskimo Whaling Commission. The EPA received comments from tribal governments, the North Slope Borough, and the Alaska Eskimo Whaling Commission requesting no discharge into the Spring Lead System before July 15 in the Chukchi Sea and no discharge of any waste stream during fall bowhead hunting in the Beaufort Sea. These requests are much more restrictive than the current requirements of the draft geotechnical permit.

The draft permit applies only to geotechnical discharges associated with oil and gas activities in Alaska. Yet, this type of geotechnical work is routinely performed offshore in the U.S. for work relating to the development of offshore infrastructure for shipping, as well as for wind farms.

*Question.* Does the EPA require the same sort of rigorous data collection for boreholes drilled for any other outer continental shelf (OCS) purpose—wind farms, port infrastructure outside of State waters, etc? If not, what is the scientific basis for distinguishing between a borehole drilled for a pipeline or production facility survey versus a borehole drilled for any other purpose?

Answer. The EPA Region 10 is not aware of other activities, such as infrastructure development for wind farms or ports, that would require geotechnical surveys to be conducted in the outer continental shelf; nor have NPDES permit applications been submitted for discharges associated with these types of activities.

Please see the response to the previous question regarding the level of monitoring data collection for geotechnical activities. Certain industry operators are proposing to discharge drilling fluids, generally for deeper boreholes that range from 50 to 499 feet beneath the sea floor. Drilling fluids include borehole stabilization additives, which include polymer and bentonite, and may be used for boreholes drilled at 100 feet depth. Some operators plan to add barite to the drilling fluids. Barite is a concern because it is known to contain trace heavy metals, such as mercury, cadmium, arsenic, chromium, lead, nickel, and zinc.

The specific geotechnical activities proposed here also involve a number of different waste streams and the discharge of potentially large volumes of pollutants from geotechnical vessels. Such practices and discharges may not be involved as part of other activities such as port infrastructure or wind farm projects.

In addition, because the geotechnical permit is a general permit, it is designed to include all potential discharges from similar activities, i.e. both shallow and deeper boreholes, drilled with and without drilling fluid. As noted above, if drilling fluids are not used to drill the boreholes, then the monitoring requirements are reduced accordingly. Similarly, the general permit establishes limits specific to each pollutant based on applicable effluent discharge limitations (allowable pollutant concentrations that are established by regulation based on available technology and that apply across a particular industry sector) as well as water quality standards. The EPA applies the standards and requirements to address the pollutants in the discharge regardless of the type of activity.

#### CLEAN WATER ACT RULEMAKING ON POWER PLANT WATER INTAKE STRUCTURES

*Question.* Ms. McCarthy, it has come to my attention that the EPA has initiated an Endangered Species Act (ESA) section 7 consultation with the Fish and Wildlife Service and the National Marine Fisheries Service on the proposed rule regarding section 316(b) of the Clean Water Act governing power plant cooling water intake structures. I have been told the nuclear industry has raised concerns about the potential for the rule to be applied in an overly broad manner such that it could require facilities to install cooling towers or stop operations if a threatened or endangered species is located in a water body from which the facility draws water from, even if there is no evidence of impact to that species.

Do you believe the section 316(b) proposed rule should require a power generator to monitor all species in a water body from which a facility draws water from or should the rule only focus on threatened and endangered species directly affected by the intake structure?

Answer. The final rule requires all facilities to identify all species affected by the cooling water intake structure, and then establishes protections for the aquatic life affected by that intake structure. This includes protection of threatened and endangered species.

In the past, section 316(b) monitoring focused on the prevention of “adverse environmental impact” of threatened and endangered aquatic life.

*Question.* Do you believe the scope of monitoring should be expanded to look at species that may be in the water body and might be indirectly affected by intake structures?

Answer. The EPA's final rule requires that all facilities identify in their permit applications all federally-listed threatened and endangered species and/or designated critical habitat that are or may be present in the vicinity of the intake. Identification can be based on information readily available to the facility at the time of the application. A facility may request to reduce monitoring requirements after the first full permit term, if the monitoring data show that the intake does not directly or indirectly affect listed species/habitat.

*Question.* Do you think it is appropriate to order a facility to install a cooling tower or stop operations if a threatened or endangered species is located in a water body from which the facility draws water from, when there is no evidence of impact to that species? If yes, should any consideration be given to the impact on electric reliability?

Answer. The final rule provides the Permitting Director (the State or EPA, depending upon the location of the discharge) with much discretion to choose the appropriate technology to protect fish and shellfish generally, or threatened and endangered species in particular at a specific location. Closed cycle cooling is only one of a number of different technologies the Director may select to prevent impingement or entrainment of fish and shellfish.

#### INSPECTOR GENERAL (IG) REPORT CONCERNING EPA CREDIT CARD ABUSE

*Question.* The EPA IG issued a report last month on March 4, and found that over half of the government credit card transactions by EPA employees were used for inappropriate personal expenses—such as gym memberships for friends and family, hotel rooms, and expensive meals. While the number of transactions that the IG looked at was rather small—80 transactions totaling \$152,000—agency employees as a whole spend roughly \$29 million on government credit cards. If anywhere close to half of these charges are inappropriate that is truly alarming.

What processes is EPA putting in place to correct this problem?

Answer. In response to the IG's March 4 report, "Ineffective Oversight of Purchase Card Results in Inappropriate Purchases at EPA" (report no. 14-P-0128), the EPA has implemented or plans to implement the following corrective actions to strengthen management controls within the EPA National Purchase Card Program:

- The EPA will reform and integrate existing biennial reviews into the Office of Acquisition Management (OAM) Contract Management Assessment Program (CMAP). The CMAP is OAM's internal controls program. These internal reviews will be part of organizational self-assessments and peer reviews under the Contract Management Assessment Program (CMAP) to facilitate more robust and independent oversight of the program. The first peer review that included a review of purchase card transactions took place in Region 9 in April 2014. EPA anticipates completing another three regional reviews in fiscal year 2014, and will review all headquarter and regional offices by the end of fiscal year 2017 as part of the agency's plan to review the purchase card programs of all headquarter and regional offices on a 3-year cycle. Purchase card reviews, which OAM conducts, are now a permanent part of the EPA's peer review process under the contract management assessment program.
- The EPA implemented a block of over 130 merchant codes to prevent transactions considered high risk. These include codes considered non-applicable for routine agency transactions. Cardholders must submit supporting documentation to the program for review and override, if appropriate.
- The EPA will deploy an automated system including an electronic purchase card log with a requirement to document all purchase card transactions agency-wide by September 30, 2014. The system will ensure documented evidence of electronic approvals; provide a record of all purchases made with purchase cards and/or convenience checks; allow virtual audits of all purchase card transactions and provide the ability to conduct spend analysis on all purchase card transactions. The agency began an automation pilot with several agency cardholders on March 31, 2014.
- Effective March 18, 2014, the EPA placed a moratorium on the issuance of new purchase card and convenience check accounts while we continue to improve management oversight and internal controls.
- The EPA is drafting improvements to agencywide standard operating procedures, and minimum documentation required, for each purchase card transaction. These draft improvements were completed and sent out for agency review and comment. The EPA's OAM is currently reviewing comments.
- The EPA is developing training sessions on purchase card policy and procedures for purchase cardholders and approving officials to address the non-compliance

issues identified in the report. The EPA's OAM has also changed purchase card refresher training requirements from every 3 years to every 2 years.

—The EPA is reviewing the subject audit findings to ascertain the specific areas of non-compliance that need to be addressed with cardholders and approving officials. The agency will institute follow-up actions as appropriate to hold individuals accountable and to recover funds used for prohibited, improper or erroneous purchases identified in this audit. Depending on the severity of the violation, cardholder(s) and approving official(s) in violation of agency policy and/or procedures may have their authority revoked, or suspended pending the completion of this review.

—The EPA is finalizing its Awards Policy to eliminate the use of Gift Cards and Gift Certificates within the agency.

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#### QUESTIONS SUBMITTED BY SENATOR THAD COCHRAN

*Question.* Earlier this month, the Governor of Mississippi declared a state of emergency in 12 counties due to severe rain and flooding in the Pearl River Basin. In 1979, similar weather related events caused the Pearl River to flood the capitol city of Jackson, Mississippi, which resulted in damages equivalent to \$1.3 billion in today's terms. To date, Jackson doesn't have a comprehensive flood risk management solution and remains vulnerable to flood risk, despite many years of efforts between local leaders and the Army Corps of Engineers to develop an effective solution. Years and even decades may pass from the time the Corps is authorized to study a water-resources related problem and when the Corps actually constructs a project, and numerous Civil Works actions are subject to outside agency review, consultation, or coordination. Additionally, it is my understanding that individual projects often take longer than anticipated due to disagreements between Federal agencies. In your testimony, you suggest the fiscal year 2015 budget request strengthens EPA partnerships with a focus on aligning resources, avoiding duplication, and closing gaps in the broader environmental enterprise system.

If Congress provides the amount of funding recommended to be appropriated by our subcommittee, will the EPA be able to do a better job working with the Corps of Engineers to streamline flood control projects and reduce inefficiencies and delays with regard to environmental regulations and requirements?

*Answer.* The EPA appreciates your concerns over the time it can take to plan and construct major flood control projects. This administration is committed to expeditiously building a 21st century infrastructure, including flood control projects, highways and pipelines, in a manner that also safeguards our communities and the environment. Over the past year, the EPA has worked closely with OMB, the White House Council on Environmental Quality (CEQ), and several other Federal agencies, including the U.S. Army Corps of Engineers, to develop a plan that will modernize the Federal Government's role in permitting and review processes for infrastructure projects. This plan was published on May 14, 2014, and identifies a wide range of strategies and reforms, with both near-term and long-term milestones including improving interagency coordination. The EPA's budget request includes funding that will enable us to work more effectively with other agencies as they propose and review these critical infrastructure projects.

*Question.* The Corps of Engineers has indicated the Jackson metropolitan area will remain vulnerable to flood risks as well as life and safety issues. Currently, the Pearl River is several feet above flood stage and is expected to rise. Given the current situation, would you be willing to work with the Corps of Engineers and the Rankin-Hinds Drainage Control District as they move to find a solution?

*Answer.* EPA stands ready to work with the Corps and local authorities to provide technical assistance and support to the affected communities.

The Pesticide Registration Improvement Renewal Act was passed in 2012. It sets a minimum funding level required in order to allow EPA to collect registration service fees. However, sequestration, combined with a continuing resolution, has required Congress to waive the minimum level to allow the pesticide registration program to continue to operate.

*Question.* Was EPA's guidance to the Congressional committees of jurisdiction on the decision timelines included in the Pesticide Registration Improvement Act (PRIA) reauthorization based on specific funding levels?

*Answer.* Yes, EPA's ability to meet the PRIA decision review timeframes was based on receiving both the minimum appropriation level specified in the law—\$128.3 million—and the PRIA fees.

*Question.* Has EPA been able to adhere to those timelines given the funding that has been provided for fiscal year 2013 and fiscal year 2014?

Answer. No, in fiscal year 2013 (the first year of PRIA-3), the on-time completion rate fell to 98.8 percent due to a fiscal year 2013 budget cut and personnel furloughs. We expect the partial Government shutdown of October 2013, as well as a fiscal year 2014 budget cut, to have a further, measurable impact on the fiscal year 2014 on-time completion rate. We will be able to evaluate and report that impact after the fiscal year ends on September 30, 2014.

*Question.* How does this compare to actions under PRIA-I or PRIA-II?

Answer. During the 3.5 years of PRIA-1 (fiscal year 2004–fiscal year 2007), the on-time completion rate was 99.9 percent. During the 5 years of PRIA-2 (fiscal year 2008–fiscal year 2012), the on-time completion rate was 99.3 percent. The table below contains the total number of actions completed and the number of those actions completed late under PRIA-1, PRIA-2, and PRIA-3.

	Fiscal Years	# of completed actions	# of actions completed late	Percent on time
PRIA 1 .....	2004–2007 .....	4,273	3	>99.9
PRIA 2 .....	2008–2012 .....	7,892	55	99.3
PRIA 3 .....	2013 .....	2,084	25	98.8

*Question.* What would be the impact of funding below \$128.3 million in future years? Please include impacts that address both inclusion and exclusion of a waiver of the minimum appropriation.

Answer. As stated above, EPA's ability to meet the PRIA decision review timeframes is based on receiving both the minimum appropriation level specified in the law—\$128.3 million—and the PRIA fees. Below that level, EPA is increasingly challenged to meet the PRIA timeframes as the number of actions increased substantially in 2013. The full impact of the current budget will be better understood at the end of fiscal year 2014. If, in the future, the minimum appropriations requirement is not met, and no waiver of that requirement is provided, then EPA's authority to collect PRIA fees would be suspended. The loss of PRIA fees, which on average generate about \$15 million per year, would significantly impact EPA's ability to meet the timelines set forth in the legislation. The resulting delays in the pesticide registration process impact the ability of food producers to fight crop pests and effectively maintain food production.

*Question.* In 2012, EPA stated that as a result of beach grant funds, the number of monitored beaches in the country has more than tripled. The President's budget proposes to eliminate categorical grants for the beach protection program. Given the current fiscal strain on State and local environmental agencies, what impact do you estimate the elimination of grant funds would have on the number of beaches monitored?

Answer. We do not have information about the number of beaches that would not be monitored, or would be monitored on a reduced schedule.

*Question.* There is growing concerns from a variety of stakeholders about EPA's willingness to "Sue and Settle." It is my understand that Federal agencies including the EPA, the Fish and Wildlife Service (FWS), and the Department of Agriculture are opting not to appeal environmental lawsuits in an attempt to regulate rather than litigate. I am concerned settlements are being conducted without any transparency or public input. Often these settlements can yield new regulations imposing costly burden on agriculture, construction, manufacturing and other businesses. What is the number of lawsuits EPA has settled in the past year and how much EPA paid to resolve these lawsuits?

Answer. Each settlement agreement is the result of a negotiation between opposing parties, with the Department Of Justice (DOJ) representing the Environmental protection Agency and the interests of the United States. In some cases, the agreements also go out for public comment, and are entered by a court only upon a finding that the terms are fair, reasonable, and in the public interest, and that the overall resolution is consistent with the underlying statute and allegations.

In fiscal year 2013, the EPA did not pay fees in the settlement of any defensive environmental cases out of EPA's appropriated funds. In the EPA's most recent "Attorney Fee and Cost Payments Obligated in Fiscal Year 2013 Under Equal Access for Justice Act" report, located in the fiscal year 2015 Congressional Justification, the EPA reported 12 settlements of defensive environmental cases in fiscal year 2013. These payments were all made through DOJ from the Judgment Fund administered by the Treasury Department. Total fees paid in those cases were approximately \$423,267.50.

The EPA does not and will not commit in a settlement agreement to any final, substantive outcome in a rulemaking or other decisionmaking process. Rather, in EPA rulemaking, there is an extensive and robust public process, designed specifically to provide for input and participation. The Administrative Procedure Act (APA) requires the Agency to provide public notice and an opportunity for comment on all proposed rules. This opportunity to comment is open to any interested party and comments submitted are carefully considered and often significantly shape the final rule. It is after the conclusion of that public process that Agency would publish a final rule.

*Question.* I have concerns with EPA's mishandling of sensitive information belonging to farmers and livestock producers. It is my understanding this wide spread problem affected 30 or more States. The EPA has a responsibility to protect the American citizens' personal information from government mismanagement. What safeguards has EPA implemented to make sure that the personal information of farmers and livestock producers is not inadvertently released again?

*Answer.* The EPA understands the need to protect personal information. The EPA has a Privacy Policy which establishes agency requirements for safeguarding the collection, access, use, dissemination, and storage of personally identifiable information and Privacy Act information in accordance with the Privacy Act of 1974, the E-Government Act of 2002, the Federal Information Security Management Act (FISMA), and policy and guidance issued by the President and the Office of Management and Budget. The EPA also has a Privacy Act Manual, which establishes policy and procedures for protecting the privacy of individuals who are identified in EPA's information systems. The EPA will continue to work together with our Federal partners, industry, and other stakeholders to ensure the agency continues to address the privacy interests of farmers.

*Question.* Section 12313 of the Agricultural Act of 2014 amends section 402(I) of the Clean Water Act to reaffirm EPA's longstanding policy that Best Management Practices for forest-related activities are recognized and pollution discharge permits are not needed for stormwater runoff.

Does EPA commit to implementing this provision as Congress intended?

*Answer.* Prior to the Agricultural Act of 2014, the EPA revised its Phase I stormwater regulations to clarify that stormwater discharges from forest roads do not constitute stormwater discharges associated with industrial activity and that National Pollutant Discharge Elimination System (NPDES) permits are not required for these discharges. This is consistent with the Agricultural Act of 2014.

*Question.* In what, if any, circumstances would EPA disregard congressional intent and in fact require this kind of permitting for forestry activities?

*Answer.* The Agricultural Act of 2014 clearly directed that the EPA shall not require or direct any States to require an NPDES permit for runoff from forest roads. The EPA continues to review available information on the water quality impacts of stormwater discharges from forest roads. In addressing water quality impacts from these roads, the EPA will work with stakeholders and State and Federal partners to explore flexible, non-permitting approaches under the Clean Water Act. The EPA recognizes that effective best management practices exist that protect receiving waters and minimize impacts from forest roads.

*Question.* The EPA recently announced a proposed rule on waters of the United States that identifies exempted agricultural conservation practices not subject to Clean Water Act permitting.

Will this rule give EPA the authority to enter into negotiations with the Department of Agriculture related to the technical aspects of a conservation practice if a desired water quality benefit is not achieved?

*Answer.* No, under the interpretive rule and associated Memorandum of Understanding (MOU), Natural Resources Conservation Service (NRCS) authority to develop conservation practices is unchanged. At the same time, however, the agencies' MOU contemplates continued collaboration among the agencies, including evaluating the implementation of relevant practice standards to ensure they are resulting in anticipated water quality benefits.

*Question.* Would this new rule give EPA new abilities to usurp the expertise of the Department of Agriculture with regard to conservation standards?

*Answer.* No. Nothing in the interpretive rule changes the roles or responsibilities of any of the three agencies. NRCS remains solely responsible under its authority for developing agricultural conservation practice standards.

SUBCOMMITTEE RECESS

Senator REED. With no further questions, thank you again, Madam Administrator. Thank you, Senator Murkowski. The hearing is adjourned.

[Whereupon, at 10:47 a.m., Wednesday, April 9, the subcommittee was recessed, to reconvene subject to the call of the Chair.]



**DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2015**

WEDNESDAY, APRIL 30, 2014

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

The subcommittee met at 9:38 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Jack Reed (chairman) presiding.

Present: Senators Reed, Tester, Merkley, Begich, Murkowski, and Blunt.

DEPARTMENT OF AGRICULTURE

UNITED STATES FOREST SERVICE

STATEMENT OF TOM TIDWELL, CHIEF

ACCOMPANIED BY TONY DIXON, DIRECTOR, STRATEGIC PLANNING,  
BUDGET, AND ACCOUNTABILITY

OPENING STATEMENT OF SENATOR JACK REED

Senator REED. Let me call the hearing to order.

Good morning. This is the third hearing of the Interior Appropriations Subcommittee on the President's fiscal year 2015 budget request, and today, we will discuss the budget for the United States Forest Service.

I am very pleased to welcome Forest Service Chief, Tom Tidwell. Chief, thank you for your service, and for your support to the important programs of the Forest Service. Thank you very much.

And I also recognize the agency's Budget Director, Tony Dixon, who is testifying before the subcommittee for the first time. So welcome, Tony. Good to have you here.

Turning to the budget request for the Forest Service, the fiscal year 2015 request is a total of \$5.7 billion, including \$4.77 billion in discretionary spending. In addition, the President has proposed a significant budgetary shift to provide \$954 million in fire suppression funding within the disaster cap.

Since I assumed the chairmanship of this subcommittee, we have been forced to make unfortunate tradeoffs to provide the appropriate resources for fire suppression, both on the frontend—through increases in the 10-year average—and on the backend—through repayment of borrowing—because the 10-year average proved insufficient.

In the last 2 years alone, we have been forced to carve out more than \$1 billion from other accounts in order to pay for unanticipated emergency firefighting costs. This has been a change from traditional practice under which extraordinary firefighting costs were treated as emergencies, just like other disasters.

These additional obligations have come at a cost in the investments we can make in public land maintenance and construction, water and sewer grants, land acquisition, and every other account funded in this bill. And I know you, Chief, are as worried as we are about the Forest Service just becoming "the fire service." That cannot happen.

This is just as troubling to me as it is to my western colleagues. Indeed, I would note that my colleagues, Senators Wyden and Crapo, have introduced bipartisan legislation in the senate to deal with this problem. An identical bill has been introduced in the House by Congressman Mike Simpson, former chairman of the House Interior Appropriations Subcommittee, and it has been co-sponsored by Representative Ken Calvert, the current chairman of the subcommittee.

While Rhode Island does not have any national forest lands, we do rely on the Forest Service's expertise and grant programs for our State and private forested lands. We all agree that it is a Federal responsibility to fight fires on Federal lands to protect the life and property of Americans. But if we continue down the path that we have been forced under the current budget caps, we put in jeopardy the rest of the Forest Service's mission.

For Rhode Island, that would mean losing the Forest Service's expertise in research and science that has led to breakthroughs to defend against the invasive species and disease that attack our trees in the country and in the city, Forest Legacy funds to protect threatened areas, and urban and community forest funds to get people outdoors.

That is why I think what you have done, Chief, to work on the budget proposal to move a portion of the spending into the disaster cap is such a great step forward. It takes care of three problems that we have been struggling with.

First, it removes the agency's need to borrow from non-fire accounts and provides a steady stream of funding throughout the fire season, so that you can do both your firefighting and your other work without setting aside funds within construction, land acquisition, and your mandatory programs in case there is a need for it.

Second, it allows us to put emphasis on the programs that will help you prevent catastrophic fire in the future, such as hazardous fuels reduction, watershed and vegetation management, and inholdings acquisitions.

Third, it protects the programs that would otherwise get cut within future budget proposals to pay for fire needs like research and State grant programs.

So with this budget proposal and your recent acquisition of air tankers from the Coast Guard and next generation air tanker contractors, it is quite possible that fiscal year 2015 could be the turning point in adopting a more rational approach to fire management. And you deserve much credit for this progress, Chief. Thank you very much.

While I am pleased that we are able to move the administration to address the fire problem, I am disappointed to see the cuts to other programs like research, State and private forestry, and international forestry, even with the shift to firefighting resources, that are being proposed.

I am looking forward to discussing with you how we can work together to restore and strengthen these programs as well.

Now, before turning to Senator Murkowski, the bottom line here is, and I do not mean to sound too cute, but these firefighting funds are just burning up your entire budget. Our budget too, because what we have to provide for firefighting, we cannot provide for State water funds, infrastructure, national parks, a host of programs. So we have to get this right.

With that, Senator Murkowski, please.

STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Thank you, Mr. Chairman, and welcome Chief.

It is good to be examining the budget request for the Forest Service for fiscal year 2015. Mr. Chairman, I do not think we are going to need any assistance with firefighting here in Washington, DC this morning. It is a mess out there, it is so wet.

Chief, I think I mentioned at the hearing last year, when we had the 2014 budget in front of us that, I said that it felt a little bit like Groundhog's Day. Well, I am back at Groundhog Day all over again. Every year, you and I have this conversation. You commit to working with me to improve the timber sale program and permitting for other multiple use activities on the Tongass, and then we move to the next year and, we are having the same conversation about really why things have not improved. And again, we are just facing the same thing today.

Despite repeated pledges from the Forest Service to increase timber harvest levels, we continue to steadily march towards losing what remains of that timber industry in southeast Alaska.

Our 2013 timber harvest numbers did improve a little bit to 36 million board feet compared to 21 the year before, but you and I both know, Chief, that that is well, well below the allowable sales quantity of 267 million board feet. It is far short of what your own economists say that the market demand is in southeast, or what it takes to sustain any kind of a viable forest products industry within the region.

I am trying to look on the positive side. I am trying to find some hopeful signs here that we might be turning the corner, but it seems like every time there is something out there, we run up against a roadblock. A great example, of course, is the Big Thorne sale. We have been talking about the Big Thorne sale. It was supposed to be bringing in 150 million board feet. This was the sale that everybody was counting on, the sale that your agency said was going to be absolutely necessary. It was going to be critical to making the transition to second growth that you keep talking about in the Tongass. Everybody knew that the Big Thorne was what was going to be able to help us piece it together.

But what has happened to it? It has been on hold since September of last year. I hope you will have a little bit of an update

for me this morning on when we might see this critical sale offered. Every year, I bring up the situation with the roadless rule exemption. On the 26th of March, the Ninth Circuit upheld the roadless rule exemption for the Tongass.

I know that this administration did not defend the exemption. Alaska, my State, had to take it on itself. I am glad we did. I also know that this is not the end in the courts.

So again, I think you are going to hear in my questions this morning a great of concern about what is going on within the Tongass, the impact of the roadless rule, how the ruling will affect management actions. In my view, I hope we are going to see balance restored with respect to the conservation and economic development there.

Now, with regards to the budget and the chairman's comments here this morning, once again, you are proposing to consolidate several line items into one big pot called "Integrated Resource Restoration." We talk about this, again, also every year. And I am sympathetic to the Forest Service's desire to improve efficiencies, but until we can really see some concrete results from these three pilot programs, I just cannot support making this program permanent across the agencies.

You have a multiple use mandate there at the Forest Service, and one of the most important ways that we have here in Congress to ensure that you are following this mandate is having a budget that shows where and how much the agency is spending on activities that we, here in Congress, believe are important.

So whether it is for timber, whether it is for recreation, habitat improvement, whatever it is, we cannot sacrifice our oversight role solely for the sake of efficiency. And again, I say this every year.

The chairman speaks to the issue of fire borrowing. When we look to ways that we can improve financial management at the Forest Service, really, one of those ways is how we deal with the fire borrowing situation, which disrupts important programs by effectively robbing Peter to pay Paul until an undetermined date in the future. I think it is a bad way to budget, a bad way to manage important programs.

I do share the goal of the propose fire cap adjustment, but I am concerned whether in its current form, it is the most fiscally responsible way to proceed.

I do think that the administration's proposal is a good starting point for discussing how we deal with fire borrowing, but I think the committee, OMB, and the firefighting agencies need to work together to reach a resolution that not only fixes the problem, but is also politically tenable in the current fiscally constrained environment. So we need to be working together on this to find a workable solution.

There are many other important issues we need to work on like how to effectively modernize our air tanker fleet, promote fire-adapted communities, and meet our obligations to communities that are dependent upon our national forests for economic survival.

So I look forward to hearing your comments this morning, some updates, and then the questions and answers.

Thank you, Mr. Chairman.

Senator REED. Thank you. Do any of my colleagues want to make a brief opening statement?

Senator TESTER. Thank you, Mr. Chairman, and Ranking Member Murkowski. And I will be very brief.

I want to thank you both, Mr. Dixon and Chief Tidwell for being here. I want to thank you for your work. Your agency, you know the area intimately, has a profound impact on Montana, whether it is from recreation, wildfires, sawmills, whatever it may be.

My focus and my questions are going to be around the fire-fighting ability that you are going to have for aircraft, and it is going to be around some of the same things Senator Murkowski talked about, and that is timber cut.

I can tell you, and you correct me if I am wrong, but I believe every timber sale in Montana was blocked. I will be the first one to fight not having public input on timber sales, because I think it is critically important. By the same token, I am really getting sick of the obstructionists, and I look forward to any ideas you might have to help streamline that process.

With that, thank you, Mr. Chairman. I look forward to working with both these gentlemen and the Forest Service to make things better in our public lands.

Senator REED. Thank you very much.

Chief Tidwell, please.

#### SUMMARY STATEMENT OF CHIEF TOM TIDWELL

##### KEY AUTHORITIES

Mr. TIDWELL. Mr. Chairman, members of the subcommittee, once again, it is a privilege to be here. Mr. Chairman, thank you for your opening remarks, Senator Murkowski for yours. You did an excellent job to make all the key points that I had planned to make in my opening remarks.

I did want to reflect on last year when I was up here to testify. I was asking for your support for several key authorities that were about to expire: stewardship contracting, the Good Neighbor Authority. So I want to thank you for your good work to provide these key authorities through the 2014 Appropriations bill, and also for your support for the Forestry Title in the Farm bill.

##### FIRE SUPPRESSION CAP ADJUSTMENT

Those authorities, plus this budget request, really reflect the opportunity, the responsibility we have to restore and maintain our national forest and grasslands. Through this proposed budget fire suppression cap adjustment, we will finally be able to stop the disruptive practice of having to shutdown our projects every August and September, to stop the work that reduces the effects of fire, to stop the work that produces jobs just to be able to shift money to pay for fire suppression. I want to thank you, for the job you have done to repay those funds every 3 to 6 months later.

##### WILDFIRE DISASTER FUNDING ACT

I, too, need to recognize the work from Senators Wyden and Crapo for introducing the Wildfire Disaster Funding Act and the members of the subcommittee that are cosponsors of this bill.

Senator Murkowski, we do want to work with the committee on finding a solution for this. The legislation that is here in the Senate and the House, plus the work that we have been doing in the administration, I think is a very good starting place, and we do want to work with the subcommittee to be able to find a resolution to this issue once and for all.

Over the last 10 years, fire funding has gone from 13 percent of our budget to over 40 percent. The 10-year average has increased by \$500 million, and just since 2012, the 10-year average has gone up \$156 million. Now, under a constrained budget, these increases, they have to come from all the other programs. The other programs that are essential to provide all the benefits that people want, the public demands from their national forests.

It also has had a critical impact to our staffing. Over this period of time, our staffing in our national forest system, the folks that manage the national forests, has gone down 35 percent; staffing and forest management, down 49 percent. Now, at the same time, we are actually putting out about the same level of outputs that we worked 12 years ago with a much reduced staff, and I give a lot of credit to our work, our employees. They are doing an outstanding job to work with the communities and partners to be able to do as much work as they possibly can. But it is time to recognize that something needs to change here.

Now, I cannot change that the fire seasons are now 70 to 80 days longer. The fires are burning hotter. We are dealing with these extensive droughts that we will, no doubt, talk about today, and more and more homes are in the Wildland Urban Interface. But what we can do, by increasing the pace and scale of restoration, we can reduce the effects of wildfires to our community, making it easier for us to suppress these fires. And we can do that by what this budget is proposing with the increased funding that we are asking for in some very key programs.

#### FISCAL YEAR 2015 BUDGET

This request is \$125 million less than in 2014 enacted, which reflects the difficult choices that we have had to make to address the deficit reduction. But it does provide for some key increases in programs that will help us to restore our national forests, reduce the threat of wildfire, reduce the threat to wildlife, to threatened and endangered species, and also reduce the impact to recreational settings that are the reason 170 million people visit the national forest and grasslands every year.

#### FIRE SUPPRESSION CAP ADJUSTMENT

Now, this level of preparedness, it will still provide for a level of funding that will suppress 98 percent of all the fires that we take initial attack on. It also requests a funding level to cover the costs for 99 percent of our wildfires. Then it requests a fire suppression cap adjustment that basically will cover about 1 percent of our fires, which equals about 30 percent of the cost. It is these fires that, we feel, should be considered a natural disaster, and that is the purpose of the budget fire suppression cap adjustment.

Now is the time, for us to make the shift. Chairman as you mentioned, in 2015, it could be the time when we recognize that we

have actually made a change to address the fire suppression issue, and at the same time to be able to increase our investment in the national forests and grasslands.

PREPARED STATEMENT

The science is clear. It is supported by the results on the ground. We can reduce the effects. We can reduce the effects of the severity of insect and disease outbreaks. We can reduce the impacts to water quality, but we must increase the pace and scale of our restoration.

So again, I want to thank you for the opportunity to be here to address the committee, and I look forward to your questions.

[The statement follows:]

PREPARED STATEMENT OF CHIEF TOM TIDWELL

Mr. Chairman and members of the subcommittee, thank you for inviting me here today to testify on the President's budget request for the Forest Service for fiscal year 2015. I appreciate the support this subcommittee has shown for the Forest Service in the past, and in particular, thank you for your hard work on the fiscal year 2014 appropriations act. When I testified before you last year, there were a number of important authorities, like stewardship contracting and good neighbor authority, which were set to soon expire. Thanks to the hard work of Congress on the 2014 appropriations act and the 2014 farm bill, we are in a much better position this year. I look forward to continuing to work together with members of the subcommittee to ensure that stewardship of our Nation's forests and grasslands continues to meet the desires and expectations of the American people. I am confident that this budget will allow the Forest Service to meet this goal while demonstrating fiscal restraint, efficiency, and cost-effective spending.

The fiscal year 2015 President's budget for the Forest Service focuses on three key areas: restoring resilient landscapes, building thriving communities, and managing wildland fires. It calls for a fundamental change in how wildfire suppression is funded. It proposes a new and fiscally responsible funding strategy for wildland fire, contributes to long-term economic growth, and continues our efforts to achieve the greatest benefits for the taxpayer at the least cost. This budget will enable us to more effectively reduce fire risk, manage landscapes more holistically, and increase resiliency of the Nation's forests and rangelands as well as the communities that border them.

The President's 2015 budget also includes a separate, fully paid for \$56 billion Opportunity, Growth, and Security Initiative (OGS Initiative). The Initiative identifies additional discretionary investments that can spur economic progress, promote opportunity, and strengthen national security. The OGS Initiative includes funding for Forest Service programs. The OGS Initiative includes \$18 million for Research and Development and would focus on energy security and national economic stability while simultaneously addressing our conservation and restoration goals. In addition, the OGS Initiative includes \$61 million for Facilities and Trails to provide essential infrastructure maintenance and repair to sustain the benefits of existing infrastructure as domestic investments to grow our economy.

As part of the President's Opportunity, Growth, and Security Initiative and a permanent legislative proposal, the Forest Service would also have the opportunity to compete for conservation and infrastructure project funding included within the Centennial initiative. The Centennial initiative supporting the 100th anniversary of the National Park Service features a competitive opportunity for the public land management bureaus within the Department of the Interior and the Forest Service to address conservation and infrastructure project needs. The program would be managed within Interior's Office of the Secretary in conjunction with the Department of Agriculture with clearly defined project criteria. The administration proposes \$100 million for the National Park Service anniversary's Centennial Land Management Investment Fund, as part of the Opportunity, Growth and Security Initiative and \$100 million for conservation and infrastructure projects annually for 3 years as part of a separate legislative proposal.

The Opportunity, Growth, and Security Initiative also includes a \$1 billion Climate Resilience Fund. A portion of this funding source allows us to continue to invest in research to better understand the projected impacts of climate change and how we can better prepare our communities and infrastructure. The Fund would

also serve to fund breakthroughs in technologies and resilient infrastructure development that will make us more resilient in the face of changing climate. The Fund proposal includes three Forest Service programs: an increase of \$50 million for State Fire Assistance Grants to increase the number of communities that are “Firewise” and the number of communities implementing building codes and building protection requirements, resulting in increased protection of communities, their residents and private property; an increase of \$50 million for Integrated Resource Restoration (IRR) and Hazardous Fuels to enhance support for public lands managers to manage landscape and watershed planning for increased resilience and risk reduction; and an increased \$25 million for Urban and Community Forestry to maintain, restore and improve urban forests mitigating heat islands and other climate change impact.

#### VALUE OF THE FOREST SERVICE

Our mission at the Forest Service is to sustain the health, diversity, and productivity of the Nation’s forests and grasslands to meet the needs of present and future generations. The Forest Service manages a system of national forests and grasslands totaling 193 million acres in 44 States and Puerto Rico, an area almost twice the size of California. These lands entrusted to our care provide some of the richest resources and most breathtaking scenery in the Nation, are the source of drinking water for millions of Americans, and support hundreds of thousands of jobs. Thousands of communities across the Nation depend on the national forests for their social well-being and economic prosperity.

Since our founding in 1905, as the Nation’s leading forestry organization, we continue to serve Americans by supporting the sustainable stewardship of more than 600 million acres of non-Federal forest land across the Nation, including 423 million acres of private forest land, 69 million acres of State forest land, 18 million acres of Tribal forests, and over 100 million acres of urban and community forests. This commitment to sustainable forest management helps Americans use their lands while caring for them in ways that benefit them, their families, their communities, and the entire Nation.

We also maintain the largest forestry research organization in the world, with more than a century of discoveries in wood and forest products, fire behavior and management, and sustainable forest management. We are pursuing cutting-edge research in nanotechnology and green building materials, expanding markets for woody biomass. Land managers across the Nation use the results of our research to conserve forests, ensuring continuation of a full range of benefits for future generations.

America’s forests, grasslands, and other open spaces are integral to the social, ecological, and economic well-being of the Nation. They play a vital role in providing public benefits such as clean air, clean water, mineral and energy production, and fertile soils for supporting timber, forage, carbon storage, food and fiber, fish and wildlife habitat, along with myriad opportunities for outdoor recreation. The Forest Service provides a valuable service to the public by restoring and improving forest, grassland, and watershed health; by producing new knowledge through our research; and by providing financial and technical assistance to partners, including private forest landowners.

The benefits from Forest Service programs and activities include jobs and economic activity. Jobs and economic benefits stem not only from public use of the national forests and grasslands, but also from Forest Service management activities and infrastructure investments. We completed an economic analysis that calculated activities on the National Forest System contributed over \$36 billion to America’s gross domestic product, and supported nearly 450,000 jobs during fiscal year 2011.

Through our Job Corps and other programs including the 21st Century Conservation Service Corps, we provide training and employment for America’s youth, and we help veterans transition to civilian life. Our Urban and Community Forestry Program has provided jobs and career-training opportunities for underemployed adults and at-risk youth.

The Forest Service routinely leverages taxpayer funds by engaging partners who contribute to investments in land management projects and activities. In fiscal year 2013, for example, we entered into more than 8,200 grants and agreements with partners who made a total of about \$540 million in cash and noncash contributions. Combined with our own contribution of nearly \$730 million, the total value of these partnerships was over \$1.27 billion.

Other noncommercial uses provide crucial benefits and services to the American people. Many Tribal members use the national forests and grasslands for hunting, fishing, and gathering wild foods and other materials for personal use. They also

use sacred sites on National Forest Service (NFS) lands for ritual and spiritual purposes.

National forests and grasslands attract about 160 million visits annually, and 55 percent of those visitors engage in strenuous physical activities. Based on studies showing that outdoor activities contribute to improved health and increased fitness, the availability of the Nation's forests and grasslands to all Americans provides other tangible benefits. In addition, since more than 83 percent of Americans live in metropolitan areas where opportunities to experience nature are often reduced, the Forest Service has developed an array of programs designed to get people into the woods, especially children. Each year, we reach an average of more than 5 million people with conservation education programs.

#### CHALLENGES TO CONSERVATION

Our Nation's forest and grassland resources continue to be at risk due to drought, uncharacteristically severe wildfire behavior, invasive species, and outbreaks of insects and disease. Although biodiversity remains high on national forests and grasslands, habitat degradation and invasive species pose serious threats to 27 percent of all forest-associated plants and animals, a total of 4,005 species.

The spread of homes and communities into wildfire-prone areas is an increasing management challenge. From 2000 to 2030, the United States could see substantial increases in housing density on 44 million acres of private forest lands nationwide, an area larger than North and South Carolina combined. More than 70,000 communities are now at risk from wildfire, and less than 15,000 have community wildfire protection plans.

This same growth and development are also reducing America's forest habitat and fragmenting what remains. From 2010 to 2060, the United States is predicted to lose up to 31 million acres of forested lands, an area larger than Pennsylvania.

Forest Service scientists predict that fire seasons could return to levels not seen since the 1940s, exceeding 12 million to 15 million acres annually. Highlighting these concerns, for the first time since the 1950s, more than 7 million acres burned nationwide in 2000 and more than 9 million acres burned in 2012. In 2013, the largest fire ever recorded in the Sierra Nevada occurred, and a devastating blaze in Arizona killed 19 highly experienced firefighters.

#### BUDGET REQUEST AND FOCUS AREAS

To meet the challenges ahead, the Forest Service is focusing in three key areas: restoring resilient landscapes, building thriving communities, and managing wildland fires. We continue to implement cultural initiatives and cost savings measures focused on achieving a safer, more inclusive, and more efficient organization. To help us achieve these goals, the President's proposed overall budget for discretionary funding for the Forest Service in fiscal year 2015 is \$4.77 billion. The budget also proposes a new and fiscally responsible funding strategy for wildland fire that recognizes that catastrophic wildland fires should be considered disasters, funded in part by additional budget authority provided through a budget cap adjustment for wildland fire suppression. Combined with the funding for fire suppression in the discretionary request, this strategy will fully fund estimated wildfire suppression funding needs.

##### *Restoring Resilient Landscapes*

Our approach to addressing ecological degradation is to embark on efforts that support ecological restoration allowing for healthier more resilient ecosystems. In cooperation with our partners across shared landscapes, we continue to ensure that the Nation's forests and grasslands retain their ability to deliver the social, economic, and ecological values and benefits that Americans want and need now and for generations to come.

In February 2011, President Obama launched the America's Great Outdoors Initiative, setting forth a comprehensive agenda for conservation and outdoor recreation in the 21st century. In tandem with the President's initiative, Secretary of Agriculture Vilsack outlined an All Lands vision for conservation calling for partnerships and collaboration to reach shared goals for restoring healthy, resilient forested landscapes across all landownerships nationwide.

In response, the Forest Service has launched an initiative to accelerate restoration across shared landscapes. The Accelerated Restoration Initiative builds on Integrated Resource Restoration (IRR), the Collaborative Forest Landscape Restoration Program (CFLRP), the 2012 planning rule, and other restoration-related programs and initiatives to pick up the pace of ecological restoration while creating more jobs in rural communities. Our collaborative, holistic approach to restoring forest and

grassland health relies on the State Forest Action Plans and the Forest Service's own Watershed Condition Framework to identify high-priority areas for restoration treatments.

In fiscal year 2012, Congress authorized the Forest Service to pilot test the combination of multiple budget line items into a single line item for IRR. By combining funds from five budget line items we can better integrate and align watershed protection and restoration into all aspects of our management. In fiscal year 2013, our integrated approach restored almost over 2,533,000 acres of forest and grassland, decommissioned 1,490 miles of roads, and restored 4,168 miles of stream habitat substantially improving conditions across 12 entire watersheds across the NFS. Given the success demonstrated in the three pilot regions, we propose fully implementing IRR across the entire Forest Service in fiscal year 2015. We propose a national IRR budget of \$820 million. Investing in IRR in fiscal year 2015 is expected to result in 2,700,000 watershed acres treated, 3.1 billion board feet of timber volume sold, approximately 2,000 miles of road decommissioned, and 3,262 miles of stream habitat restored or enhanced. An estimated 26 watersheds will be restored to a higher condition class in fiscal year 2015.

CFLRP was created in 2009 to help restore high-priority forested landscapes, improve forest health, promote job stability, create a reliable wood supply, and to reduce firefighting risks across the United States. The Secretary of Agriculture selected 23 large-scale projects for 10-year funding. Although the projects are mostly on NFS land, the collaborative nature of the program ties communities to local forest landscapes, engaging them in the work needed to restore the surrounding landscapes and watersheds. We propose to increase authorization for this successful collaborative program in the fiscal year 2015 President's budget. We propose to increase the program authorization to \$80 million and are requesting \$60 million in fiscal year 2015 to continue implementation of the current 23 projects and for inclusion of additional projects. All of the existing projects are on track to meet their 10-year goals, and to date, more than 588,461 acres of wildlife habitat have been improved, while generating 814 million board feet of timber and 1.9 million green tons of biomass for energy production and other uses.

To gain efficiencies in our planning efforts, the Forest Service is moving forward with implementing a new land management planning rule. The new rule requires an integrated approach to forest plan preparation and multilevel monitoring of outcomes that allows for adaptive management, improved project implementation, and facilitated landscape scale restoration. We are also working to be more efficient in our environmental analyses under the National Environmental Policy Act (NEPA) through development of three restoration-related categorical exclusions promoting hydrologic, aquatic, and landscape restoration approved in 2013. Other investments in "Electronic Management of NEPA" (eMNEPA) have significantly reduced administrative costs; we estimate that we save approximately \$17 million each year because of these investments. Collectively, these efforts will help land managers to focus on collaborative watershed restoration efforts that also promote jobs and economic opportunities in rural communities.

#### *Building Thriving Communities*

The Forest Service works to build thriving communities across the Nation by helping urban communities reconnect with the outdoors, by expanding the benefits that both rural and urban residents get from outdoor recreation, and by providing communities with the many economic benefits that result from sustainable multiple-use management of the national forests and grasslands.

Through our Recreation, Wilderness and Heritage program, we are dedicated to serving tens of millions of recreation visitors each year. Rural communities rely on the landscapes around them for hunting, fishing, and various amenities; the places they live are vital to their identity and social well-being. We maintain these landscapes for the character, settings, and sense of place that people have come to expect, such as popular trail corridors and viewsheds.

In support of the President's America's Great Outdoors Initiative and the First Lady's "Let's Move" initiative, we are implementing a Framework for Sustainable Recreation. The framework is designed to ensure that people of all ages and from every socioeconomic background have opportunities to visit their national forests and grasslands—and, if they wish, to contribute through volunteer service. We focus on sustaining recreational and heritage-related activities on the National Forest System for generations to come. That includes maintaining and rehabilitating historic buildings and other heritage assets for public use, such as campgrounds and other historic facilities built by the Civilian Conservation Corps.

A significant portion of our budget to sustain operations for outdoor recreation—roughly 20 percent—comes from fees collected under the Federal Lands Recreation

Enhancement Act (FLREA). Of the fees collected, 95 percent are locally reinvested to maintain and restore the facilities and services for outdoor recreation that people want and need. We propose permanent authority for the FLREA while clarifying its provisions and providing more consistency among agencies. This is an interagency proposal with the Department of the Interior.

For decades, the Forest Service has focused on protecting and restoring critical forested landscapes, not only on the national forests, but also on non-Federal lands. All 50 States and Puerto Rico prepared comprehensive State Forest Action Plans identifying the forested landscapes most in need of protection and restoration. Based on the State plans, the Forest Service has been working with State and other partners to tailor our programs accordingly, applying our limited resources to the most critical landscapes.

In fiscal year 2014, we began building on our successful State and Private Forestry Redesign initiative through a new program called Landscape Scale Restoration. The program allows States to continue pursuing innovative, landscape-scale projects across the Forest Health Management, State Fire Assistance, Forest Stewardship, and Urban and Community Forestry programs without the limitation of a specific mix of program funding. The program is designed to capitalize on the State Forest Action Plans to target the forested areas most in need of restoration treatments while leveraging partner funds. We propose funding the new program at almost \$24 million.

We are also using the State Forest Action Plans to identify and conserve forests critical for wildlife habitat and rural jobs through our Forest Legacy Program. Working through the States, we provide working forests with permanent protection by purchasing conservation easements from willing private landowners. As of February 2014, the Forest Legacy Program had protected more than 2.36 million acres of critical working forests, benefiting rural Americans in 42 States and Puerto Rico.

We propose \$53 million in discretionary funding for Forest Legacy and \$47 million in mandatory funds, from the Land and Water Conservation Fund (LWCF), for a total of \$100 million. The increase is a key component of the President's America's Great Outdoors Initiative to conserve critical landscapes and reconnect Americans to the outdoors through reauthorizing the LWCF as fully mandatory funds in fiscal year 2016.

In a similar vein, our Land Acquisition Program is designed to protect critical ecosystems and prevent habitat fragmentation. In accordance with the President's America's Great Outdoors Initiative, we worked with the Department of the Interior to establish a Federal interagency Collaborative Landscape Planning Program, designed to leverage our joint investments and coordinate our efforts to protect intact, functioning ecosystems across entire landscapes. Land acquisitions are a proven value for the taxpayer, making it easier and less expensive for people to access their public lands—and easier and less expensive for the Forest Service to manage and restore the lands entrusted to our care. An analysis by The Trust for Public Land showed that every \$1 invested in Federal land acquisition returns \$4 to the taxpayer; taking returns beyond 10 years into account, the benefits are even greater.

The President's fiscal year 2015 budget proposes \$51 million in discretionary funding for our Federal Land Acquisition program and almost \$76.7 million in mandatory funding from the LWCF, for a combined total of \$127.7 million. These mandatory funds are part of the President's proposed LWCF reauthorization with fully mandatory funds starting in fiscal year 2016.

Working with the Department of the Interior, we propose to permanently authorize annual mandatory funding, without further appropriation or fiscal year limitation for the Departments of the Interior and Agriculture LWCF programs beginning in fiscal year 2015. Starting in 2016, \$900 million annually in permanent funds would be available. During the transition to full permanent funding in 2015, the budget proposes \$900 million in total LWCF funding, comprised of \$550 million in permanent and \$350 million discretionary funds.

Another legislative proposal listed in our fiscal year 2015 budget is an amendment to the Small Tracts Act to provide land conveyance authority for small parcels, less than 40 acres, to help resolve encroachments or trespasses. Proceeds from the sale of National Forest System lands under this proposed authority would be collected under the Sisk Act and used for future acquisitions and/or enhancement of existing public lands.

We are also helping communities use their wood resources for renewable energy. Through the Forest Service's Woody Biomass Utilization Grants Program, we are funding grants to develop community wood-to-energy plans and to acquire or upgrade wood-based energy systems and in fiscal year 2013, State and Private Forestry awarded 10 biomass grant awards totaling almost \$2.5 million to small businesses and community groups. In an interagency effort with the Rural Utilities

Service, Rural Housing Service, and Rural Business-Cooperative Service within Department of Agriculture (USDA) Rural Development and the Farm Service Agency, the USDA Wood to Energy Initiative synergistically facilitates achievement of the cooperating agencies' goals. The Forest Service leverages its small amount of grant funds with the Rural Development's grant and loan programs by providing subject matter expertise and technical assistance in the early stages of project development, so the proponents can successfully compete for Rural Development's loans and grants. Our goal is lower energy bills, greater rural prosperity, and better environmental outcomes overall.

Better environmental outcomes result, in part, from removing woody materials to restore healthy, resilient forested landscapes. Many of the materials we remove have little or no market value, and by finding new uses for them through our Research and Development Programs, we can get more work done, producing more jobs and community benefits. Our Bioenergy and Biobased Products Research Program is leading the way in researching wood-based energy and products. Through discoveries made at our Forest Products Lab, woody biomass can now be used to develop cross-laminated timber for building components such as floors, walls, ceilings, and more. Completed projects have included the use of cross-laminated panels for 10-story high-rise buildings.

Over 83 percent of America's citizens now live in urban areas. For most Americans, their main experience of the outdoors comes from their local tree-lined streets, greenways, and parks, not to mention their own backyards. Fortunately, America has over 100 million acres of urban forests, an area the size of California. Through our Urban and Community Forestry Program, the Forest Service has benefited more than 7,000 communities, home to 196 million Americans, helping people reap the benefits they get from trees, including energy conservation, flood and pollution control, climate change mitigation, and open spaces for improved quality of life.

We are expanding our work with cities such as New York, Philadelphia, and Los Angeles, working with an array of partners in the Urban Waters Federal Partnership to restore watersheds in urban areas. We are also helping communities acquire local landscapes for public recreation and watershed benefits through our Community Forest and Open Space Conservation Program, which is funded at \$1.7 million in the fiscal year 2015 President's budget. Our goal is to help create a Nation of citizen-stewards committed to conserving their local forests and restoring them to health for all the benefits they get from them.

Our community focus supports the President's America's Great Outdoors Initiative to achieve landscape-scale restoration objectives, connect more people to the outdoors, and support opportunities for outdoor recreation while providing jobs and income for rural communities. Building on existing partnerships, we have established a 21st Century Conservation Service Corps to help us increase the number of work and training opportunities for young people and veterans while accomplishing high-priority conservation and restoration work on public lands.

#### *Managing Wildland Fires*

The administration has worked this year to analyze and develop a strategy to address catastrophic fire risk. The budget calls for a change in how wildfire suppression is funded in order to reduce fire risk, to more holistically manage landscapes, and to increase the resiliency of the Nation's forests and rangelands and the communities that surround them. The cost of suppression has grown from 13 percent of the agency's budget just 10 years ago to over 40 percent in 2014. This increase in the cost of wildland fire suppression is subsuming the agency's budget and jeopardizing its ability to implement its full mission. The growth in the frequency, size, and severity of fires in recent years; along with the continual expansion of the wildland urban interface (WUI) have all increased the risks of catastrophic fires to life and property. Collectively these factors have resulted in suppression costs that exceeded amounts provided in annual appropriations requiring us to transfer funds from other programs to cover costs. This shift in funding is creating a loss in momentum for critical restoration and other resource programs as fire transfers deplete the budget by up to \$500 million annually.

The fiscal year 2015 budget proposes a new funding strategy that recognizes the negative effects of funding fire suppression as we have historically. The budget proposes funding catastrophic wildland fires similar to other disasters. Funded in part by additional budget authority provided through a budget cap adjustment for wildfire suppression, the budget proposes discretionary funding for wildland fire suppression at a level equal to 70 percent of the estimated 10-year average suppression costs, which reflects the level of spending associated with suppression of 99 percent of wildfires. In addition, the budget includes up to \$954 million to be available under a disaster funding cap adjustment to meet suppression needs above the base

appropriation. This proposed funding level includes 30 percent of the 10-year average of fire suppression costs and the difference to the upper limit of the 90th percentile range forecast for suppression costs for fiscal year 2015. This additional funding would be accessed with Secretarial declaration of need or imminent depletion of appropriated discretionary funds. This strategy provides increased certainty in addressing growing fire suppression needs, better safeguards non-suppression programs from transfers that diminish their effectiveness, and allows us to stabilize and invest in programs that more effectively restore forested landscapes, treat forests for the increasing effects of climate change, and prepare communities in the WUI for future wildfires.

Our evolving approach to managing wildland fire is integral to meeting our goals of safety, landscape-scale restoration, cross-boundary landscape conservation, and risk management. We continue to learn more about wildland fire, and we continue to apply what we learn through fire and risk management science in partnership with States, communities, and other Federal agencies. We strive to maximize our response capabilities and to support community efforts to reduce the threat of wildfire and increase ecosystem resilience. The agency has made great progress in its continued focus on risk-based decisionmaking when responding to wildfires, and in 2015 will continue this important work to better inform decisionmakers on the risks and trade-offs associated with wildfire management decisions. The budget also furthers efforts to focus hazardous fuels treatments on 1.4 million WUI acres focused on high priority areas identified in Community Wildfire Protection Plans.

Through our Hazardous Fuels Program, the Forest Service controls fuels by removing buildups of dead vegetation and by thinning overly dense forests that can be hazardous to lives, homes, communities, and wildland resources. From fiscal year 2001 to fiscal year 2013, the Forest Service treated about 33 million acres, an area larger than Mississippi. For fiscal year 2015, we propose \$358.6 million for our Hazardous Fuels program. We also propose performing non-WUI Hazardous Fuels work within the IRR line item in order to accomplish work more efficiently. With more than 70,000 communities in the WUI at risk from wildfire, the Forest Service is working through cross-jurisdictional partnerships to help communities become safer from wildfires. Through the Firewise program, the number of designated Firewise communities rose from 400 in fiscal year 2008 to nearly 1,000 in fiscal year 2013.

Our Hazardous Fuels program is also designed to help firefighters manage wildfires safely and effectively, and where appropriate, to use fire for resource benefits. Our Preparedness program is designed to help us protect lives, property, and wildland resources through an appropriate, risk-based response to wildfires. Preparedness has proven its worth; Fire Program Analysis, a strategic management tool, shows that every \$1 subtracted from preparedness funding adds \$1.70 to suppression costs because more fires escape to become large and large fires are more expensive to suppress. Unless we maintain an adequate level of preparedness, we risk substantial increases in overall fire management costs.

Airtankers are a critical part of our response to wildfire. Their use plays a crucial role in keeping some fires small and greatly assists in controlling the large fires. Accordingly, we are implementing a Large Airtanker Modernization Strategy to replace our aging fleet with next-generation airtankers. Our strategy, reflected in our budget request, would fund both the older aircraft still in operation and the next-generation airtankers currently under contract. It would also cover required cancellation fees and the C-130 Hercules aircraft transferred by the U.S. Coast Guard.

#### SAFETY AND INCLUSION

In addition to our focus on restoring resilient landscapes, building thriving communities, and managing wildland fire, we continue our agency efforts to become a safer, more diverse, and more inclusive organization.

Accomplishing our work often takes us into high-risk environments. For that reason, for several years now, we have undertaken a learning journey to become a safer organization. Every one of our employees has taken training to become more attuned to safety issues and the need to manage personal risk. As part of this effort, safety means recognizing the risk and managing it appropriately. Our goal is to become a zero-fatality organization through a constant, relentless focus on safety.

Recognizing that more than 83 percent of Americans live in metropolitan areas, the Forest Service is outreaching to urban and underserved communities to introduce more people to opportunities to get outdoors, to participate in NFS land management, and to engage in conservation work in their own communities. Part of this inclusiveness is creating new opportunities to come into contact with and to hiring individuals from various backgrounds that might not otherwise be exposed to other Forest Service programs.

## COST SAVINGS

The Forest Service is committed to achieving the greatest benefits for the taxpayer at the least cost. Mindful of the need for savings, we have taken steps to cut operating costs. Taking advantage of new technologies, we have streamlined and centralized our financial, information technology, and human resources operations to gain efficiencies and save costs. We continue to work with other USDA agencies under the Blueprint for Stronger Service to develop strategies for greater efficiencies in key business areas. In fiscal year 2013, we saved millions of dollars through additional measures to promote efficiencies, ranging from an \$800,000 annual savings through consolidation of local telephone service accounts to right-sizing our existing Microsoft software licenses, which yielded over \$4 million in savings in fiscal year 2013. In fiscal year 2013, we also instituted measures that will yield \$100 million in cost pool savings by fiscal year 2015.

Another cost saving highlight is the Forest Service completion of the design and construction for the renovation of the Yates Building on schedule, and within budget. On January 13, 2014, following completion of the renovation, all 762 Washington Office located employees apart from International Programs were finally located in the same building. Beside these benefits, this move is expected to save \$5 million annually in leasing costs.

## FUTURE OUTLOOK

For more than a century, the Forest Service has served the American people by making sure that their forests and grasslands deliver a full range of values and benefits. America receives enormous value from our programs and activities, including hundreds of thousands of jobs and annual contributions to the economy worth many times more than our entire annual discretionary budget. Especially in these tough economic times, Americans benefit tremendously from investing in Forest Service programs and activities.

Now we are facing some of the greatest challenges in our history. Invasive species, climate change effects, regional drought and watershed degradation, fuel buildups and severe wildfires, habitat fragmentation and loss of open space, and devastating outbreaks of insects and disease all threaten the ability of America's forests and grasslands to continue delivering the ecosystem services that Americans want and need. In response, the Forest Service is increasing the pace and scale of ecological restoration. We are working to create healthy, resilient forest and grassland ecosystems capable of sustaining and delivering clean air and water, habitat for wildlife, opportunities for outdoor recreation, and many other benefits.

Our budget request focuses on the public's highest priorities for restoring resilient landscapes, building thriving communities, and safely managing wildland fire while providing an effective emergency response. Our requested budget will enable us to address the growing extent and magnitude of our management challenges and the mix of values and benefits that the public expects from the national forests and grasslands. We will continue to lead the way in improving our administrative operations for greater efficiency and effectiveness in mission delivery. Our research will continue to solve complex problems by creating innovative science and technology for the protection, sustainable management, and use of all forests, both public and private, for the benefit of the American people. Moreover, we are working ever more effectively to optimize our response to cross-cutting issues by integrating our programs and activities.

We can achieve these priorities through partnerships and collaboration. Our budget priorities highlight the need to strengthen service through cooperation, collaboration, and public-private partnerships that leverage our investments to reach shared goals. Through strategic partnerships, we can accomplish more work while also yielding more benefits for all Americans, for the sake of all generations to come.

This concludes my testimony, Mr. Chairman. I would be happy to answer any questions that you or the subcommittee members have for me.

## WILDLAND FIRE

Senator REED. Thank you very much, Chief.

Mr. Dixon, do you have any comment? Thank you very much.

Every year, Chief, we sit down at this moment, which is, coincidentally, before the fire season and we anticipate what it will be like, and it would help us if you could give us your sense of what

you expect going forward, particularly as we are all aware of, droughts in many parts of the West.

Can you give us a sense of what you expect? And even with the significant resources you are asking for, do you think they will be adequate?

Mr. TIDWELL. We are anticipating a very active fire season this year, especially in the southwest.

In California, if you are watching the news, it has a record drought, some of the driest conditions, and this follows the driest year on record in California and last year, but it is just one of the areas. We have had to bring on additional resources earlier this year to be prepositioned to be able to deal with that in California. So we do have the resources that we need to be able to deal with the suppression issue.

#### BUDGET CHALLENGES

However, we do expect that the cost of this fire season is going to exceed the funding that we have available this year. You can anticipate that I will be informing the subcommittee of the need to be able to transfer money. That is based on the information that we have this year at this point in time. So it is going to be very similar to what we had last year, and some indications, it is going to be even more active than the fire season we had last year.

#### FIRE SUPPRESSION CAP ADJUSTMENT

Senator REED. Thank you.

In terms of the approach that you are taking which, in a very simplified way, would put some of the funding into the emergency category and the bulk of it remaining under our purview, and has to be offset by other programs. That requires coordination with several committees, including the budget committee since it is a budget issue here, the authorizing committees, and obviously our committee.

Can you tell us what you have been doing to reach out to these other committees and try to make the case?

Mr. TIDWELL. Mr. Chairman, we have been meeting with the staffs and members of all three of these committees that you have mentioned over the last 3 or 4 months now, to be able to help them understand the problem, and then in addition, how this solution would work.

I need to stress that this would not increase spending for fire suppression by shifting a portion of our fires into the natural disaster category. It would allow us to access the disaster fund that has already been appropriated. All it does is stop the transfer. It does not increase costs. It does not score.

This is one of the reasons that we feel very strongly that this is a good approach. We definitely want to work with this subcommittee, the authorizing committees and, of course, the Budget Committee on ways to even improve what is being proposed at this time in the introduced legislation.

But we feel it is a very good starting place.

Senator REED. Thank you.

And Chief, I understand that the \$954 million requested within the disaster cap is made up of two parts. It is 30 percent of the

regular 10-year average and the second part is to project an amount above the 10-year average that would be necessary based on a new 2-year forecast.

Can you tell us how you arrived at the 30 percent level? And also, how you developed the new 2-year forecasting model?

Mr. TIDWELL. Well, we have always had the 2-year forecasting model since we have been responding to Congress on the FLAME Report, where we send up our forecast every quarter. What it is based on is just looking at data from the last 30-some years, and it is a regression model that our scientists use to do the best job to actually predict what we can expect this coming year.

The problem with it is when it is 2 years out, for fiscal year 2015, that model shows that we are 90 percent confident that the suppression costs will be somewhere between \$770 million and \$1.9 billion. Now, as we move closer into 2015, we will definitely be able to have a much better forecast. But that is the challenge that we have had.

The 10-year average was something we all agreed to. It has proven not to work out because 11 of the last 14 years, we have exceeded the 10-year average in our funding. Even with the forecasts 2 years out, it is just so difficult because there are so many weather patterns that can shift for next year. That is what makes this so difficult.

That is why we feel that if this is a better approach, to set up so that there is a certain type of fire, we are talking about the large, complex fires, the fires that threaten communities, we would be able to access this disaster funding. When we exhaust all the appropriated funds, then anything after that would still be able to access the disaster fund.

But those are the challenges that we have.

Senator REED. Thank you, Chief.

Senator Murkowski.

#### ROADLESS RULE

Senator MURKOWSKI. Thanks, Mr. Chairman.

Chief, as you know, due to your visit with me to the State last summer, and I appreciate you taking the time. I know Alaskans appreciated the opportunity to show you on the ground what we are dealing with there in the southeast, in the Tongass.

But as you know, most of the mills there in the southeast have closed due to lack of timber supply. Energy projects whether it is hydroelectric or potential geothermal projects, could really make a difference in a region that struggles with high energy costs. In some of our smaller village communities, you are paying 40 cents to 50 cents a kilowatt hour and yet, we are surrounded with amazing hydropower potential, and in certain areas, geothermal potential. But opportunities are tied up because of red tape, whether it is policies coming out of the Federal Government or the impact of the roadless rule.

You have indicated to me that you think that there is some flexibility that you have to act and you have got to avoid some of those areas that are so impacted by the roadless. But I am passing a map out to my colleagues here that details the roadless area inven-

tory within the Tongass. 91 percent of the Tongass is considered roadless; 9.6 million acres is roadless. So we are bound.

We cannot access an area to put in a hydro facility, whether it is small hydro, lake tap, whatever it is we are trying to do, geothermal opportunities. We are all talking about the great policies that this Administration is trying to advance when it comes to renewables. But if you cannot build the project because the roadless rule does not allow you to put a road there, the only way you can do it is by helicopter. Well, colleagues, figure that one out. Pretty dang expensive to build a hydro facility or do anything if you are operating completely by helicopter. So we are trying to figure this out.

#### BIG THORNE SALE

You know, Chief, that last year was not a good year for Region 10. It was the worst performing region, just 16.8 percent of the target was accomplished. Region 10 has only sold about 30 million board feet per year since 2008.

So, again, in my opening statement, I mentioned Big Thorne. We are all hoping and praying that Big Thorne comes through and Big Thorne has been sitting since September. You have indicated to me that that is how we are going to get to this transition is second growth.

So can you give me some update on when we may see the Big Thorne Sale offered? How much volume of the original 150 million board feet will be offered? And really, from a broader perspective, how are you going to overcome this decline? Is it just done? Is it just over in the Tongass, that we will not be able to see any aspect of a timber industry anymore? Is it done? Because if you say that it is, we are going to have a timber war here all over again.

We cannot give up on this region. We cannot give up on a region that has opportunity and has potential, but is being denied because of policies from our own Federal Government.

So first, Big Thorne and then, second, how are we going to arrest this decline?

Mr. TIDWELL. Well, Senator, we are committed to completing the Big Thorne project. We are in the process, with the region finishing up their draft Supplemental Information Report. They are going to be sitting down with the appellants to share that additional information around their concerns. I am optimistic that they will be able to address that.

They may have to, as part of addressing the appeals, drop a unit or two. That is always something we can look at. But I am confident that the majority of that project will go through.

Senator MURKOWSKI. Do you know when? Give me an estimate because I am not sure we can hold on. I am not sure we can hold on much longer.

Mr. TIDWELL. Well, they are completing the Supplemental Information Report and they are working with the State to provide some information about the wolf species, that is of a concern up there. I think they are close to completing that.

They will be sitting down with the appellants, and then, hopefully we will be able to resolve it, and then be able to go forward.

Senator MURKOWSKI. What if we cannot?

Mr. TIDWELL. We are planning on doing it this year along with the other timber sales that we have planned. So the target this year is 70 million plus the Big Thorne project.

Senator MURKOWSKI. 70 million plus Big Thorne. You anticipate that Big Thorne is going to be 150 million board feet. But realistically, I mean, we have not seen, we sold 30 million board feet per year since 2008.

How are we going to get to the numbers that you are talking about? I mean, are they just numbers on paper?

Mr. TIDWELL. No, they are not on paper. Senator, with Big Thorne, the staff have worked so hard on that project.

Senator MURKOWSKI. I know.

Mr. TIDWELL. It will not be 150, but it should be in the range of 100 million, plus what we plan to go forward with. As you have pointed out, this is essential that we provide this bridge timber for our plan to transition to second growth.

I think that is still the right plan, but we need to be able to do projects like Big Thorne. We need to be able to do the projects like Wrangell this year. To be able to have that amount of timber and to be able to bridge during the times until we are ready to move into the second growth as being the predominant harvest up there; to be able to sustain the wood products industry for all the reasons that you have mentioned; and to be able to provide jobs. It needs to be part of the economic activity in that State.

The other part of it is hydro. We are working on the hydro projects. They are a great benefit, especially in the Southeast. But as you also know, we are having to ship wood pellets, either out of Seattle to bring them up to Ketchikan to convert using the biomass for electricity. When we see all that and the trees there, the idea that we cannot have a pellet plant right there, to be able to provide renewable energy for those facilities and not ship it out. But that is another reason it is just essential for us to be able to maintain the industry.

So you have my commitment that we are going to get Big Thorne done. We are going to move forward on the sales this year. And at the same time, still continue to move forward with the transition.

Senator MURKOWSKI. Well, Chief, my time has expired. I will have more questions in the second round.

But you keep talking about these sales that will be the bridge, but in order for a bridge to work, it has to be anchored to something on either side. Right now, there is not much to anchor within the southeastern timber economy because we cannot get any sales moving. We cannot get any product at all.

And so, when we talk about transition, when we talk about bridges, we still have to have an anchor, and you are not giving us that anchor yet.

Thank you, Mr. Chairman.

Senator REED. Senator Tester.

#### AIRTANKERS

Senator TESTER. Thank you, Mr. Chairman. Thanks, again, for being here, fellows.

Chief Tidwell, you and I have talked about the recent struggles the Forest Service has faced in putting together a next generation

air tanker fleet, and I do appreciate the attention the Forest Service has given to the matter.

I am concerned about reports that some of the contractors that were not ready to go last year may not be ready to go this year. We are 3 years into this gig and I do not know that we have gotten a lot out of it.

That being said, can you give me an update of where folks stand in terms of getting the planes in the air to combat wildfires?

Mr. TIDWELL. Senator, we will have an adequate number of air tankers again this year to be able to deal with the projected fire season. It will be a combination of the legacy aircraft that are under contract, and then we are expecting to have seven of the next generation aircraft also flying this year.

We are also working closely with the Air Force and the Air Force Reserve to have the Modular Airborne Firefighting System (MAFFs) units. They have already started their training to be ready, and then we also have our agreement with Canada to bring down their planes if we need to, to get through this year, and then hopefully, we will be in a better position in 2015 to have more of the next generation aircraft online.

Senator TESTER. So what I heard you just say, and correct me if I am wrong, you are going to have seven next generation planes ready to be up in the air this year?

Mr. TIDWELL. That is what we are hearing from the contractors.

Senator TESTER. Okay.

Mr. TIDWELL. That is what they said they will deliver.

Senator TESTER. And so, come July 1, there will be seven next generation ready to go.

Mr. TIDWELL. That is what they have told us.

Senator TESTER. Okay. Last year, they were not, and I think they might have told you the same thing. Were there any ramifications/repercussions for those folks who failed to meet those deadlines?

Mr. TIDWELL. We followed our contract procedures to send them cure notices. They respond to that. We are working with these contractors because we need the planes, and as you saw last year, it became more difficult for them to be able to make the modifications to the aircraft that they bought to be able to meet our tests and, at the same time, be safe aircraft that the FAA will certify after they have made the modifications to the aircraft. It is a year later, and they are making progress.

Senator TESTER. I would just say this, Chief, I mean, I would hold their feet to the fire. This is not nuclear physics; this kind of stuff is not that complicated and, quite frankly, I think they knew exactly what they were getting into when they were awarded the contracts. And I personally do not think they had any—I think they fully knew that they were not going to be able to get those planes up in the air; let us just put it that way. And they knew we would be very forgiving too.

And so, I do not point the finger at you. I just think that this is a common practice across Government. People contract with us and then they say, "Well, it costs much more money," and we cut them a check, and I think that kind of stuff needs to stop. If they

do not provide the service, they ought not have the contract. That is my soapbox for you.

Last year, we kind of heard the same thing, and I just want to point out that the Forest Service, I think, their dates for next generation are not certain. They are to be determined, TBD. Is that correct?

Senator TESTER. For the next generation.

Mr. TIDWELL. For this year?

Senator TESTER. Yes.

Mr. TIDWELL. We have asked the contractors that the planes need to be flying, passed all the tests by July 1st, and we have a schedule of the dates that they will be bringing those on.

Senator TESTER. Okay. So thank you for that. So you are telling me that you have dates certain from these contractors when these planes are going to be up.

Mr. TIDWELL. They have provided us dates, yes.

Senator TESTER. And what happens if they do not meet those dates?

Mr. TIDWELL. We will send them a cure notice and they have to explain then what steps they are going to take to be able to bring the planes on.

Senator TESTER. Okay. Is there anything you can do if they do not meet those dates? I know we need planes, but they also need our business too.

Mr. TIDWELL. Yes. We are working with these contractors because if we cancel these contracts, then we do not have any planes for sure. Even though it is taking them longer, late last year, we got another one of the planes flying. There is one of the companies that indicated they will have two of their planes ready. We know that there are two more planes that will pass the tests, and we can be flying those.

So it has been frustrating, and I share your frustration. I have to deal with it.

Senator TESTER. And I would just say, I get it, but if they know that they do not have to play by the rules, and yet, they are still going to get the contract, that is crazy. I mean, that is just flat crazy. I still believe that competition will fill that void and so, I think they need to be held accountable. I think the taxpayers expect that, quite frankly and I think everybody on this panel does too.

I am going to stick around for the next round of questions, so I will let my 30 seconds go. But once again, thank you for your work, Chief. And thank you, Mr. Chairman.

Senator REED. Senator Blunt.

#### COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM

Senator BLUNT. Thank you, Chairman.

Chief Tidwell, our State, Missouri, is ranked No. 3 by the Forest Service in terms of economic impact of forestry on the economy. I want to talk a little bit about the Collaborative Forest Landscape Restoration Project.

I met with the regional forester, Kathleen Atkinson, in December, a year ago, and I had been to the site where you were doing a large burn, I think it was a 10,000 acre burn. Looked like, to the

farm boy in me, that there was lots of damage to the tall trees you were trying to save and lots of potential erosion on the ground.

I asked for a couple of things then, one of which I have not gotten yet. One was any proof that we felt that this would really work. I believe the goal was to restore the forest to some moment that the Service has decided was exactly the right balance of trees in the forest which, I think, we could probably argue about. And whether or not the forest industry could go in and mark trees and harvest those trees before you burnt them. I did not receive much in specifics on that. On marking the trees, I think the answer was, no. You did not think that was possible.

But there was a meeting recently with the local Forest Service with Congressman Smith and Congressman Luetkemeyer and my staff in the State. And my understanding now is that those funds will not be used for burns, but will be used to hire new personnel to help with harvesting in the coming fiscal year. Is that right?

Mr. TIDWELL. Senator, with the Collaborative Forest Landscape Restoration Program there is always a mix of activities. Yes, this coming year, there is going to be more mechanical treatment, more timber harvest that will be coming off of there.

The purpose of the prescribed fire is to create a much more resilient forest that can deal with concerns with insect and disease, et cetera. When there are merchantable trees, we always want to get in there and harvest those trees that need to be removed. A prescribed fire is to just provide more of the ecological system that we have, so that it is more resilient. So it is usually a combination, and often, we do a timber harvest and then follow that with a prescribed burn to reduce some of the residual material and reduce the concern for potential fire. It takes both. But this coming year, I do know that on that project, they are going to be focused on doing timber harvest and not the prescribed burning.

Senator BLUNT. Okay. Well, that is helpful. And then there is a University of Missouri study on the impact of that program and forestry generally. Are you aware of that and are you all cooperating in that?

Mr. TIDWELL. I am not aware of that specific study.

Senator BLUNT. Would you follow up on that? I think your people on the ground said that they were beginning to work with the University of Missouri to talk about the impact there.

And I think the estimate is we lose 50 million board feet of timber in the Mark Twain Forest every year, and we harvest about 38 million. Doing a better job of harvesting the trees that are going to be lost would be something that, I know, you care about and I do too, and I hope we do that.

Do you have some information there, Mr. Dixon, on the study I asked about?

Mr. DIXON. Our northern research station is working with the University of Missouri to detail the socioeconomic modeling related to the impacts of our Collaborative Forest Landscape Restoration Program. So we are working in conjunction with the University.

Senator BLUNT. Well, since both of those things have been verified, I feel better about the year we are going into.

I do think on the greater issue of the burning program, what I would like to see, and maybe we have a year now to see if you

could produce that for me, any evidence that that really is going to work in restoring the forest area you are burning to where you think it is.

It seems to me having visited there, that the trees coming back up are the same trees you burned down, as opposed to some different look that tries to capture a moment in time which, I think, is pretty arguable too; that that was the perfect moment for the forest, and we go to all this effort to make that happen. And you do have, when you remove all of the groundcover, obviously, erosion and other things are a problem that would not be otherwise. I may have had my two biggest questions answered here.

Personnel-wise are you using the new personnel that you are hiring to try to identify the timber that can be harvested? Is that what I understood you to say?

Mr. TIDWELL. Well Senator, each year, staff put together the program of work, and we get a lot of our work done with our seasonal workforce. So as we move into a year, we are going to be doing more timber harvest, we are going to be hiring more seasonals to do the marking, et cetera, versus maybe a prescribed burn.

But the thing I need to stress is that with the reduction of our staffing over the last decade, it has just really limited our ability to be able to manage these forests. To be able to do the work where there is now strong support across the country, especially in these Collaborative Forest Landscape Restoration projects where people understand what needs to be done on the landscape.

But I will tell you, we are just so limited in what we are able to do. Our staff are doing a great job to be able to produce as much as they are. But with this budget request, where we are asking for additional money to do more forest restoration, do more hazardous fuels funding, and this is the first time that I have been up here in quite a few years in a position to be able to ask for that increase. That is what will really make a difference.

So we have the collaboratives in place, folks understand what work needs to be done. Now is the time for us to add some additional capacity into the system so that we can get more work done.

And Senator, we will share with you the monitoring information from that project, and also the research that we have that guides the type of projects that we are putting on the ground. We have been doing this work for many years, and we will provide that information.

Not every project accomplishes every objective we set out. That is why we monitor these. But just like in our hazardous fuels projects, 90 percent of those meet their objectives to reduce the threat of fire and reduce the severity of fire.

So we will provide you with that additional information.

Senator BLUNT. I may have some other questions later, Chairman.

Senator REED. Thank you, Senator Blunt.

Senator Merkley, please.

#### FIRE SUPPRESSION CAP ADJUSTMENT

Senator MERKLEY. Thank you very much, Mr. Chairman and thank you, Chief Tidwell and Mr. Dixon. Appreciate your testimony.

First I just want to thank you very much for your support and advocacy of changing the way that we address funding of fighting forest fires in a regular budget, the 70 percent rolling average over a 10-year period, and then doing the rest under emergency. It makes a great deal of sense. We have just been putting all our resources in the firefighting end and failing to treat emergencies as emergencies, and draining the Forest Service, and then trying to refund the Forest Service to do your regular work, which is so critical, whether it is planning for timber sales or maintaining the forest parks.

So anything I can do to work in partnership with you all, and with this committee, and with the Energy and Natural Resources committee, we are certainly happy to do.

#### WILDLAND-URBAN INTERFACE

I wanted to mention that one community in Oregon, the community of Ashland, would be a great candidate for further hazardous fuels funding in their Wildland Urban Interface, and I will certainly follow up. They have partially completed their forest resiliency project, and just have a ways to go, and very important to their watershed for their area.

#### TIMBER SALES

I wanted to turn to timber sales that are done by dealing with the National Environmental Policy Act (NEPA) planning backlog and just the challenge of having the interdisciplinary teams necessary to complete the planning. The backlog in NEPA planning work in Oregon has presented itself as a concern to me. Perhaps you are aware of it, and the addition of more technical experts to those teams would be helpful.

But are you aware of this challenge, and any particular thoughts about it?

Mr. TIDWELL. Yes, Senator, we are, and it is one of the challenges we face, not only in your State, but across the country, to be able to have the necessary capacity to be able to increase the pace and scale of restoring our forests.

We do have a great example, in the eastern part of your State, on the Malheur National Forest where we have been able to put that 10-year project together, and we are doing more and more work now where we are looking at large landscapes.

Instead of looking at 1,000 acres at a time, we are now looking at tens of thousands to hundreds of thousands of acres at a time and doing one Environmental Impact Statement (EIS), and we are finding this to be much more efficient and more effective. It lays out a program of work for the next 10 years and provides a certainty to the industry, and it actually is saving us a lot of money and a lot of time in our NEPA process.

We are to the point where for us to really go to where we need to be, and I use the project in eastern Oregon, for us to change the fire regime, we need to double the number of acres we have been treating in the last couple of years, and we need to do that for over a decade to really make a difference.

That is just an example of the challenge that we have, and we do not need to double our budget to be able to do that work, but

we do need to be able to increase our capacity so that we can expand. And that is one of the reasons that I feel so strongly about our budget request this year because we are asking for some modest increases to be able to do forest management work using Integrated Resource Restoration funds and then, of course, a significant increase with hazardous fuels which often accomplishes two objectives: reduces fuels and at the same time produces saw timber for mills.

#### COLLABORATIVE FOREST LANDSCAPE RESTORATION

Senator MERKLEY. I must say, there is an ecstatic community in John Day, Oregon and the Forest Service was instrumental in developing the innovation of using a service contract rather than a harvest contract to have that 10-year plan. That mill has hired, I believe, it is about 50 additional full time workers, living wage jobs, huge, huge for a small mill community and certainly a model to be replicated.

And in that regard, I did want to praise the Collaborative Forest Landscape Restoration Program, the major part of that, the issues, the frame up with NEPA, all involved in that. We are seeking additional funding. You are seeking additional funding for it. I certainly am very supportive of that.

But if we are able to maintain at least the 40 million; I do not know if we will make it to the 60 million. I would love it if we can. But will we be able to continue those projects that are already underway, like those three projects?

Mr. TIDWELL. Yes, Senator. We will be able to continue the projects that are underway, but what we found at the CFLR programs to be so effective, and it has so much support behind it. That is why we are asking for that increase to be able to expand that work.

#### WILDFIRE DISASTER FUNDING ACT

And Senator, I do want to thank you for being a cosponsor on the Wildfire Disaster Fund because that is key to a lot of things that we are talking about, so I really appreciate your support and work on that.

#### FISCAL YEAR 2015 BUDGET

Senator MERKLEY. Two more things I would like to mention in my 1 minute left. One is the Columbia River Gorge Economic Development Fund.

At a time that that scenic area was established, there was a commitment from the Federal Government to fund \$10 million of economic development in the Gorge. Some of that has been funded, but there is a balance left on it of approximately \$2 million. I want to encourage the Forest Service to find a way to complete that commitment to the community. We are 28 years later and they could benefit from that.

And second, just to put in a note that in terms of the Land and Water Conservation Fund (LWCF), there are a lot of projects in Oregon that would merit from their attention and look forward to following up on that conversation.

Mr. TIDWELL. We will work on both of those efforts, and we will get back to you on the LWCF projects.

Senator MERKLEY. Thank you.

Senator REED. Senator Begich.

#### BIG THORNE SALE

Senator BEGICH. Thank you very much. Thanks for being here. Thank you, Mr. Chairman.

I know my colleague, Senator Murkowski, asked you several questions on the Big Thorne Timber Sale. So can I just ask, these might be very quick, just so I get the understanding.

I know it is delayed. I know you are under an administrative appeal process. So I have two questions, maybe three. Is there any information, I know there was, at one point, the State of Alaska had to get some information for your administrative appeal.

Has everyone supplied the information you need that is external to your operation to deal with that appeal?

Mr. TIDWELL. Yes, Senator. It is my understanding the State has provided that information. It is going to be put into that Supplemental Information Report and then shared with the appellates.

Senator BEGICH. Okay. So you have everything external that you need?

Mr. TIDWELL. That is my understanding.

Senator BEGICH. Okay.

Second, do you have the necessary staffing levels to ensure that you can move forward with resolving the appeal issue, but also, let us assume that it moves the right direction, to then make the sale happen?

Mr. TIDWELL. Yes, we do. We have the staffing to be able to finish and implement Big Thorne, and at the same time, move forward with this year's program of work.

Senator BEGICH. Okay. And this led me, I thought I just had two, or three, on this one.

And that is, can you put in more specific terms—not right now, but in a memo back to myself and my colleague and the rest of the committee if they have any interest in that—is just a range of timetable that you think, based on the appeal and where we you might end up at the final here? Because obviously, this is a pretty big issue, as you know. It is important for the mill to have this contract resolved sooner than later.

But can you give us something more definitive in dates or ranges of dates that you think you can get down this ladder?

Mr. TIDWELL. We can provide that to you and the rest of the committee, if they are interested in that.

[The information follows:]

The Big Thorne Record of Decision received a number of administrative appeals. Upon review of those appeals, the Regional Forester upheld the Forest Supervisor's decision, with direction to address whether the information and conclusions contained in the August 2013 statement of retired State of Alaska wildlife biologist Dr. David Person, is consistent with the analysis in the Big Thorne Final Environmental Statement and Record of Decision.

The work necessary to address Dr. Person's Statement has been ongoing since the Regional Forester issued her appeal decision on September 30, 2014. The Wolf Task Force, comprised of State and Federal wildlife biologists, is reviewing the information and conclusions contained in Dr. Person's Statement. Additionally, the Forest

Supervisor is also reviewing the Tongass Forest Plan's legacy and old growth reserves standards and guidelines to ensure the Big Thorne Record of Decision is consistent with Forest Plan direction.

Once these reviews are completed, the findings will be summarized in a draft Supplemental Information Report (SIR), which will be provided to appellants and appropriate State and Federal agencies for a 30-day review and comment period. Any comments received will be considered prior to issuance of a final SIR by the Forest Supervisor. It is unknown what additional issues may be raised by the appellants or agencies in comments submitted on the draft SIR; any new information that is submitted could require additional analysis to be completed by the Tongass National Forest prior to issuing the final SIR.

With this in mind, the following is the current schedule for the remaining administrative processes for the Big Thorne timber sale project:

May 31 .....	Draft Supplemental Information Statement (SIR) released to the Appellants and appropriate State and Federal agencies for 30-day review period.
June 30 .....	End of Review period for Draft SIR, start of review and response to comments.
August 20 .....	Final Decision and SIR completed and released.
August 30 .....	If no units dropped, final appraisal completed and Sale advertised.
September 30 .....	If units dropped, prepare final cruise, final appraisal completed and Sale advertised.

Senator BEGICH. Okay. Fantastic. If you would do that, that would be great.

RECREATION AND TOURISM

Second, I want to move to the tourism recreation budgets, and this is of grave concern to me. I know there is a leader's document on the regional level that indicates that they will be substantially reducing its support or dropping its support for recreational tourism within your operations.

And as you know, the Alaska travel industry, or maybe you do not know, but the Alaska travel industry has brought forward a resolution concerned about this too. As you know, it is big business for us, especially in the southeast where there is an enormous amount of travelers. We get about 800,000 cruise ship industry travelers, 1.9 million overall travelers to the State. And, of course, our forests are incredible. It supports our tourism business in southeast alone, about 10,000 jobs and about \$1 billion in annual spending. So pretty, as you know, pretty significant and I am concerned about this leader's document indicating this.

So the question I have is, one, is that moving forward in full force, what your leadership document has? Or is there a number that you are still trying to struggle with to put into the budget to keep it level, at least for the funding regarding tourism and recreation, in regards to your budget? Is there a number that you need to put back in to make it whole, or is just now the policy that this is no longer a priority, and money or not, we are not interested?

Can you give me a—obviously from my perspective, you are a huge landowner along with many other Federal agencies, and when you decide not to use it for something like this that is an economic driver, that is a diversifier of economy, especially in southeast, it is very problematic.

BUDGET CHALLENGES

Mr. TIDWELL. Senator, we are not shifting our priority about how important recreation is. It provides more economic activity, sup-

ports more jobs than all the other activities on the national forest put together.

What you are seeing in Alaska is just the result of what has been happening to our budget over the years of having to put more and more of our budget into dealing with fire suppression. Under a constrained budget, we keep having to reduce all these other programs. Recreation is another key one.

So the regions have to make some really tough choices based on the realities of the budgets that we see right now, to be able to prioritize what work they can do, where is the best place to put their limited recreation money to be able to provide for the most economic benefit. Those are just an example of how difficult these choices are.

#### RECREATION AND TOURISM

Senator BEGICH. But let me, I appreciate that. I understand that, but as you indicated, you had some incremental movements in the budget this year, and I understand why. Fire suppression is a critical piece and what you have done is a smart move, actually planning for what really is going to happen, which I give you a lot of credit for that, and commend the agency.

But what is the amount, or can you get to me, what the amount of resource you would need to put it back into being held harmless or, at least, flat compared to last year? Can you get me that information so I understand what this increment is that is lacking for this promotion, this activity around tourism and recreation?

Mr. TIDWELL. I will tell you that the region is dealing with about a 30 percent reduction in the recreation funding from what they received a few years ago. It is not quite at that level nationally. It is more about 15 percent down.

But I can tell you—there is not any fewer people wanting to come to see the national forests. And especially in your State, it is such a big economic driver.

Senator BEGICH. Yes, I mean, you are making my argument. So give me those numbers and especially if nationally it is 15 percent and in our region it is 30 percent, then we are not being treated fairly. That is a whole other debate, which, you kind of opened that door, but I will just leave that over here for a second.

If you can get me that information, I want to know what it will take to get that, at least a reasonable approach because as you just said, the biggest use of the Forest Service is recreation and tourism. And for Alaska, it is, again, your lands, the Bureau of Land Management lands, and other lands are huge to the promotion of our business. So if you could get me that, I would greatly appreciate that.

#### ROADLESS RULE

Then last, I will not take any more time. I will not be able to be here for a second round, but I know you are working on some issues around roadless rules, and we can have a different conversation at a later time.

Mr. TIDWELL. Thank you.

Senator BEGICH. Thank you very much for everything you guys are doing.

## AIRTANKERS

Senator REED. Thank you very much, Senator Begich.

Chief, last year through the Defense bill, you received C-130 aircraft and the Air Force is in the process of modifying them at this moment.

Do you have any money in this year's budget for costs associated with that modification? Will you be able to take these aircraft and incorporate them quickly without additional resources?

Mr. TIDWELL. The funding that is necessary to basically replace the wing boxes on those planes, plus to retrofit them for retardant delivery is actually part of the Defense Authorization Act. The Air Force has the adequate funding to be able to do the work on those planes.

So it is not in our budget, but it is in theirs and those planes have to be put into the line up with everything else the Air Force is working on. They also have some of their own C-130s that they need to do the same modifications on.

They have told us that we should receive the first plane next year, and then the other planes will be coming in the years after that.

Senator REED. Very good.

In 2012, you were talking about your Modernization Strategy, and you were calling for between 18 and 28 large airtankers, and you are getting new aircraft and leasing aircraft. You have the C-130s coming online.

Are you on your trajectory to have your capacity, your adequate capacity?

Mr. TIDWELL. We are. I would say we are probably a year behind where we wanted to be at this time. But with these C-130 planes that we will have in the next few years that will add to that. So if you add those planes to where we plan to be with the next generation aircraft that we are on the right trajectory.

The other thing is we also have to factor in the P-2s that are being flown under our legacy contract. We are expecting to have those planes for 4 years and they will probably be done. That is why it is essential that we move forward with the next generation, and at the same time, the C-130 planes. That will provide seven aircraft. We will contract for the operation and maintenance of those aircraft, but it will be a key part of our future fleet.

Senator REED. Just finally, you have a \$145 million item within the fire preparedness budget and it is designated "Air Modernization."

If it is not for aircraft physical modification, what is it for?

Mr. TIDWELL. It reflects the cost of the next generation airtankers. They will cost us, based on what we saw last year with the ones that we flew last year, about 2.8 times as much as the legacy aircraft. However, they are faster. They are safer. They can deliver more retardant. But that is just a reflection of, as we move into these more modern aircraft, that it is going to be a significant increase in the cost.

Senator REED. Essentially, it is a contracting cost.

Mr. TIDWELL. Yes.

Senator REED. Thank you very much, Chief.

Senator Murkowski.

#### ROADLESS RULE

Senator MURKOWSKI. Thank you, Mr. Chairman.

Chief, talking about the situation with the roadless rule right now following the Ninth Circuit decision, as I mentioned, I think we know that there is still more legal wrangling and procedure before the exemption will definitively apply on the Tongass.

Once that is complete, and I would hope that the Forest Service would defend the exemption in any subsequent proceedings, I think it will give you that flexibility that you and I have talked about.

But can you explain to me this morning how the Ninth Circuit ruling will impact—whether it is future timber sales; I mentioned the renewable projects, whether it is our hydro projects; possible transmission lines; mining roads such as those that we looked at when we were flying over Prince of Wales, the Bokan Road, the Niblack projects—can you speak to how this roadless exemption will impact effectively what you are doing within the Tongass right now?

Mr. TIDWELL. Well, what we have planned for this year in the Tongass, with or without the exemption, it will have no effect. All the projects that we have planned to go forward with, the mining projects that you just mentioned, the timber sale, the Big Thorne, the Wrangell sales, those will all go forward with or without any exemption.

We will have to wait and see. As you mentioned, I think there is still some lengthy court time in front of us before we actually see where we end up, if the exemption will be reinstated or not.

Senator MURKOWSKI. Is the Forest Service going to defend the exemption?

Mr. TIDWELL. I am not going to comment on litigation until I actually see what comes out of this process.

I will make the commitment that I want to resolve the issue with roadless. I spent 37 years, my entire career, dealing with this and I can at least, in most places now, see we have resolved the issue. Alaska is the last place.

Senator MURKOWSKI. Well, we thought we had resolved it. You and I both know, we thought we had resolved that back in 2003. I, too, want to finally and fully get this done. I, too, want to see us be able to access an area whether it is for energy resources, for access to road projects, transmissions, but we have got to get this roadless issue resolved, and we need that flexibility that you have been talking about.

#### TIMBER HARVEST

Let me ask a couple of other questions here in this same vein. This past winter, you announced that you are appointing this public advisory council under the Federal Advisory Council Act (FACA), to consider these changes within the Tongass policy, particularly implementation of how you move towards second growth.

Can you give me a quick status here on when this 15-member group will be announced, when it is going to start meeting, and then the composition? Because what I want to make sure is that you are going to have members that would be part of this, that re-

flect a diversity of views and not just necessarily one part of the community there.

Mr. TIDWELL. We are in the process. Shortly, we will be starting to review the applicants that have submitted their request to be considered. I am hoping by the end of May, we can actually announce the 15 people that will be on this.

I can guarantee it will have a diverse set of interests. It is essential for us to do that. And based on our past success, when we have taken the time with these formal—these FACA committees, to me, are formalized collaborative effort—to get that diverse set of interests. It has been remarkable what they have been able to reach agreement on and to be able to deal with some of the more difficult issues.

We saw it with the Idaho roadless of Senator Risch, who was with the other committee, if he was here, he would be talking about that. The work that we are seeing with the FACA committee we have on our planning rule to put the directives together. They have taken on the most difficult issues and actually, I have been so impressed. They have been able to resolve those and be able to make recommendations that we can move forward to implement.

So based on my personal experience, this FACA group that we are putting together, it is absolutely essential that it provides that diverse set of interests so that we can be able to use that group's recommendations and be able to move forward with making the adjustments to the Tongass plan.

#### RENEWABLE ENERGY RESOURCES

Senator MURKOWSKI. Let me ask about the adjustments, then, if you will. I have mentioned several times here this morning my concern for the limitations that we place on our ability to move out our renewable energy resources. This has been a key priority of this administration, has moved towards renewables, and yet it is our own Federal policies here that are limiting any ability in southeast to access, whether it is hydro, whether it is geothermal, or other renewable energy.

So the question this morning is whether or not there is a renewable energy plan for the Tongass. And if so, whether it would be included in the Forest Plan Amendment as we move forward with this process?

And also, I have queried different members of the Cabinet as they have come before other committees to just make sure that we are in agreement here, that hydropower is considered a renewable resource.

So question to you about the broader renewable energy plan and whether within Forest Service you consider hydropower to be a renewable energy resource that would meet with the definition and the goals of this administration.

Mr. TIDWELL. I consider hydro to be renewable energy and it is essential there in southeast, especially, for us to be able to take advantage of that energy source and to replace the barging of diesel to those communities; which, I feel, is just a matter of time before we have an accident where we will then be doing a major clean up. And not only will it reduce the cost, but it also reduces the impact, the potential impact, to the environment. And that is why I think

you are seeing the levels of support from some of the conservation communities and environmental groups about moving forward with the hydro projects.

I know that as we have talked before, there is a long list of proposals, and we are working very closely with the State to be able to take those on. Last year, we dealt with like 29 different projects, 22 of them were Federal Energy Regulatory Commission projects; three of them are now under construction. This year, there are 30 proposals, 24 of them are FERC projects, and we expect to have five of those start construction this year. So we are making headway.

As we have talked, when it comes to the FERC projects, the access that is needed to be able to develop that proposal is provided with, or without, roadless. So it is one of the things that we have to really understand is the flexibility that is within the 2001 roadless rule; that is what we are focused on this year. We will see how everything plays out in the courts for the future. So we are going to be focused on that.

#### PLAN REVISION

Your other question about what we will consider with this amendment to the forest plan. We want to take a focused effort to be able to, at a minimum, deal with making some, potential changes to facilitate the transition to second growth, provide the bridge. And we will look at other opportunities. We will want to be very strategic in being able to see what we really need to consider.

When it comes to the hydro potential, we have the projects, so we have a good idea of where they are located. It is something we can take a look at before we even make the decision of what we are going to be needing to address. So it is going to be part of the initial assessment that will be done before we get started.

But it is just essential that we move forward and amend the Tongass plan. It is also, Senator, essential that your Sealaska bill gets through. I mean, not only is that important for the communities, but it is essential for some key changes for our transition plan. It is another key part of this that needs to be in conjunction as we move forward with our plan revision.

Senator MURKOWSKI. Well, I would appreciate your support of Sealaska. It was kind of a long and tortured process. I would like to see that through.

I do want to make sure though that, again, as we are talking about renewable energy projects, we remember that it is more than just the list that is in play today where a blessing has been given to those specific projects.

Because if we are limited to just that, how will a community—whether it is Ketchikan or Kake—be able to grow and evolve in the future if they do not have the ability to expand out their energy needs? And as you have pointed out, their energy needs can best be met through the addition of hydropower resources. We do not want to go back to the bad old days of diesel; that is not the future for this region.

So as we are looking to the forest plan amendments, I think it is key, I think it is absolutely critical that there be a renewable energy plan that not only incorporates our opportunity and potential

for hydropower, but also the geothermal resources that we have there.

And you had mentioned, you know, biomass. There is abundance there, but I think it needs to be incorporated as part of the amended plan going forward. And quite honestly if it is not—if a renewable energy plan is not incorporated—I think that that is very, very inconsistent with, again, this administration's push toward, movement towards renewables. And so, how we balance that, I think, is going to be critical going forward.

But to just suggest that it is just these particular projects that have been identified that meet that criteria, does not allow for a future for the Tongass. So we need to be working with you on really building out that renewable energy plan.

I have gone well over my time, Mr. Chairman. Thank you.

Senator REED. Senator Tester.

Senator TESTER. Yes, thank you, Mr. Chairman.

#### FOREST JOBS AND RECREATION ACT

I appreciate the administration's increased target on timber cuts. I think it is critical that we get that number up, and I am sure you do too.

Over the past three decades, Montana is not like any other State. I think we have lost over two dozen mills. These mills are partners of the Forest Service. They are partners of the taxpayers. They do a very, very good job in allowing us to be able to manage forests in a way that will ensure forest health.

Without an increase in timber coming out of the Forest Service lands, I think it is an obvious conclusion: we are going to lose more mills. So, and once they are gone, they are gone. They are not coming back. It is one of the reasons that I have tried to push the Forest Jobs and Recreation Act, which is a ground up approach, a Montana-made bill, supporting mills, creating jobs, supporting our Forest Service and our forests, and the breathtaking landscapes that are in those. And I want to thank you for the Forest Service support of that bill.

I know that you face challenges in carrying out the projects. I am proud that Congress came together with the reauthorization of the Stewardship Contracting Authority and gave the Forest Service some more tools through the Farm bill.

So the question is, what is the process that you are going to use to evaluate the recommendations put forth by the governors?

#### FARM BILL

Mr. TIDWELL. For the recommendations that we received from the new authority in the Farm Bill, we have 36 Governors who have submitted their recommendations. We have a team in my office that is actually going through those, all those different areas and I expect that in the middle of May or no later than late May, but probably closer to middle of May, we will be able to respond to each Governor about which projects, which areas that they recommended that we will be able to apply the authority.

So all we are doing is checking about areas they recommended versus what the criteria is in the law. And I can tell you that we have worked very closely with all the State foresters. It is my ex-

pectation that the majority of the recommendations are going to be approved and will allow us to be able to move forward and design projects in those areas and use the new Farm Bill authorities.

Senator TESTER. Okay. So when would we expect the first batch of projects to move forward?

Mr. TIDWELL. Well, the projects themselves will probably be next year.

Senator TESTER. Okay.

Mr. TIDWELL. We have identified these areas, and we have the program to work for 2014 in place today. We will be looking at these areas and factor that into our planning for 2015.

#### AIRTANKERS

Senator TESTER. Good. I want to go back to a question the chairman asked you on the \$145 million for additional contracting costs for next generation. Is that what I heard you say for the next generation air tankers? That is what the \$145 million was for.

Mr. TIDWELL. Part of our request is to have an adequate number, an adequate funding to deal with the additional costs; 2.8 times as expensive as what we used to have with the legacy aircraft.

Senator TESTER. Okay. And I am not going to argue with that. And Mr. Dixon, if you want to join in on this, you can, because you are fidgeting there a little, so you can jump in.

What kind of metrics did you use to determine the cost effectiveness in that additional 2.8 times? Now, I know you talked about safety, and I know you talked about timeliness of delivery, and those can save money.

So it would seem to me, and I appreciate the \$145 million and I am not going to argue that figure with you. But I just want to make sure that there was some consideration of the effectiveness of these next generation planes and the cost savings that could be associated with their effectiveness.

Mr. TIDWELL. When we put out the contract, we wanted to have aircraft that were safer, faster, and a larger capacity because based on the fire activity that we are seeing today, we needed to be able to provide a larger load of retardant to deal with this.

So we put out those specs and received the bids, and then we awarded the contracts.

Senator TESTER. I got you.

Mr. TIDWELL. The costs just reflect the market.

Senator TESTER. I got you. But was there any account for the fact that the tankers, that they are going to be delivering a bigger payload? That, in fact, they are going to be more cost-effective in that way per hour of flight time?

Mr. TIDWELL. We do expect they will be more cost effective because they are faster.

Senator TESTER. Right.

Mr. TIDWELL. We can get you the information about the cost of a gallon delivered. But the reality is that when we have these exclusive use contracts, there is a set amount that is the cost of the plane for the year—

Senator TESTER. I got you.

Mr. TIDWELL. Plus the flight hours.

Senator TESTER. Maybe this is the wrong correlation, but I will make it anyway. I can haul grain to market in a single axle truck that costs me \$20,000 or I can haul grain in a semi that costs me \$100,000. Over time, the cost per bushel actually is cheaper for the more expensive rig.

And I just want to make sure you have taken those metrics into account because it would seem to me that the effectiveness of these planes are going to be better. Like you said, they are going to be safer. They are going to be more timely and they are going to be able to deliver the payload to where it needs to be delivered in a much more time-effective way. It is going to save money.

Mr. TIDWELL. We will provide you with the analysis that we have done.—NOTE: This information was provided directly to Senator Tester.

#### LAND AND WATER CONSERVATION FUND

Senator TESTER. Good, good. I just want to comment. I really support the administration's Land and Water Conservation request, and I am going to work with my colleagues to provide adequate funding because we have some great projects in Montana that will be done, and I appreciate your support of that fund.

And the last thing, on a personal note, how is your ticker?

Mr. TIDWELL. I woke up this morning, so it is a great day.

Senator TESTER. All right. Well, thank you very much for your work, Chief. Thank you.

Senator REED. Thank you, Senator Tester. Thank you, Senator Murkowski. Gentleman, thank you for your testimony and for your service.

#### ADDITIONAL COMMITTEE QUESTIONS

The record will remain open until May 7 for any of my colleagues who may wish to submit statements or questions. And Chief, we would ask you to respond as quickly as possible on any written questions that we deliver to you.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

#### QUESTIONS SUBMITTED BY SENATOR JACK REED

*Question.* How does the proposed disaster cap amendment benefit the Forest Service and get the agency ahead of the curve on fire spending?

*Answer.* The fiscal year 2015 President's budget proposes a new and fiscally responsible funding strategy for wildland fire. To solve the fire problem, we need a comprehensive approach that will restore fire-adapted ecosystems; build fire-adapted human communities; and respond appropriately to wildfire. Wildfire funding has grown from 21 percent of the Forest Service budget in 2000 to over half of the agency budget in 2014. Fire transfers deplete the budget by up to \$500 million annually, which disrupts the momentum of critical restoration work. The impact is felt across critical programs nationwide and exacerbates the frequency and intensity of fires in future years. The suppression cap adjustment would provide a stable source of fire funding and enable greater investment in restoration and fire risk reduction programs.

*Question.* Please elaborate on the modifications that the Air Force is making to ensure that the C-130Hs are mission-ready for the Forest Service.

What physical work needs to be done by the Forest Service once an aircraft is transferred in order to make it ready to fly?

Answer. The Air Force will complete the Programmed Depot Maintenance (PDM) as well as the Center Wing Box (CWB) and Outer Wing Box (OWB) replacement. The Air Force will also contract for and oversee the installation of the gravity retardant delivery system. After the aircraft is transferred, the Forest Service will need to install avionics and other equipment specific to the airtanker mission.

*Question.* Is there any funding in the fiscal year 2015 budget associated with delivery of the C-130s?

What will be required of the Forest Service above the \$130 million provided by the Air Force to get these planes in the air, not including the contracting for operation and maintenance

Answer. The Forest Service estimates that approximately \$4.3 million will be required for one C-130H in fiscal year 2015. That cost includes operating costs, pilot and maintenance contracts, required payments into the Working Capital Fund, and minor modifications specified in the question above.

*Question.* Is it correct that the Forest Service will hit within the target of 18–28 large air tankers in fiscal year 2015?

What level of confidence does the Forest Service have that all of these planes will actually be flying?

Answer. Yes, the Forest Service expects up to 25 airtankers in fiscal year 2015. More specifically, the Forest Service is planning for: 8 legacy airtankers, 16 next generation airtankers, and 1 Forest Service owned/contractor operated excess U.S. Coast Guard C-130H converted into an airtanker. Our confidence is high that all of these planes will be flying in fiscal year 2015.

*Question.* What accounts for the continued decrease in Urban & Community Forestry?

Are these activities not a priority, or are they being delivered through some other mechanism?

Answer. The Urban and Community Forestry activities remain a high priority for the Forest Service. In the past, a percentage of Urban and Community Forestry (U&CF) Program funds were used to fund competitive, landscape-scale “Redesign” projects, which was essentially formalized in fiscal year 2014 as the Landscape Scale Restoration (LSR) budget line item. With the proposed \$9 million increase in LSR funds in fiscal year 2015, it is anticipated that Urban and Community Forestry work and communities served as part of the LSR Program will be on a similar scale to previous year’s U&CF representation or equivalent to the \$4.4 million reduction in the fiscal year 2015 budget. In addition, the Urban and Community Forestry program is part of the President’s proposed new \$1 billion Climate Resilience Fund presented as part of the fiscal year 2015 budget. Through this Fund, the President proposes that we:

- Invest in research and unlock data and information to better understand the projected impacts of climate change and how we can better prepare our communities and infrastructure.
- Help communities plan and prepare for the impacts of climate change and encourage local measures to reduce future risk.
- Fund breakthrough technologies and resilient infrastructure that will make us more resilient in the face of changing climate. The Urban and Community Forestry program is part of this, as improving community trees and forests helps remove carbon from the air, reduce the need for stormwater treatment, mitigate flooding and provide other ecosystem services.

*Question.* Please describe what will be accomplished in the Landscape Scale Restoration program with the funding provided in fiscal year 2014, and why it is proposed for a more than 50 percent increase in fiscal year 2015.

Answer. In fiscal year 2014, the Landscape Scale Restoration (LSR) program will fund over 50 projects in the South, Northeast and West focused on addressing priorities and needs identified in State Forest Action Plans. These projects cover an expansive range of issues—from expanding forest markets, to invasive species management, to agroforestry, to watershed enhancements to urban forestry outreach—all focusing on restoring healthy and resilient landscapes and communities in priority areas within and across States. The LSR budget line item makes it even easier for States and their partners to propose innovative, cross-boundary work that spans multiple State and Private Forestry program areas. In fiscal year 2015, the program will continue to focus on funding innovative projects across boundaries and across jurisdictions to address States’ priorities—and best target and leverage the Federal dollar. This level of funding will also allow the agency to leverage approximately \$6 to \$8 million more in partner contributions and provide the ability to fund approximately 15 to 20 additional projects. The proposed funding level in fiscal year 2015, while 68 percent higher than the fiscal year 2014 enacted, is only 18 percent higher than the President’s fiscal year 2014 request of \$20 million.

*Question.* Does the evidence in the Integrated Resource Restoration pilot regions show that the flexibility Congress has provided is resulting in more work being accomplished?

What objective measures will demonstrate success?

Answer. The evidence suggests that IRR is allowing the pilots to focus on and accomplish more priority work related to our goal of restoring National Forest System lands. The pilot authority has provided preliminary validation of the benefits that would be derived from nationwide Integrated Resource Restoration authority including:

- increased ability to achieve integrated outcomes at the landscape scale;
- reduced administrative burden;
- previously separate program employees working together to achieve shared restoration goals;
- clear direction and focus for integrated resource restoration within priority landscapes;
- streamlined prioritization processes;
- realization of mutual benefits through integrated planning across multiple resource areas; and
- improved operational efficiencies.

Occasionally, the highest priority work does not produce more outputs, e.g., miles, acres; but addresses areas that are deemed to make the most significant contributions to restoration. Therefore, we are using a combination of objective outcome and output measures to evaluate our progress with restoration. The key outcome associated with the Forest Service's restoration effort is:

- Moving watersheds to an improved condition class as per the agency's Watershed Condition Framework.

The pilot program was able to move six watersheds to an improved condition class in fiscal year 2013 (double the number that was accomplished in fiscal year 12).

We are also tracking the following longstanding output measures under IRR:

- Acres treated annually to sustain or restore watershed function and resilience;
- Miles of stream habitat restored or enhanced;
- Volume of timber sold; and
- Miles of roads decommissioned.

In fiscal year 2013 the IRR pilot exceeded planned targets for acres treated (133 percent) and miles of stream habitat restored (135 percent). The program nearly met the volume of timber sold target at 96 percent, and did not meet the road decommissioning target at 85 percent. Three of the four output measures (acres treated, miles of stream habitat restored, and timber sold) increased over the fiscal year 2012 accomplishment levels (by 11.0 percent, 5.9 percent, and 12.9 percent respectively).

Planned targets were not met primarily due to litigation, market conditions (no bid on a sale), staffing vacancies, fire season, and NEPA appeals and litigation. Many of these conditions would exist regardless of IRR.

We will continue to both monitor the performance results from the three regions under the IRR pilot authority and submit the IRR Pilot Annual Report to Congress.

*Question.* After years of flat or declining budget proposals for Forest and Rangeland Research, the fiscal year 2014 request included a \$15 million dollar increase. The fiscal year 2015 request asks for an almost equivalent decrease of \$17.5 million. Why such a significant decrease proposed, especially during a time when the Forest Service is trying to implement the new planning rule, which will rely on the science performed within the research division?

Answer. The fiscal year 2015 President's budget requests funding for the highest priority research needs. Recognizing that research is a critical component of the agency, the administration also proposes to provide funding through the combination of the Budget Line Item for Forest and Rangeland Research and the fiscal year 2015 Opportunity, Growth, and Security Initiative.

*Question.* How is the Forest Service fulfilling the instructions included with the \$5 million increase for biomass utilization grants provided in fiscal year 2014, to use these funds to develop new high value markets for low value wood?

Where is the increased funding in fiscal year 2014 being focused?

Answer. The increased funding is focused on two critical needs: (1) expanding renewable wood energy use near National Forest System lands in need of hazardous fuels treatments, and (2) promoting wood as a construction material in the commercial building sector. This work helps to create high value markets by expanding the use of woody biomass for energy as well as expanding the demand for engineered wood and other wood products in the institutional/commercial building sector.

*Question.* What areas would be expanded if Congress provides the budget request's increase of another \$5 million in fiscal year 2015?

Answer. The expanded areas would be to:

- increase grant opportunities to assist with the final phases of wood energy projects;
- stimulate woody biomass utilization in geographic areas with high wildfire risks; and
- promote more widespread use of wood in commercial building construction.

*Question.* How are the \$2 million in funds provided for Restoration Partnerships being used in fiscal year 2014?

Answer. In March 2014, we issued a field unit request within select program networks, including watershed restoration and utility corridor maintenance networks, to determine project and program needs. We received a total of 33 proposals, representing each region within the Forest Service, with a total request of \$8.8 million. We are currently determining if there are options for additional private-sector leverage of Restoration Partnership funds, and we anticipate the final decisions on the allocation of Restoration Partnership funds to occur in June 2014.

*Question.* Will this program be continued in fiscal year 2015 without a specific line-item?

Answer. We did not request a separate line-item to fund this program in the fiscal year 2015 President's Budget. We feel the program can be carried out through partnerships under the proposed Integrated Resource Restoration budget line item and existing authorities.

*Question.* Will the partnerships developed in fiscal year 2014 be continued without new funds?

Answer. Yes, we hope that any partnerships we develop in fiscal year 2014, through the Partnership Restoration funding opportunities, will continue in fiscal year 2015. Our ability to continue those partnerships will be based on need, priority, and funding availability.

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QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

*Question.* As you know, California is facing a historic drought. For the first time in 15 years, 100 percent of California is in moderate to exceptional drought according to the U.S. Drought Monitor. This year, the State received only about 50 percent of normal precipitation, and snowpack levels are down to just 16 percent of normal.

California's Department of Forestry & Fire Protection (CALFIRE) reports that since January 1, California has had 1,108 fires on State lands. During the same period last year, the State saw only 697 fires on State lands. This is an almost 60 percent increase.

Clearly, we are facing the likelihood of a particularly severe wildfire season this year that will significantly threaten public safety and infrastructure throughout California and other Western States.

Chief Tidwell, what specifically is the Forest Service doing to prepare for this year's drought-enhanced fire season?

Answer. Due to the drought throughout California and other States, we continue to maintain heightened staffing levels, including organizing trained firefighters from other geographic areas who can pre-position or quickly respond when needed. We've developed short and long-term strategies that include hiring additional agency personnel, utilizing contract resources under existing contracts, creating new contracts, extending options on aviation assets and utilizing assets from other regions on a long-term basis. We escalate and decrease staffing levels commensurate with weather conditions and resource drawdown. In addition to crews, engines, dozers and prevention assets, we maintain aerial firefighting capability with helicopters, air tankers and smokejumpers. Many of the forests have 7 day staffing, as well as 24 hour coverage in some cases. We are also establishing mobilization centers in areas where increased fire activity is predicted, to efficiently manage an influx of fire suppression resources and we are working with our partners and reaching out to the public with focused fire prevention messaging using Fire Prevention Teams and Public Information Officers located in our Geographic Area Coordination Centers. We have also increased patrols and signage, and are providing one united message to the public with regard to the uncharacteristic fire danger levels that exist, especially in California. We are also coordinating with our partners, including Federal, State and local, to ensure information is being shared and that local and geographical area agreements are up to date.

*Question.* What actions are you taking to have firefighting aircraft (including tankers and helicopters) and fire crews staged in drought stricken states like California?

Answer. As fire danger and risk increase in California, firefighting aircraft will be pre-positioned to respond to fires. Currently, there are four Type I heavy helicopters and nine Type II helicopters, five airtankers and several aerial supervision aircraft in Southern California, ready to respond. Additional aircraft will be moved, if needed. The Forest Service is in the second year of night air operations in Southern California. A night air operation includes a type-2 helicopter and an infrared equipped twin engine fixed wing. Both aircraft started on June 1.

*Question.* Do you expect the 2015 budget request to adequately cover the costs for this year's fire season?

Answer. The fiscal year 2015 President's Budget request covers our forecasted funding needs for the fiscal year 2015 fire season. Together the request for Suppression and the proposed cap adjustment would fund the 10-year average and anything above the 10-year average equal to the high end of the 90 percent confidence interval predicted by the outyear forecast. For fiscal year 2014, however, any costs above the 10-year average will be covered by fire transfer. The May (median) forecast for suppression spending predicts that the Forest Service will spend \$1.55 billion this fire season, and we were appropriated \$995 million. Therefore, we expect to have to enter into fire transfers again this fire season.

*Question.* Last summer, the Rim Fire burned over 270,000 acres, including 154,000 acres in the Stanislaus National Forest. While ecological recovery will take many years, there may be only 18 to 24 months from the time of the fire before the downed timber rots and is no longer salvageable.

It is my understanding that the Forest Service has been able to expedite timber salvage along roads and utility corridors on an emergency basis and is currently working on completing an Environmental Impact Statement (EIS) that may allow for an estimated 30,000 acres of timber salvage in the Stanislaus.

Chief Tidwell, can you please provide an update regarding the status of both the emergency timber salvage work as well as the status of the EIS for the larger salvage project?

Answer. An Environmental Assessment (EA) for hazard tree removal along 194 miles of high-use Forest Service roads, administrative and recreation facilities, and areas adjacent to private infrastructure was completed and the Decision Notice signed on April 25, 2014. The hazard trees will be removed through the use of four competitive salvage timber sales, in addition to two settlement sales that were awarded to affected utility companies. All four competitive sales have been sold.

The Draft Environmental Impact Statement (EIS) to reduce the potential for future catastrophic fire by reducing the fuel loading and to capture the perishable economic value of the fire-killed trees has been completed. The Draft EIS analyzed over 44,000 acres of National Forest System lands for potential treatment, including an estimated 30,000 acres of timber salvage. The 30-day public comment period on the Draft EIS is scheduled to start on May 16, 2014. A Final EIS is scheduled for completion in August 2014.

*Question.* When do you expect the Forest Service will be able to award salvage contracts, and when will that allow timber harvesters to get on the ground to begin that work?

Answer. As mentioned above, two settlement sales have been awarded and all four competitive sales have been sold. Now that the projects are awarded, operations can begin immediately.

Projects approved under the larger EIS are scheduled to be advertised for sale shortly after the Record of Decision (ROD) is signed, with a minimum seven-day advertisement period. Operations are expected to begin in early September.

*Question.* Does the Forest Service have any additional administrative options or legislative recommendations that would help expedite the process?

Answer. An Emergency Situation Determination (ESD) has been granted by the Chief for the hazard tree EA and the larger EIS project. Both projects are under the Section 218 Objection Process. With an approved ESD, there is no objection period (60 days) or objection resolution period (30 plus days). The decision is signed immediately after the public is notified that the decision will be signed, saving 90 days in the process. Since there is no objection process, the public has the option to pursue remedy in the Courts.

We have been successful in requesting and receiving alternative arrangements from the Council on Environmental Quality on the Rim Fire EIS. The approved alternative arrangements allow for the comment period on the Draft EIS to be reduced by 15 days and eliminating the 45-day period between release of the Final EIS and the issuance of the ROD.

Timber salvage volume from the Rim Fire is expected to significantly exceed the capacity of the local manufacturing infrastructure. Hauling costs to manufacturing facilities outside the local working circle is prohibitively expensive. The Forest Serv-

ice is exploring all options within our authorities to enable the woods products industry in California to economically utilize the salvage material available from the Rim Fire.

*Question.* The 2013 National Defense Authorization Act included a provision that I worked on with my colleague Senator McCain to transfer 7 C-130 air tankers from the Coast Guard to the Forest Service. These planes would also receive maintenance and new wing boxes from the Air Force.

I believe these seven planes are only the first step necessary to provide the Forest Service with the fleet it needs to protect our nation. It is my understanding that at least one or two planes will be transferred from the Coast Guard during this calendar year.

Can you give me a precise update on when the Forest Service expects to begin receiving these planes?

*Answer.* A transfer strategy and timeline for the planes has been developed and is being implemented. We expect the first aircraft to be transferred in late 2014 or early 2015 and be available for limited operations in 2015, after the Air Force completes their retrofitting work. The C-130H aircraft will be Forest Service owned and contractor operated and maintained. We expect three additional aircraft to be transferred in fiscal year 2017 and the remaining three to be transferred in fiscal year 2018.

*Question.* California's Department of Forestry & Fire Protection (CALFIRE) has long had a cooperative agreement with the Forest Service to efficiently provide fire protection to all of California. Specifically, this agreement allows California to protect Federal lands and for the Forest Service to protect state lands when it is clearly economically efficient.

In recent years, the Forest Service has faced challenges in fulfilling this agreement. If the Forest Service does not uphold its end of the bargain, it will result in increased costs for both California and the Federal Government.

In this year of heightened fire risk, do I have your commitment to provide California with adequate firefighting resources as required by this agreement?

*Answer.* Yes, I am committed to provide California with adequate firefighting resources as required in the agreement.

*Question.* The 2014 Farm Bill contained a provision that directed States to identify forest areas that need treatment for pests and diseases, and the Bill further allowed for expedited environmental reviews.

California has identified and requested three areas that need critical pest and disease treatment to safeguard forest health. These are the McCloud Watershed, the Southfork American Watershed, and the Santa Ana Watershed. All of these watersheds are experiencing a troubling decline in forest health based on annual surveys and are at risk of substantial tree death in the next 15 years according to the California Department of Forestry & Fire (CALFIRE).

Can you provide a status update on California's request for three priority treatment areas?

*Answer.* On May 20, 2014 USDA Secretary Vilsack announced the designation of over 45 million acres of National Forest System lands across 94 national forests in 35 States to address insect and disease threats. Approximately 1.5 million acres were designated in California within the McCloud/Pit River Watershed, the South Fork American River Watershed, and the Santa Ana Watersheds.

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QUESTIONS SUBMITTED BY SENATOR TIM JOHNSON

*Question.* As you know, the current approach to funding wildfire suppression is unsustainable and hurts many important programs that address fire prevention and support critical resources that we expect from National Forest System lands, including timber, water, recreation, wildlife, and range. I applaud the Forest Service and the administration for including in the proposed fiscal year 2015 budget a solution to this problem based upon the Wyden-Crapo Wildfire Disaster Funding Act that I have cosponsored. This new approach to funding large fires as natural disasters under the existing disaster cap should free up substantial resources that would have otherwise been slated to go to wildfire suppression under the current funding formula. This provides an opportunity both to sustain key programs that would have been cut and to provide substantial additional investment in fire prevention activities, including hazardous fuels and pest and disease treatment and mitigation. In the proposed budget, what programs were sustained and what programs received additional investment with the funding not allocated to fire suppression due to the proposed change in suppression funding?

Answer. The President's budget invests in programs that help us get ahead of the fire problem by restoring landscapes and protecting communities. Compared to fiscal year 2013 and fiscal year 2014 the budget proposes significant increases for Hazardous Fuels (\$52 million above fiscal year 2014 enacted), Integrated Resource Restoration (IRR) (\$63 million above the fiscal year 2014 President's budget), Collaborative Forest Landscape Restoration Program (CFLRP) (\$20 million above fiscal year 2014 enacted) and Landscape Scale Restoration (\$10 million above fiscal year 2014 enacted). Over \$50 million of the money freed up by the fire cap funds Preparedness and Suppression to cover the reality of our fire operations costs.

*Question.* I would like to congratulate the efforts of the Forest Service in the Black Hills to work with a broad coalition of partners to respond to the mountain pine beetle infestation. Through the work of these partners, including the forest products industry, the State, counties, conservation districts, and others, tens of thousands of acres have been treated, slowing the spread of the beetles and improving the resiliency and long-term sustainability of the forest. With the interspersed FS and private lands throughout much of western South Dakota, I was intrigued to hear about the effort to coordinate actions between the FS and NRCS to address watershed-scale treatment and restoration across Federal and non-Federal lands. It seems to me that the approach described in the Chief's Joint Partnership would benefit the ongoing effort in the Black Hills. How do you see the Partnership working at this juncture? What do you see as the opportunities and timing for adding additional projects that could increase the pace and scale of critical treatment on non-Federal lands in the Black Hills?

Answer. Through the Chiefs' Joint Landscape Restoration Partnership, the Forest Service is investing \$13 million in 13 projects in 12 States across the country to help reduce wildfire threats to communities and landowners, protect water quality and supply, and improve wildlife habitat for at-risk species. Those projects are still in the early stages of implementation and accomplishments will be summarized at the end of fiscal year 2014. In fiscal year 2015 (pending available funding), the Chief expects to continue to support those 13 projects as well as to consider additional projects that meet the goals of the Partnership. Additional projects would be considered via recommendations from Regional Foresters in partnership with their Natural Resources Conservation Service (NRCS) counterparts. As both the Forest Service and NRCS work with private landowners, there could be opportunity in the Black Hills to consider a recommendation for funding.

*Question.* The Black Hills National Forest Advisory Board was established in 2003 to improve cooperation and understanding among Forest stakeholders. The Board was chartered under the Federal Advisory Committee Act to consist of 16 members and 16 alternates appointed by the Secretary of Agriculture with the recommendation of the Forest Service. Regular meetings of the Board have proven to provide an important avenue of communication between stakeholders and the agency. Unfortunately, it continues to be challenging to keep the Board chartered and to fill all vacancies so that the Board is able to maintain a quorum for each meeting. What is the Forest Service doing to work with USDA to help ensure that the Board's charter does not expire and that new members are formally appointed as efficiently as possible?

Answer. The Forest Service and USDA want robust Boards, representing the American people, assembled to carry out the mission in a timely fashion. The Forest Service recognizes the evolving workload and time requirements to evaluate and approve members and charters. We are committed to meeting the timelines to avoid unnecessary delays.

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QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

TONGASS

*Question.* As I mentioned in the hearing, it was another subpar year in Region 10. The most recent 5-year schedule projects only about 82 million board feet per year in the future, well below the ASQ for the forest.

How are you going to overcome the ongoing decline in timber sales and ensure that the various timber targets are achieved?

Answer. The Region was on track to meet or exceed all assigned targets in fiscal year 2013; however, the Big Thorne Project received seven appeals. The decision was affirmed, but the Tongass prepared a draft Supplemental Information Report (SIR) that was released May 23, 2014 for a 30-day review by appellants, with the goal of issuing a final SIR later in the summer and offering in late September, 2014. Saddle Lakes Draft Environmental Impact Statement (DEIS) is expected in 2014

with the Final Environmental Impact Statement (FEIS) and draft Record of Decision (ROD) in June 2015, and final ROD in October 2015. The Wrangell Island DEIS is expected late in 2014, with the FEIS and ROD in 2015, and a sale offer in fiscal year 2016. The Kosciusko (first large young growth sale) project is underway. The environmental documentation for this project is expected to be completed by February 2015. Field work will continue in the operating season of 2015 with a sale offer in early 2016.

*Question.* Have you requested adequate funding to restore the timber sale program to what was projected in your 2008 Land Management Plan? If not, why not?

*Answer.* Funding for the Region 10 timber sale program on the Tongass has been adequate to prepare and offer the assigned program of work. The assigned volume sold targets for the Region have been lower than the allowable sale quantity (ASQ) envisioned in the 2008 Plan. The ASQ represents a maximum annual average harvest from a given National Forest over a ten-year period as determined in the forest planning process.

*Question.* Why is the current 5-year plan targeting such a low volume of timber? What is needed to increase the volume in the current 5-year plan?

*Answer.* The current 5-year plan targets an average of 101 million board feet (mmbf) per year for the next 5 years. This level of volume is consistent with the funding provided for the program and the available land base to work with for old growth "bridge timber" sales. The 5-year plan includes the reallocation of staff and finances to planning efforts that incorporate viable and available young growth stands into the targeted program of work.

*Question.* For years we have heard the Forest Service blame litigation for failure to achieve timber targets on the Tongass. It seems after dealing with these legal challenges for such a long time that there would be some strategy to better address these claims. Do you have a plan to address this issue?

*Answer.* The Tongass continues to address legal challenges to timber sale projects by improving collaboration with all stakeholders and presenting well-planned projects utilizing planning documents that are clear, concise and based upon the latest science. Implementing our transition strategy to second growth is a key element to reduce litigation and provide a sustainable flow of timber to support the wood products industry in Southeast Alaska. In addition, USDA efforts to assist in converting mills to handle smaller logs and developing additional markets, including biomass, will increase the economic viability of processing wood products in Alaska and reduce the need to export logs. Where export is often required to make projects economically viable, the more jobs that can be supported in Southeast will increase the support for the benefits of an integrated wood products industry needed for community sustainability.

*Question.* At the hearing, we briefly discussed the status of the Federal Advisory (FACA) Committee that you are assembling to provide advice on the Amendment you are proposing to the 2008 Amended Tongass Forest Plan.

Will you commit to me to balance the FACA Committee with Alaska Native Corporation and pro-development Southeast Alaskans?

To what extent will you commit to me to include Southeast Alaskan representatives from the renewable energy and hydropower sectors on the FACA Committee?

*Answer.* The Federal Advisory Committee Act has been announced and membership represents a diverse mix of viewpoints, with members from the Alaska Native community, national or regional environmental and/or conservation organizations, the timber industry, Federal, State and local government representatives, and other commercial users.

*Question.* Will the Forest Service consider adding a Mineral and Strategic Mineral Land Use Designation (LUD) in the Amendment to the 2008 Forest Plan to promote and support mineral and strategic mineral development and related access roads consistent with National Security and National Strategic Mineral Policies?

*Answer.* The Tongass Forest Plan, in its current form, contains a "Minerals Overlay" Land Use Designation (LUD) which states: "To encourage the prospecting, exploration, development, mining, and processing of locatable minerals in areas with the highest potential for minerals development; and, To ensure minerals are developed in an environmentally sensitive manner and other high-valued resources are considered when mineral developments occur." We will evaluate whether changes to the Plan are necessary during the amendment process.

*Question.* The Energy Independence and Security Act of 2007 found that "accelerated development and use of renewable energy technologies provide numerous benefits to the United States, including improved national security, improved balance of payments, healthier rural economies, improved environmental quality, and abundant, reliable and affordable energy for all citizens of the United States," and set a goal that by 2025 25 percent of the total energy consumed in the United States

come from renewable resources. Additionally, this administration has placed a high priority on development of renewable energy on public lands.

How is the failure of the Tongass National Forest to have a renewable energy plan consistent with these goals?

Answer. Hydropower projects are permitted through the Federal Energy Regulatory Commission's (FERC) authority granted by the Federal Power Act. When projects are located on National Forest System (NFS) lands, FERC determines if the project is consistent with purposes of the NFS lands. The Forest Service submits license conditions to FERC necessary for the protection and utilization of NFS lands and resources. The Forest Service does not propose or plan renewable energy projects, but responds to proposed projects. Under the Federal Power Act, project proponents apply for a preliminary permit and FERC withdraws the land to allow the proponent to study the feasibility of a project. The Forest Service does not pre-determine where the best locations are as that is up to project proponents through FERC's procedures. Section 24 of the Federal Water Power Act of June 10, 1920, as amended (16 U.S.C. 818), provides that any lands of the United States included in an application for power development under that Act shall, from the date of filing of an application therefore, subject to valid existing rights, be reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the FERC or by Congress. Therefore, the Forest Service responds to project proposals rather than identify potential areas for development.

*Question.* Alaska is home to a vast amount of energy resources. What is the Forest Service doing to help make this energy available and accessible for the greater public benefit of citizens of Alaska and America, so that we can "home source" our energy supply, recapturing a greater portion of U.S. energy expenditures and job creation benefits that would otherwise occur overseas?

Answer. The national forests in the Alaska Region are committed to responding to interests in developing energy sources in a timely fashion, consistent with forest plan direction. Currently neither national forest is in receipt of any proposals to develop any leasable (oil and gas, coal, geothermal) resources. Both national forests in the Alaska Region address leasable minerals, such as the energy-focused oil and gas, coal, and geothermal, in their forest plans. The Tongass Forest Plan states, as a Forest-Wide goal to, "Provide for environmentally sound mineral exploration, development, and reclamation." Minerals Standards and Guides in the Tongass Forest Plan direct that "leasing may occur on a case-by-case basis following site-specific analysis." The Chugach Forest Plan states as a Forest-Wide goal, to "Provide opportunities to develop minerals for personal and commercial uses."

*Question.* In 1947, the United States Forest Service (USFS) published a report titled "Water Powers Southeast Alaska," which identified over 200 hydropower resources in watersheds across Alaska. The study summary states:

The report indicates that it is possible to create dependable blocks of power by coordinating many of the power sites into an integrated utility system. There appear to be sites for communities not too far from the general concentration of power and natural transmission patterns.

With the hydropower resources of Southeast Alaska so well understood as evidenced by a body of work assembled by Federal agencies which dates back nearly a century, why is it that the availability of these resources within the Tongass are being ignored and excluded from the Tongass Land Management Plan at a time in our Nation's history when new, clean, renewable energy resources are most needed?

Answer. Hydropower projects are permitted through the Federal Energy Regulatory Commission's (FERC) authority granted by the Federal Power Act. When projects are located on National Forest System (NFS) lands, FERC determines if the project is consistent with the purposes of the NFS land. The Forest Service responds to project proposals in accordance with FERC-administered regulations and timelines. After extensive review and coordination with project proponents, the Forest Service submits license conditions to FERC necessary for the protection and utilization of NFS lands and resources. The Forest Service does not propose or plan renewable energy projects, but responds to proposed projects.

*Question.* Does the Forest Service intend to include a renewable energy plan in the Forest Plan Amendment to the 2008 Amended Tongass Forest Plan?

Answer. The Tongass responds to renewable energy proposals in accordance with applicable Federal law. The Forest Service does not, per se, propose or plan renewable energy projects, but responds to proposed projects. The current Tongass Forest Plan states, as a Forest-Wide goal to, "Provide for environmentally sound mineral exploration, development, and reclamation." Minerals Standards and Guides in the Tongass Forest Plan direct that "leasing may occur on a case-by-case basis following site-specific analysis." We will evaluate whether changes to the Plan are necessary during the amendment process.

*Question.* Do you agree with the Executive Summary of a 2011, Region 10, Forest Service document entitled “Roadmap to Rural Wealth in Southeast Alaska: Restoration and Timber in Context” in which Region 10 of the Forest Service asserted:

Low-cost energy is critical. The high cost of electric power impedes economic development in the region, yet the region is rich in hydropower potential. The most promising opportunities lie in developing hydroelectric power and building transmission lines to connect Southeast Alaska’s communities to each other and to Canada’s grid, generating electric power for potential export. Such projects would create new jobs through constructing, operating and maintaining hydroelectric and transmission facilities. Previous work by the Forest Service has estimated job creation by this type of work at 10 jobs for every million dollars invested.

*Answer.* The Alaska Region continues to support the policy of encouraging hydropower production to reduce the high cost of energy while ensuring such development is compatible with national forest purposes and ensuring that the planning, construction, and operation of hydropower projects protect and effectively utilize National Forest System lands and resources.

*Question.* What has the Forest Service done to resolve the “minimum development” and “no roads” requirements within the 9.6 million acres of Roadless Areas of the Tongass with Congress’s and the Obama administration’s renewable energy policies?

*Answer.* The Roadless Rule prohibits road construction and the removal of timber in inventoried roadless areas, except under limited circumstances. For example, the Rule permits road construction where a road is needed pursuant to reserved or outstanding rights, or as provided for by statute or treaty. Renewable energy hydropower projects are permitted through the Federal Energy Regulatory Commission’s authority granted by the Federal Power Act. The Federal Power Act directs the Secretary of Agriculture to include conditions that ensure that projects are constructed and operated as “deem[ed] necessary for the adequate protection and utilization of such [national forest lands.]” The Alaska Region works with the proponents of hydropower projects to identify needed infrastructure for the proposed project and how those requirements can be met under the requirements of the Roadless Rule and the Federal Power Act.

*Question.* The Forest Service acknowledged in a July 20, 2009 letter to Alaska Power & Telephone that a renewable energy project, specifically a hydropower project, sited in a Remote Recreation Transportation and Utility System (TUS) Avoidance Area could not meet the management direction for that LUD consistent with the National Environmental Policy Act, thereby requiring the Forest Plan to be amended. Notwithstanding that the commitment was made to do so nearly 5 years ago, the Forest Service has not amended the Forest Plan, thereby precluding hydropower and other renewable energy projects in TUS Avoidance LUDs. Will the Forest Service correct this problem as part of the amendment process?

*Answer.* As part of the proposed action in the amendment process, the Forest will consider whether changes are needed to the Tongass Forest Plan to provide for renewable energy project development.

*Question.* The Draft Southeast Integrated Resources Plan (SEIRP) requires access to hydropower sites to promote hydropower development. The Draft SEIRP identified some, potential hydropower sites in Southeast Alaska. Further, the 1947 Water Powers of Southeast Alaska Report, conducted in part with the Forest Service, identified over 200 such potential sites, many of which lay in the 2008 Forest Plan TUS avoidance LUDs. Such access is severely restricted by Remote Recreation LUDs. What actions do you plan to take in the upcoming amendment to the 2008 Tongass Forest Plan to resolve this problem?

*Answer.* This will be considered as the Tongass determines what issues may need to be included for updating in the amendment process.

*Question.* Will the Forest Service consider a Renewable Energy LUD as part of the 2008 Amended Forest Plan amendment process, the purpose of which would be to promote and support all forms of renewable energy development (including geothermal) and related transmission lines within the Tongass consistent with Public Laws and national security and national energy policies?

*Answer.* This will be considered as the Tongass determines what issues may need to be included for updating in the amendment process.

*Question.* Would you agree that a Renewable Energy Development LUD would take precedence over any underlying LUD (subject to applicable laws) regardless of whether the underlying LUD is an “Avoidance LUD” or not. And as such, it would represent a “window” through the underlying LUD through which renewable resources could be accessed and developed?

Answer. These types of resource development priority decisions will be considered as the Tongass determines what may be included in the amendment process.

*Question.* Will the Forest Service consider allowing geothermal leasing in the Tongass as part of the amendment process?

Answer. The national forests in the Alaska Region are committed to responding to interests in developing energy sources in a timely fashion, consistent with forest plan direction. Three geothermal leases at Bell Island have been issued by the Bureau of Land Management, but no development is currently taking place at the site. The Tongass is not currently in receipt of any proposals to develop any leasable (oil and gas, coal, geothermal) resources. Minerals Standards and Guides in the current Tongass Forest Plan already directs that “leasing may occur on a case-by-case basis following site-specific analysis.”

*Question.* While “reasonable access” is technically permitted in Inventoried Roadless Areas, cutting trees associated with mining exploration and development does not appear to be allowed. 36 C.F.R. §294.13(b)(2) authorizes the cutting of timber “incidental to implementation of a management activity not otherwise prohibited by this subpart.” However, there is no mention of mining in the examples provided in the 2001 Rule and Record of Decision (ROD) of what this section authorizes. Moreover, in describing this section the 2001 Rule and ROD states: “Such management activities are expected to be rare and to focus on small diameter trees.” Will you commit to me to allow a less restrictive form of “reasonable access” for mining exploration and development as part of the 2008 Amended Forest Plan process?

Answer. If an inventoried roadless area on the Tongass is open to mineral entry, locatable mineral mining, including certain activities ancillary to the mining, such as the incidental cutting of timber, may be approved. The 1872 Mining Law gives a statutory right of reasonable and necessary access related to the exploration and development of mineral properties. The statutory right is subject to reasonable regulation for the protection of surface resources.

*Question.* Will the 2010 Economic Analysis of Southeast Alaska Report be updated as part of the 2008 Forest Plan amendment process?

Are you familiar with what the 2010 report prepared said about the volume of timber that could be produced from second growth stands in the next 10–15 years?

Is there a sufficient volume of second-growth for harvest (subject to the National Forest Management Act’s (NFMA) non-declining, even flow requirement, the Tongass Timber Reform Act’s (TTRA) stream buffer strip requirement’s and Tongass Land Management Plan’s (TLMP) 1000-foot beach buffer zone requirement) to warrant the risk (by bank or operator) to justify putting in a mill, even if there were a market?

If your answer is “yes,” how do you explain the point made, at page 23 the 2010 Economic Analysis of Southeast Alaska that states “young growth management is not currently economically viable without substantial public investments to pay for thinning?”

Answer. The referenced report was prepared by the Alaska Region to explore ways to accelerate the transition of the timber management program on the Tongass National Forest—and the timber industry in Southeast Alaska that is dependent on that program—away from its historical reliance on harvesting old growth forest stands, and towards a program and industry based on the harvest of young growth stands. The forest plan amendment process will analyze the economics of the transition to young growth management.

The report stated that about 8 percent of the forest land on the Tongass National Forest—400,000 acres—is in young growth, half of which is available for harvest under the existing forest plan. As part of the plan amendment process, the Tongass will evaluate which lands should be available for timber harvest to provide economically sustainable young growth, and any proposed changes to standards and guidelines and other management direction to promote and speed the transition to young growth management while maintaining a viable timber industry in Southeast Alaska. Investments in commercial thinning may allow young growth volume to be available more rapidly.

*Question.* At the hearing, we discussed my concerns about the steady march towards losing what remains of the timber industry in Southeast Alaska and what we can do to reverse this trend.

Please state the current objectives of the Transition Plan.

Answer. As described in Secretary Vilsack’s July 2, 2013 Memorandum, the objective is to transition over the next 10 to 15 years to a more ecologically, socially, and economically sustainable forest management program on the Tongass National Forest, so that by the end of those 15 years, the vast majority of timber sold by the Tongass will be young growth.

*Question.* Is the Forest Service required to adopt Secretary Vilsack's July 2nd Transition Plan as the Purpose and Need of the Amendment to the 2008 Amended Forest Plan? Is its selection as the preferred alternative pre-ordained?

*Answer.* The proposed action will be to amend the Tongass Forest Plan as needed to accomplish the transition to young growth management over the next 10 to 15 years while retaining the expertise and infrastructure of a viable timber industry in Southeast Alaska, as outlined by the Secretary in his Memorandum. The purpose and need and any preferred alternative will be identified during the amendment process.

*Question.* Is one of the Transition Plan's objectives to prevent the harvest of old growth in Roadless Areas? If so, explain how the Plan would be consistent with the 2003 Tongass Exemption.

*Answer.* Secretary Vilsack's July 2, 2013 Memorandum describes the objective of the transition; the Memorandum does not address roadless areas. There is no immediate change in the application of the 2001 Roadless Rule to the Tongass. As may be appropriate as a result of litigation, the Tongass Forest Plan amendment process may address the Tongass Exemption.

*Question.* Will the Amendment to the 2008 Amended Forest Plan allow harvest in beach buffer zones and change stream buffer standards and guidelines to increase the inventory of second-growth on the Tongass suitable for harvest?

*Answer.* The amendment process will identify areas suitable and not suitable for timber harvest to achieve the transition to young growth management. As part of the Plan amendment process, the Tongass will evaluate which lands should be available for timber harvest to provide economically sustainable young growth, and any proposed changes to standards and guidelines and other management direction to promote and speed the transition to young growth management while maintaining a viable timber industry in Southeast Alaska.

*Question.* Does the recent 9th Circuit's decision upholding the 2003 Tongass Roadless Rule Exemption impact the Forest Service's continuing its transition plan to second-growth timber on the Tongass as set out by Secretary Vilsack's Transition Plan?

*Answer.* There is no immediate change in the application of the 2001 Roadless Rule to the Tongass National Forest resulting from the 9th Circuit's decision, and there is no current impact to the transition from old growth to young growth timber harvest, as described in Secretary Vilsack's Memorandum.

*Question.* Is the Transition to second-growth within 10–15 years, as proposed by the Secretary, dependent upon a Congressional amendment to the culmination of mean annual increment (CMAI) requirement set out in the NFMA?

*Answer.* Commercial thinning in young growth stands can occur without Congressional action, so long as procedural requirements set forth in the National Forest Management Act (NFMA) are met. Those procedural requirements will be addressed in the Tongass Forest Plan amendment process.

*Question.* If so, what happens to the Transition Plan if Congress fails to act?

*Answer.* If the procedural requirements of NFMA are not addressed in the Tongass Forest Plan amendment process, the transition to a young growth based industry will proceed, but at a slower, more measured pace.

*Question.* How do you assess the Forest Service's political chances of getting a Congressional waiver from CMAI, which the Secretary's Memorandum acknowledges is needed, given that CMAI was a key demand of environmental groups for agreeing to clear-cutting in the NFMA after they won the Monongahela suit in 1973 and Zieske case in 1974?

*Answer.* Culmination of mean annual increment (CMAI) requirements are part of every land management plan. The National Forest Management Act specifically allows exceptions to CMAI requirements ". . . after consideration has been given to the multiple uses of the forest including, but not limited to, recreation, wildlife habitat, and range, and after completion of public participation processes . . ." (16 U.S.C. 1604(m))

*Question.* Does the Forest Service plan to wait for Congress to act on CMAI before implementing the Transition to second-growth? What will be the status of the Amendment to the 2008 Amended Forest Plan while the Forest Service waits?

*Answer.* The transition to young growth would be accelerated with an exemption to the CMAI provisions of NFMA, but the Forest Service does not plan to wait for Congressional action and will address the NFMA requirements in the Tongass Forest Plan amendment process.

*Question.* If a waiver from CMAI is not achieved with the USFS seek to pursue a transition to 2nd Growth through commercial thinning? Forest Service experience with commercial thinning has cost approximately \$6,000 per acre. What level of investment would be required to implement the Secretary's Transition Plan?

Answer. A waiver from CMAI is not necessary for the transition to young growth management. The \$6,000 per acre commercial thinning costs were the result of test contracts to determine the validity of commercial thinning in young growth and included additional costs associated with getting appropriate mechanized equipment mobilized into Southeast Alaska. With those contracts, the Region has successfully offered and sold a 7.4 million board feet (mmbf) young growth stewardship contract (Heceta) without supplemental appropriated funds necessary to complete the project. Heceta was appraised for 100 percent export and appraising for export in the future will be a key component of the transition in order to obtain the value necessary to be able to offer the projects for bid.

*Question.* To what extent will the Forest Service allow export of 2nd Growth logs to achieve the goals laid out in the Secretary's Transition Plan?

Answer. The Forest Service will allow export of second growth logs, to the extent necessary to achieve a positive appraisal value to offer the project for sale. As domestic processing facilities convert or come on-line to deal with the smaller diameter trees in a young growth sale, the actual export of logs is expected to decrease.

*Question.* The Forest Service faces a large backlog of pre-commercial thinning and other treatments calculated to benefit timber quality and wildlife habitat. What level of finding will the Forest Service request for these activities?

Answer. Based on the fiscal year 2015 President's budget, Alaska could expect to see a 6 percent (approx. \$1 million) overall increase in appropriated dollars that could be used to help address the backlog of young stands needing for pre-commercial thinning.

*Question.* The Secretary's July 2, 2013 Transition Memorandum does not propose a departure from the NFMA requirement that national forest timber be harvested on a sustained yield basis. Nor does the Secretary's Memorandum propose to modify the TLMP's 1000 foot beach set back rule or the stream buffer rules set out in TTRA. It thus appears that there is no profitable domestic or export market for second-growth timber from the Tongass National Forest that is subject to the management constraints of the NFMA and TLMP. How does the Forest Service propose to provide an assured supply of second-growth timber sufficient to justify mills and banks providing the financing needed to purchase the equipment and make the mill modifications required to handle second growth timber?

Answer. All of these factors will be considered as part of the Tongass Plan amendment process to achieve the transition as described in the Secretary's Memorandum.

*Question.* According to the Secretary's Memorandum, the Transition Plan is dependent on Congressional appropriations for "increasing investments in young growth." The Secretary's Memorandum does not explain the level of investment that is needed or how in the face of decreasing Forest Service budgets such additional funds will be obtained and retained. What level of funding is the Forest Service requesting for this specifically and how much volume is it projected to produce?

Answer. The Alaska Region would refocus the existing workforce into planning and executing young growth projects at an increasing pace and scale as old growth "bridge timber" sales are prepared and offered. Annual appropriations at or near the fiscal year 2014 budget level of \$339 million for Forest Products will be adequate for the immediate future.

It is currently uncertain what volume of young growth will be attainable as a result of the forest plan amendment. The proposed plan amendment will be designed to evaluate which lands will be available for timber harvest, especially young growth timber, which lands should be excluded, and additional opportunities to promote and speed the transition to young growth management." There are about 450,000 acres of harvested acres on the Tongass to be evaluated to provide new economic opportunities in future decades, when the trees will be large enough to yield marketable products. Outputs will be dependent upon the characteristics of the stands selected for harvest, the prescriptions applied and the economic viability of the selected treatments.

*Question.* The Secretary's Memorandum, which results in a timber harvest level of 30-50 MMBF, does not explain what has changed since the 2008 Amended Forest Plan that would allow it to meet the Market Demand requirement of the TTRA which the 2008 Amended Forest Plan ROD said was 200 MMBF. Why does the Forest Service believe it has discretion to nullify the TTRA by so encumbering the suitable land base to surrender its ability to meet market demand?

Answer. The Secretary of Agriculture monitors and reports on timber supply and demand in Southeast Alaska, consistent with ANILCA. As part of the Alaska Region's current program of work, an updated timber demand study will be completed, which will be considered in the Tongass Forest Plan amendment process.

*Question.* The 2001 Roadless Rule prohibits communities such as Craig and Klawock from accessing mines with a road on Prince of Wales Island, thereby deny-

ing access to jobs to the residents of those communities and a local workforce to Prince of Wales’ mines, such as Niblack and Bokan Mountain.

What actions does the Forest Service plan to take to resolve this problem?

Answer. The 2001 Roadless Rule explicitly allows road construction if “A road is needed pursuant to reserved or outstanding rights, or as provided for by statute or treaty.” This includes roads needed under valid existing rights established under the 1872 Mining Law. A determination whether a road is needed for these mines will be made upon submission by the mining companies involved of a proposed Plan of Operations that includes construction of such a road.

STEWARDSHIP CONTRACTING

*Question.* I have received reports that some of the Regions have been told to shift as much of their commercial timber sale program to stewardship contracting as possible.

If so, why the focus on generating excess receipts by converting what would have been commercial timber sale projects to stewardship contracts?

Answer. The Forest Service Washington Office has not directed the Regional Offices to shift timber sales into stewardship contracts. While we view stewardship contracting as an important tool, it is not our only tool in the toolbox. Both timber sale contracts and stewardship contracts are important tools to accomplish our work.

*Question.* I have also been told that Forest Supervisors have been telling members of the public that the reason for shifting away from commercial timber sales to stewardship contracting is to allow the Forest Service to keep the excess receipts to use for salaries and road maintenance and under the discretion of the individual forest supervisor.

The original concept of stewardship contracting was that the value of the timber volume would be equal to value of the service contract work to be accomplished. Is that not correct?

Answer. The initial concept of stewardship contracting was and remains including timber volume and service work in roughly equal amounts within a stewardship contract. However, due to restoration needs and contractor capability, there are stewardship contracts where the value of the timber exceeds the value of the service work (producing retained receipts deposited into the Stewardship Contracting Fund) and there are stewardship contracts where the value of service work exceeds the value of the timber (requiring the addition of appropriated funds to the contract).

*Question.* As I recall, the original premise of the stewardship contracting pilot projects was that the excess receipts were to be used to develop new stewardship contracts. Is that correct?

Answer. Stewardship contracting retained receipts may be spent on new stewardship projects or on accomplishing additional restoration work within an existing stewardship project.

*Question.* Please provide a table that shows by National Forest the percent of all saw timber sold through stewardship contracting versus commercial timber sale contracts.

Answer. See the table below. Only National Forests with Sawtimber volume sold in fiscal year 2013 are included.

PERCENT OF ALL SAWTIMBER SOLD UNDER STEWARDSHIP AUTHORITY IN FISCAL YEAR 2013

Region	Forest	Total Sawtimber Volume Sold in thousand board feet (MBF)	Sawtimber Volume Sold under Stewardship in thousand board feet (MBF)	Percent of Total Sawtimber Volume Sold under Stewardship (%)
01 Northern Rockies .....	02 Beaverhead-Deerlodge .....	127	0	0.0
	03 Bitterroot .....	4,692	4,557	97.1
	04 Idaho Panhandle .....	27,601	675	2.4
	05 Clearwater .....	24,329	21,879	89.9
	08 Custer .....	131	0	0.0
	10 Flathead .....	6,295	578	9.2
	11 Gallatin .....	191	0	0.0
	12 Helena .....	4	0	0.0
	14 Kootenai .....	20,990	3,819	18.2
	16 Lolo .....	1,896	130	6.9
02 Rocky Mountain .....	17 Nez Perce .....	6,427	10	0.2
	02 Bighorn .....	13,349	0	0.0
	03 Black Hills .....	116,610	2,490	2.1

PERCENT OF ALL SAWTIMBER SOLD UNDER STEWARDSHIP AUTHORITY IN FISCAL YEAR 2013—  
Continued

Region	Forest	Total Sawtimber Volume Sold in thousand board feet (MBF)	Sawtimber Volume Sold under Stewardship in thousand board feet (MBF)	Percent of Total Sawtimber Volume Sold under Stewardship (%)
	04 GMUG .....	15,813	513	3.2
	06 MedBow-Routt .....	26,186	2,957	11.3
	09 Rio Grande .....	8,491	0	0.0
	10 Arapahoe-Roosevelt .....	8,908	4,122	46.3
	12 Pike-San Isabel .....	4,243	1,544	36.4
	13 San Juan .....	7,737	3,865	50.0
	14 Shoshone .....	2,799	0	0.0
	15 White River .....	17,413	5,512	31.7
03 Southwestern .....	01 Apache-Sitgreaves .....	39,206	36,020	91.9
	03 Cibola .....	6,081	5,787	95.2
	04 Coconino .....	45,931	36,094	78.6
	06 Gila .....	692	0	0.0
	07 Kaibab .....	19,562	18,351	93.8
	08 Lincoln .....	680	0	0.0
	09 Prescott .....	1,554	1,554	100.0
	10 Santa Fe .....	1,049	507	48.3
	12 Tonto .....	3,865	2,353	60.9
04 Intermountain .....	01 Ashley .....	465	0	0.0
	02 Boise .....	27,526	24,638	89.5
	03 Bridger-Teton .....	3,289	0	0.0
	07 Dixie .....	7,549	4,755	63.0
	08 Fishlake .....	3,904	0	0.0
	12 Payette .....	10,591	10,572	99.8
	13 Salmon-Challis .....	3,921	3,447	87.9
	14 Sawtooth .....	1,528	0	0.0
	15 Caribou-Targhee .....	53	16	30.2
	19 Uinta-Wasatch-Cache .....	4,971	307	6.2
05 Pacific Southwest .....	03 Eldorado .....	26,054	25,415	97.5
	05 Klamath .....	21,369	5,808	27.2
	06 Lassen .....	43,609	0	0.0
	08 Mendocino .....	11,868	8,036	67.7
	09 Modoc .....	15,986	0	0.0
	10 Six Rivers .....	16,393	16,201	98.8
	11 Plumas .....	44,114	2,888	6.5
	13 Sequoia .....	4,265	4,016	94.2
	14 Shasta-Trinity .....	7,826	954	12.2
	15 Sierra .....	17,784	3,152	17.7
	16 Stanislaus .....	3,194	44	1.4
	17 Tahoe .....	16,257	9,952	61.2
	19 Lake Tahoe Basin .....	336	0	0.0
06 Pacific Northwest .....	01 Deschutes .....	41,066	14,628	35.6
	02 Fremont-Winema .....	25,004	23,493	94.0
	03 Gifford Pinchot .....	28,565	21,750	76.1
	04 Malheur .....	38,785	28,619	73.8
	05 Mt. Baker-Snoqualmie .....	11,731	0	0.0
	06 Mt. Hood .....	32,727	32,120	98.1
	07 Ochoco .....	11,440	1,873	16.4
	09 Olympic .....	24,000	0	0.0
	10 Rogue River-Siskiyou .....	29,271	1,761	6.0
	12 Siuslaw .....	38,990	22,105	56.7
	14 Umatilla .....	16,615	0	0.0
	15 Umpqua .....	29,751	1,661	5.6
	16 Wallowa-Whitman .....	27,733	2,875	10.4
	17 Okanogan-Wenatchee .....	22,566	34	0.2
	18 Willamette .....	82,692	0	0.0
	21 Colville .....	33,444	29,020	86.8
08 Southern .....	ONFs in AL .....	22,686	5,698	25.1
	02 Daniel Boone .....	3,310	0	0.0
	03 Chattahoochee-Oconee .....	2,263	1,162	51.3
	04 Cherokee .....	6,241	13	0.2

PERCENT OF ALL SAWTIMBER SOLD UNDER STEWARDSHIP AUTHORITY IN FISCAL YEAR 2013—  
Continued

Region	Forest	Total Sawtimber Volume Sold in thousand board feet (MBF)	Sawtimber Volume Sold under Stewardship in thousand board feet (MBF)	Percent of Total Sawtimber Volume Sold under Stewardship (%)
	05 NFs in FL .....	5,889	5,486	93.2
	06 Kisatchie .....	22,807	0	0.0
	07 NFs in MS .....	30,060	4,070	13.5
	08 George Washington-Jefferson .....	6,214	0	0.0
	09 Oachita .....	40,166	0	0.0
	10 Ozark-St. Francis .....	34,233	11,632	34.0
	11 NFs in NC .....	11,816	1,469	12.4
	12 Francis Marion .....	22,713	0	0.0
	13 NFs in TX .....	18,370	13,294	72.4
	60 Land Between the Lakes .....	1,059	0	0.0
09 Northern .....	03 Chippewa .....	7,404	2,095	28.3
	04 Huron-Manistee .....	14,268	2,770	19.4
	05 Mark Twain .....	31,264	5,634	18.0
	07 Ottawa .....	7,024	518	7.4
	08 Shawnee .....	2,023	0	0.0
	09 Superior .....	7,908	358	4.5
	10 Hiawatha .....	13,631	3,273	24.0
	12 Hoosier .....	2,426	0	0.0
	13 Chiquamegon-Nicolet .....	14,075	1,233	8.8
	14 Wayne .....	1,515	0	0.0
	19 Allegheny .....	14,647	4,513	30.8
	20 Green Mountain .....	2,451	2,451	100.0
	21 Monongahela .....	3,760	116	3.1
	22 White Mountain .....	4,924	1,559	31.7
10 Alaska .....	05 Tongass .....	13,572	1	0.0
Total .....	.....	1,588,803	520,802	32.8

*Question.* Please also provide by National Forest a table that show how much excess receipts were generated through the stewardship contracts for each of the last 5 years, as well as a detailed accounting of how those excess receipts were expended and whether any of those excess receipts went to pay for salaries or other employee expenses.

*Answer.* The table in Attachment A lists stewardship contracting collections and spending for fiscal year 2009 to 2013. Collections equal the sale value of the forest products in excess of the cost of the service work obtained under an integrated resource contract. Stewardship contracting funds are available until expended for other authorized stewardship projects and may be used for:

- road and trail maintenance or decommissioning to restore or maintain water quality;
- work to improve soil productivity, or other resource values;
- prescribed fires to improve the composition, structure, condition, and health of forest stands or to improve wildlife habitat;
- removal of vegetation or other activities to promote healthy forests, reduce fire hazards, or achieve other land management objectives;
- restoration and maintenance of watersheds;
- restoration and maintenance of wildlife and fish habitat; and
- control of noxious and invasive weeds, and re-establishment of native plant species.

The initial concept of stewardship contracting was and remains including timber volume and service work in roughly equal amounts within a stewardship contract. However, due to restoration needs and contractor capability, there are stewardship contracts where the value of the timber exceeds the value of the service work (producing retained receipts deposited into the Stewardship Contracting Fund (SSCC)). Unused balances in SSCC carry-over into the next fiscal year. This can create a situation where we may plan to spend more SSCC funds than we collect in the current fiscal year.

## ATTACHMENT A

## FISCAL YEAR 2009–2013 STEWARDSHIP CONTRACTING COLLECTIONS AND SPENDING

[Dollars in thousands]

Fiscal Year	Forest Name	Total Collections	Total Spending	
			Other*	Salary*
2009	APACHE-SITGREAVES	0		
2009	ARAPAHO-ROOSEVELT	0		
2009	BITTERROOT		-12	
2009	BOISE		103	
2009	CHEQUAMEGON-NICOLET	213	94	
2009	CHEROKEE		10	
2009	CLEARWATER	243	237	
2009	COLVILLE	293	84	58
2009	DIXIE	0		
2009	ELDORADO	1,300	200	
2009	FLATHEAD	257	20	0
2009	FRANCIS MARION & SUMTER	4	92	
2009	GIFFORD PINCHOT	81		
2009	HUMBOLDT-TOIYABE	1		
2009	HURON MANISTEE	45	44	
2009	IDAHO PANHANDLE	417	38	
2009	KISATCHIE	256	194	
2009	KLAMATH	6		
2009	KOOTENAI	229		
2009	LOLO	0		
2009	MANTI-LASAL	0		
2009	MENDOCINO	2	2	
2009	MONONGAHELA		82	
2009	MT HOOD		-1	
2009	NEZPERCE	94	7	
2009	NFS IN ALABAMA		62	
2009	NFS IN FLORIDA	1	-57	
2009	NFS IN MISSISSIPPI	200		
2009	NFS IN NORTH CAROLINA		3	
2009	NFS IN TEXAS	18		
2009	OKANOGAN-WENATCHEE	3		
2009	OLYMPIC	45	44	
2009	PAYETTE	16		
2009	PIKE-SAN ISABEL	0		
2009	RIO GRANDE	0		
2009	SIUSLAW	340	364	
2009	UMATILLA	1,323	1,153	
2009	UMPQUA	92	23	80
2009	WALLOWA WHITMAN	203	266	1
2009	WHITE MOUNTAIN	22		
2009	WHITE RIVER	3		
	2009 Totals **	5,707	3,052	139
2010	ALLEGHENY	247	56	
2010	ARAPAHO-ROOSEVELT	80	25	
2010	ASHLEY	8		
2010	BIGHORN	59		
2010	BITTERROOT	40	55	
2010	BLACK HILLS		51	
2010	BOISE	0	5	
2010	CHEQUAMEGON-NICOLET	84	4	
2010	CHEROKEE	4	0	
2010	CHIPPEWA	1		
2010	CLEARWATER		0	
2010	COCONINO		0	
2010	COLVILLE	0	47	64
2010	DANIEL BOONE	3		
2010	ELDORADO	243	540	

## FISCAL YEAR 2009–2013 STEWARDSHIP CONTRACTING COLLECTIONS AND SPENDING—Continued

[Dollars in thousands]

Fiscal Year	Forest Name	Total Collections	Total Spending	
			Other*	Salary*
2010	FLATHEAD	735	41	0
2010	FRANCIS MARION & SUMTER	145	131	
2010	GREEN MOUNTAIN/FINGER LAKES	16	5	
2010	HIAWATHA	96	19	
2010	HURON MANISTEE	24	0	
2010	IDAHO PANHANDLE		32	
2010	KISATCHIE		0	
2010	KOOTENAI	2	140	
2010	LOLO	38		
2010	MALHEUR	350	20	
2010	MARK TWAIN	47	28	
2010	MENDOCINO		0	
2010	MT HOOD	480	285	
2010	NEZPERCE		47	
2010	NFS IN ALABAMA	48	4	
2010	NFS IN FLORIDA		58	
2010	NFS IN MISSISSIPPI	631	350	
2010	NFS IN TEXAS	585	378	0
2010	OLYMPIC	3	0	
2010	OTTAWA	0		
2010	OZARK-ST FRANCIS		7	
2010	PIKE-SAN ISABEL	1		
2010	SHASTA TRINITY	1		
2010	SIUSLAW		314	
2010	STANISLAUS	4		
2010	SUPERIOR		0	
2010	TAHOE	44		
2010	UMATILLA	3,445	1,416	
2010	UMPQUA	173	0	23
2010	WALLOWA WHITMAN	57	0	-1
2010	WHITE MOUNTAIN	4		
2010 Totals **		7,698	4,058	86
2011	ALLEGHENY		73	
2011	APACHE-SITGREAVES	0	0	
2011	ARAPAHO-ROOSEVELT	2	0	
2011	BITTERROOT	8	-5	
2011	BLACK HILLS		1	
2011	BOISE		40	
2011	CHATT-OCONEE	0		
2011	CHEQUAMEGON-NICOLET	112	52	
2011	CHIPPEWA	0		
2011	CLEARWATER	593	244	
2011	COLVILLE	150	129	81
2011	ELDORADO	69	851	
2011	FLATHEAD	20	490	0
2011	FRANCIS MARION & SUMTER	978	461	
2011	FREMONT-WINEMA	9		
2011	GEORGE WASHINGTON/JEFFERSON	187		
2011	GIFFORD PINCHOT	43		
2011	GREEN MOUNTAIN/FINGER LAKES	67	29	
2011	HIAWATHA		52	
2011	HOOSIER	10		
2011	HUMBOLDT-TOIYABE	31		
2011	HURON MANISTEE	241	-8	
2011	IDAHO PANHANDLE		0	
2011	KISATCHIE		0	
2011	KLAMATH		6	
2011	LAND BETWEEN THE LAKES NRA	7		
2011	MALHEUR	1,840	2,062	

FISCAL YEAR 2009–2013 STEWARDSHIP CONTRACTING COLLECTIONS AND SPENDING—Continued

[Dollars in thousands]

Fiscal Year	Forest Name	Total Collections	Total Spending	
			Other*	Salary*
2011	MEDICINE BOW/ROUTT	27		
2011	MENDOCINO	15		
2011	MT HOOD	623	498	
2011	NFS IN ALABAMA		11	
2011	NFS IN FLORIDA	13	-7	
2011	NFS IN MISSISSIPPI	207	175	
2011	NFS IN NORTH CAROLINA		5	
2011	NFS IN TEXAS	165	303	1
2011	OUACHITA	70		
2011	OZARK-ST FRANCIS	292	0	
2011	PAYETTE		0	
2011	PIKE-SAN ISABEL	1		
2011	SAN JUAN	0		
2011	SHASTA TRINITY	20		
2011	SIUSLAW	526	325	
2011	TAHOE		44	
2011	UMATILLA	868	3,225	
2011	UMPQUA		1	20
2011	WALLOWA WHITMAN	719	269	
2011	WAYNE	81	73	
2011	WHITE RIVER	0		
2011 Totals **		7,994	9,399	102
2012	ALLEGHENY		78	
2012	ARAPAHO-ROOSEVELT	2	25	
2012	ASHLEY		5	
2012	BEAVERHEAD-DEERLODGE		14	
2012	BIGHORN		18	
2012	BITTERROOT	40	10	
2012	BLACK HILLS	21	0	
2012	BOISE	49	87	
2012	BRIDGER-TETON	9		
2012	CHATT-OONEE		18	
2012	CHEQUAMEGON-NICOLET	524	51	
2012	CLEARWATER	190	429	
2012	COLVILLE	276	14	36
2012	DESCHUTES	1		
2012	DIXIE	0		
2012	ELDORADO	150	178	
2012	FLATHEAD	79	549	0
2012	FRANCIS MARION & SUMTER	943	462	
2012	GEORGE WASHINGTON/JEFFERSON		64	
2012	GIFFORD PINCHOT	10	41	
2012	GREEN MOUNTAIN/FINGER LAKES	10	21	
2012	HIAWATHA		6	
2012	HURON MANISTEE	6	20	
2012	IDAHO PANHANDLE		189	
2012	KISATCHEE	3	-76	
2012	KLAMATH	1		
2012	KOOTENAI		0	
2012	LINCOLN	1		
2012	MALHEUR	2,313	1,406	
2012	MEDICINE BOW/ROUTT	3		
2012	MENDOCINO	2		
2012	MONONGAHELA		11	
2012	MT HOOD	207	470	
2012	NFS IN ALABAMA	3	11	
2012	NFS IN FLORIDA	37		
2012	NFS IN MISSISSIPPI	369	165	
2012	NFS IN NORTH CAROLINA		67	

FISCAL YEAR 2009–2013 STEWARDSHIP CONTRACTING COLLECTIONS AND SPENDING—Continued  
 [Dollars in thousands]

Fiscal Year	Forest Name	Total Collections	Total Spending	
			Other*	Salary*
2012	NFS IN TEXAS	325	441	
2012	OLYMPIC	1		
2012	OTTAWA	83	40	
2012	OUACHITA	163	27	
2012	OZARK-ST FRANCIS		50	
2012	PAYETTE	89	50	
2012	PIKE-SAN ISABEL	2	1	
2012	PLUMAS	13		
2012	SIUSLAW	688	427	
2012	TAHOE		0	
2012	TONGASS	13		
2012	UMATILLA	2,223	0	
2012	UMPQUA		51	17
2012	WALLOWA WHITMAN	277	236	
2012	WAYNE		0	
2012	WILLAMETTE	305		
	2012 Totals **	9,431	5,656	53
2013	AGENCY FINANCIAL STATEMENTS	0		
2013	ALLEGHENY	232	79	
2013	APACHE-SITGREAVES	0		
2013	ARAPAHO-ROOSEVELT	4	0	
2013	BIGHORN	0	18	
2013	BITTERROOT	0	0	
2013	BLACK HILLS	0	16	
2013	BOISE	0	48	
2013	CHATT-OONEE	0	1	
2013	CHEQUAMEGON-NICOLET	68	132	
2013	CHEROKEE	12		
2013	CHIPPEWA	0	0	
2013	CIBOLA	0		
2013	CLEARWATER	380	437	
2013	COCONINO	0		
2013	COLUMBIA RIVER GORGE NAT AREA	68		
2013	COLVILLE	755	-9	41
2013	DESCHUTES	500	416	
2013	DIXIE	0		
2013	ELDORADO	695	136	
2013	FLATHEAD	525	346	
2013	FRANCIS MARION & SUMTER	1,028	1,064	
2013	FREMONT-WINEMA	41		
2013	GALLATIN	0		
2013	GIFFORD PINCHOT	38	-17	
2013	GRAND MESA-UNC-GUNN	0		
2013	GREEN MOUNTAIN/FINGER LAKES	111	70	
2013	HIAWATHA	1	7	
2013	HOOSIER	13		
2013	HURON MANISTEE	136	31	
2013	IDAHO PANHANDLE	0	9	
2013	INYO	2		
2013	KAIBAB	1		
2013	KISATCHIE	0	7	
2013	KLAMATH	0	0	
2013	KOOTENAI	171	0	
2013	LAND BETWEEN THE LAKES NRA	0		
2013	LASSEN	0		
2013	LEWIS AND CLARK	11		
2013	LINCOLN	0		
2013	LOLO	70	45	
2013	LOS PADRES	1		

FISCAL YEAR 2009–2013 STEWARDSHIP CONTRACTING COLLECTIONS AND SPENDING—Continued  
 [Dollars in thousands]

Fiscal Year	Forest Name	Total Collections	Total Spending	
			Other*	Salary*
2013	MALHEUR	1,589	2,785	
2013	MANTI-LASAL	0		
2013	MARK TWAIN	3	0	
2013	MEDICINE BOW/ROUTT	13		
2013	MONONGAHELA	3	342	
2013	MT BAKER-SNOQUALMIE	30		
2013	MT HOOD	1,377	253	
2013	NFS IN ALABAMA	0	7	
2013	NFS IN FLORIDA	20	28	
2013	NFS IN MISSISSIPPI	0	655	
2013	NFS IN NORTH CAROLINA	1	11	
2013	NFS IN TEXAS	655	568	1
2013	OKANOGAN-WENATCHEE	0		
2013	OTTAWA	301	270	
2013	OUACHITA	80	20	
2013	OZARK-ST FRANCIS	0	46	
2013	PAYETTE	0	0	
2013	PIKE-SAN ISABEL	0		
2013	PLUMAS	0		
2013	ROGUE RIVER/SISKIYOU	0		
2013	SALMON-CHALLIS	0		
2013	SAN JUAN	0		
2013	SIERRA	0		
2013	SIUSLAW	1,225	1,028	
2013	SIX RIVERS	0		
2013	STANISLAUS	0		
2013	SUPERIOR	0		
2013	TAHOE	361		
2013	TONGASS	0		
2013	UMATILLA	770	597	
2013	UMPQUA	564	16	79
2013	WALLOWA WHITMAN	507	394	
2013	WAYNE	0		
2013	WHITE MOUNTAIN	0	2	
2013	WHITE RIVER	3		
2013 Total **		12,365	9,858	121
Total **		43,200	32,016	501

\*Salary is defined as all spending in Budget Object Classification (BOC) codes starting with 11 and 12, and Other is all remaining BOCs.  
 \*\* The total Costs and Spending may not exactly match the numbers in MAX because data was run at different points in year, which may result in some prior year adjustments.

*Question.* Alaska’s timber industry predominantly consists of small businesses. In fact, small business purchasers have bought the majority of the timber sale volume offered by the Federal Government for the last 60 years. I have asked about the agency’s plans for applying the small business set aside requirement to stewardship contracting sales and you indicated that there were “issues” that were being considered.

What are those “issues” being considered?

*Answer.* The Small Business Administration (SBA) has requested inclusion of the Stewardship Integrated Resource Timber Contracts (IRTCs) in the Small Business Timber Sale Set-Aside Program. The use of IRTC’s has increased to the extent that, on some market areas (outside of Alaska), only stewardship sales are being offered; thus, no sales are available to be set-aside for preferential bidding by small businesses when the Set-Aside Program is initiated (“triggered”) on a market area.

*Question.* Does the administration plan to move forward with a small business set-aside program for stewardship contracting?

If so, when do you expect this to occur?

*Answer.* Based upon direction from Congress, any changes in Small Business Timber Sale Set-Aside Program policy or manual direction are required to go through a public review and comment process. The Forest Service plans to publish a Pro-

posed Directive in the Federal Register for public review and comment which includes adding sawtimber volumes sold via IRTCs in the volumes used to calculate market shares under the Set-Aside Program and evaluating sawtimber volumes sold via IRSCs and their effect upon the Set-Aside Program at the end of the current 5-year recomputation period (10/1/2010–9/30/2015). The Proposed Directive is currently being prepared for Agency and Departmental clearance.

SECURE RURAL SCHOOLS

*Question.* Your agency’s proposal includes a 5-year reauthorization of Secure Rural Schools (SRS). It is the same proposal that has appeared in the last couple of budgets. What we really need is a long-term solution that gets the cut up across our forests so that we have both revenue and jobs.

Approximately how much revenue does the Forest Service expect to collect and use to offset the SRS program cost of \$251 million for fiscal year 2015?

*Answer.* The proposal for the fiscal year 2015 Secure Rural Schools program includes \$115 million in collections to offset the total cost of \$251 million.

*Question.* Does the agency have any suggested “pay for’s” (Offsets) to cover the mandatory spending proposed for this program?

*Answer.* The proposal is offset within the President’s budget.

AVIATION QUESTIONS

*Question.* Please provide a table with the description of each of the Next Generation tankers that you expect to be on the line fighting fire this year. In the table please include the name of the contractor, a description of the asset, and status of each contract.

*Answer.* Next Generation Airtankers Fiscal Year 2014:

Vendor	Type	# of Aircraft	Estimated Start Date
10-Tanker .....	DC-10 .....	1	05/05/14
10-Tanker (additional equipment clause) .....	DC-10 .....	1	05/19/14
10-Tanker (additional equipment clause) .....	DC-10 .....	1	07/01/14
Aero Air .....	MD-87 .....	2	06/05 and 06/10/14
Aero Air (additional equipment clause) .....	MD-87 .....	1	07/01/14
Aero Flite .....	RJ-85 .....	2	06/20 and 06/30/14
Aero Flite (additional equipment clause) .....	RJ-85 .....	1	07/01/14
Coulson .....	C-130Q .....	1	05/13/14
Minden .....	BAe-146 .....	1	Missed 04/25 Start
Neptune (additional equipment clause) .....	BAe-146 .....	1	05/16/14
Neptune (additional equipment clause) .....	BAe-146 .....	1	05/16/14
Neptune (additional equipment clause) .....	BAe-146 .....	1	06/01/14

*Question.* As a result of last year’s military appropriations bill you were to receive seven older C-130 H models from the Coast Guard. When will those seven C-130’s be tanked, certified, and on the line fighting fire?

Please provide a list of each aircraft, what work remains to be accomplished and the earliest and latest date that those individual aircraft will be available for fire-fighting.

*Answer.* We expect the first aircraft to be transferred in late 2014 or early 2015 and be available for limited operations in 2015 with a Modular Airborne Fire-Fighting System (MAFFS) II system. This aircraft would be fitted with the gravity tank sometime in fiscal year 2016. The C-130H aircraft will be Forest Service owned and contractor operated and maintained. We expect three additional aircraft to be transferred in fiscal year 2017 and the remaining three to be transferred in fiscal year 2018.

Aircraft	Fiscal Year 2014	Fiscal Year 2015	Fiscal Year 2016	Fiscal Year 2017	Fiscal Year 2018
1708 .....	CWR, PDM, OWR	Delivered to USFS, 2nd Quarter	RDS		
1719 .....		CWR, PDM, OWR, RDS		Delivered to USFS, 1st Quarter	
1706 .....			PDM, OWR, RDS	Delivered to USFS, 3rd Quarter	
1721 .....			PDM, RDS	Delivered to USFS,4th Quarter	
1713 .....				CWR, PDM, OWR, RDS	Delivered to USFS, 1st Quarter
1709 .....				CWR, PDM, OWR, RDS	Delivered to USFS, 2nd Quarter
1714 .....				PDM, OWR, RDS	Delivered to USFS, 4th Quarter

CWR—Center Wing Box Replacement  
 OWR—Outer Wing Box Replacement  
 PDM—Programmed Depot Maintenance  
 RDS—Retardant Delivery System Install

*Question.* As part of the Farm Bill you receive authorization to contract for up to five new C-130 J models through a leasing scheme.

What steps have to be undertaken before you will have those aircraft available to fight fires?

*Answer.* The Forest Service is planning on posting a Request for Information (RFI) in Fed Biz Opps to allow vendors to explore innovative options for meeting the intent of the Farm Bill authorization.

Once the Forest Service receives results from the RFI we will evaluate how to move forward in exploring use of this authority. Depending on vendor options provided, fleet needs, and other contracted and owned aircraft already obtained, we may pursue an RFP.

*Question.* What is the estimated cost of leasing, converting, and finding private contractors to fly and maintain those aircraft?

*Answer.* Until the proposals are evaluated from the Request for Information, the costs and availability of contractors cannot be determined.

*Question.* When will each of those aircraft be on the line to fight fires?

*Answer.* Until the proposals from a solicitation are evaluated, options and timelines are speculative.

*Question.* During a late March Aerial Fire Fighting Conference in Sacramento, California the commander of the Channel Island Air National Guard base that operates several of the C-130's they provide the Forest Service for firefighting indicated that the Air National Guard and the Forest Service and other would be undertaking a redesign of the MAFF II units because the current units were considered substandard. He went on to explain that the current units only lay-down a slurry line that is about 60 yards wide, far less than the 220 yard wide slurry line that is called for.

Why is it that this information has not been provided to Congress by the Forest Service?

*Answer.* The MAFFS II systems meet the minimum standards for retardant delivery systems established by the Interagency Airtanker Board. The MAFFS II line is narrower than the line produced by commercial large airtankers, but produces a more contiguous pattern. This refinement of MAFFS II will improve performance of the system. The MAFFS II design is over a decade old and new technology and refinement of the existing system may improve coverage levels, effectiveness and reduce overall weight of the system. MAFFS 2.5 will also take advantage of the additional capabilities of the C-130J aircraft based at Channel Island.

*Question.* What will the expected cost of the redesign be?

*Answer.* The National Defense Authorization Act 2013 identified \$16 million in MAFFS funding. The Forest Service has already contributed over \$1 million toward the MAFFS 2.5 refinement.

*Question.* When will the new slurry MAFF III units be ready for use?

*Answer.* The estimated delivery is 3 years. Once the first system is produced it will have to undergo extensive testing, field evaluation and Air Force review.

*Question.* Are you concerned about greater risks to ground fire fighters because of this defect?

Answer. No. The MAFFS II systems have performed well since being implemented and continue to be an important surge capacity.

COLLABORATIVE FOREST LANDSCAPE PROGRAM

*Question.* The Budget request includes a proposal to expand the Collaborative Forest Landscape Program by increasing the funding from the currently authorized level of \$40 million per year to \$60 million per year. Currently that \$40 million supports 23 projects with each approved project eligible for up to \$4 million per year for up to 10 years. This program is heavily geared to restoration in fire adapted ecosystems and is supposed to have as its focus bringing down fire suppression costs by working collaboratively and strategically to bring fire suppression costs down. I am becoming concerned that this program is becoming simply another budget line item to fund collaborative forest restoration work that could otherwise be accomplished through other budget line items outside of the program. There are many opportunities outside of CFLR to expand management nationwide.

What assurances can you give me that the current and future projects selected will be projects suited for this program specifically that meet all its criteria and are not simply work that could be accomplished outside the program umbrella?

Answer. Proposals will be prepared in response to a Request for Proposals that specifically calls for collaborative teams to address how their project meets the purposes of the Act. In addition, proposals will be reviewed by an interdisciplinary Federal Advisory Committee that will recommend projects for funding to the Secretary. This Advisory Committee will specifically be looking for projects that meet the criteria of the Act.

*Question.* The CFLR program requires matching funds for projects approved under the program. I am receiving reports from regions with CFLR projects that CFLR funds are not supplementing but are actually supplanting or displacing regular funds for national forest system units that have projects. To your knowledge, is this occurring?

Answer. Regions and Forests have prioritized the funding of CFLR projects against other initiatives or priorities. In many cases, CFLR is the primary program of work or a major part of their program of work. The matching funds for the program utilize appropriated Agency funds, in-kind and partner contribution as well as funds provided through the legislation.

*Question.* What assurances can you give me that the CFLR funds are truly supplemental to regular unit funds and that concrete financial matching is occurring at the regions?

Answer. We keep detailed records on the funding spent for each project. In fiscal year 2012, projects spent \$26.2 million in CFLR funds and over \$59 million in other funds, including \$12.4 million in partner contributions.

*Question.* What significant results can you report on today from the projects funded through the program that would justify a 50 percent increase in funding at this time?

Answer. In fiscal year 2014, we have 23 projects funded through CFLR. Between fiscal year 2010 and fiscal year 2013, these 23 projects have generated more than 838 million board feet (mmbf) of timber, established or improved forest vegetation on 191,000 acres, restored or enhance 936,000 acres of terrestrial habitat, and enhanced community safety through the treatment of hazardous fuels on more than 661,200 acres. Additionally, in fiscal year 2013 alone these projects created or maintained more than 5,307 jobs and generated more than \$195 million in labor income, supporting rural economies in 14 States.

Note that these accomplishments are larger than what was reported in the fiscal year 2015 Budget Justification because they include the three additional projects added in fiscal year 2013, whereas the Budget Justification only reported on the accomplishments of the 20 projects that existed as of 2012.

*Question.* If the program authorization were increased and funded at \$60 million, outline specifically what/how the Forest Service would spend that additional funding?

Answer. The fiscal year 2015 President's budget would expand the authority of the 23 existing projects and also permit the investment in up to 10 new CFLRP projects. New CFLRP projects will be submitted by Forest Service Regions and reviewed by the Advisory Committee. The Advisory Committee will then submit recommendations for funding projects to the Secretary of Agriculture, who will make a final decision regarding which projects will receive CFLRP funds. The Secretary may select up to 10 new projects for funding in fiscal year 2015. As the new projects are selected and begin to implement treatments on the ground, we expect outputs to increase. The increases are primarily expected in fiscal year 2016 and beyond.

*Question.* Please provide the list of current projects and how much each project has received to date, and would be expected to receive in fiscal year 2015 if funded at the \$40 million level? If funded at the \$60 million level?

*Answer.* The table below displays the funding to date by project and planned project funding for fiscal year 2015 at the \$40 and \$60 million levels. We plan to allocate approximately \$13.4 million of the additional \$20 million requested in fiscal year 2015 to existing projects and use the remaining to begin work on new projects that would be identified and selected in fiscal year 2015.

Project Name	Reg.	Forest(s)	Total Funds (Fiscal Year 2010 to Fiscal Year 2014)	Fiscal Year 2015 CFLRP funded at \$40 million level	Fiscal Year 2015 CFLRP funded at \$60 million level
Southwestern Crown of the Continent .....	1	Lolo, Flathead, Helena ..	\$16,366,292	\$2,996,206	\$4,000,000
Selway-Middle Fork Clearwater Project .....	1	Nez Perce, Clearwater ...	16,209,079	2,996,206	4,000,000
Kootenai Valley Resource Initiative .....	1	Idaho Panhandle .....	2,004,265	1,002,125	1,337,859
Uncompahgre Plateau .....	2	Uncompahgre .....	4,279,120	849,724	1,134,400
Colorado Front Range .....	2	Arapaho, Roosevelt, Pike, San Isabel.	16,339,017	2,996,206	4,000,000
4 Forest Restoration Initiative .....	3	Apache-Sitgreaves, Kaibab, Coconino, Tonto.	17,337,007	2,996,206	4,000,000
Southwest Jemez Mountains .....	3	Santa Fe/Valles Caldera Trust & National Pre- serve.	14,118,012	2,996,206	4,000,000
Zuni Mountain CFLRP .....	3	Cibola .....	1,965,501	599,241	800,000
Weiser-Little Salmon Headwaters CFLRP ...	4	Payette .....	9,694,537	2,883,848	3,850,000
Dinkey Landscape Restoration Project .....	5	Sierra .....	5,105,832	940,074	1,255,019
Burney-Hat Creek Basins Project .....	5	Lassen .....	2,746,110	1,057,144	1,411,310
Amador-Calaveras Consensus Group Cor- nerstone Project.	5	Eldorado and Stanislaus.	3,794,317	1,208,515	1,613,394
Tapash .....	6	Okanagan-Wenatchee ...	10,364,010	310,247	414,187
Deschutes Skyline .....	6	Deschutes .....	4,783,687	1,007,100	1,344,500
Lakeview Stewardship CFLR Proposal .....	6	Fremont-Winema .....	10,229,507	2,172,249	2,900,000
Southern Blues Restoration Coalition .....	6	Malheur .....	7,393,067	1,872,629	2,500,000
Northeast Washington Forest Vision 2020 ..	6	Colville .....	5,767,003	2,713,952	3,623,185
Accelerating Longleaf Pine Restoration in Northeast Florida.	8	Florida/Osceola .....	7,090,863	1,336,439	1,784,175
Shortleaf-Bluestem Community .....	8	Ouachita .....	5,097,110	1,789,858	2,389,500
Grandfather Restoration Project .....	8	Pisgah .....	1,588,596	359,345	479,733
Ozark Highlands Ecosystem Restoration ....	8	Ozark-St. Francis .....	5,079,472	1,613,629	2,154,230
Longleaf Pine Ecosystem Restoration and Hazardous Fuels Reduction.	8	De Soto .....	8,161,331	2,247,154	3,000,000
Missouri Pine-Oak Woodlands Restoration ..	9	Mark Twain .....	2,525,831	1,055,697	1,409,379
Total .....			178,039,566	40,000,000	53,400,871

*Question.* The Forest Service is scheduled to report to Congress on the program at the five year mark to determine whether it is meeting the program goals. Are you on schedule to complete this report? When can Congress expect to receive it?

*Answer.* We are on track to meet this request. In 2011, we began a collaborative process with project groups and interested partners to develop indicators to feed this required report. Project teams are poised to report out on these indicators at the close of the fiscal year. This information will be supplemented with data gathered through our annual reporting cycle. We are working with internal experts, partner groups, and collaborative projects to develop a template to best report project progress with the goal of completing the report in March 2015.

#### WILDFIRE CAP ADJUSTMENT

*Question.* If budgeting and requesting 100 percent of the 10-year average isn't working, and your suppression costs are exceeding those levels, has the Forest Service considered using any different method to determine your budget request that might be more accurate?

*Answer.* Using the 10-year average is a viable method for determining funding need, as is the case with wildfire suppression. The fiscal year 2015 President's budget recognizes that catastrophic fires should be considered disasters, and includes a

proposed cap adjustment that is designed to budget for the likely worst case scenario.

*Question.* Instead of requesting 100 percent of the 10-year rolling average, your budget proposal requests just 70 percent of it. This departs from the longstanding practice of the agency requesting the 10-year average and this committee providing that amount. How did you arrive at the 70 percent number?

*Answer.* We are requesting 70 percent of the 10-year average because Forest Service and the Department of the Interior analysis has shown that 1 percent of fires represent 30 percent of Suppression costs. These are the most difficult, most costly fires—truly outside the norm and akin to “disasters.” The other 70 percent represent costs of 99 percent of fires—those “normal” fires that should be paid for within the agencies’ budgets. The remaining 30 percent and anything above the 10-year average would be paid for like Congress pays for other disasters—through a cap adjustment.

*Question.* Is it the position of the Forest Service that simply exceeding 70 percent of the 10-year rolling average of suppression costs equals an emergency or as you are calling it a “disaster?” Please explain.

*Answer.* No. The administration recommends that funds within the budget cap adjustment be accessible only for wildland fire suppression operations if one or more of the following criteria are met and a declaration has been issued by the Secretary of Agriculture (or the Department of the Interior):

- a fire has required an emergency Federal response based on significant complexity, severity, or threat posed by the fire to human life, property, or resources; or
- the fire covers 1,000 acres or more; or
- the fire is within 10 miles of a major urban area (defined as 50,000 inhabitants or more); and
- the cumulative costs of wildfire suppression operations will exceed all of the amounts previously appropriated within 30 days.

*Question.* One of the arguments being made in support of this proposal is that it will allow the agencies to fund in its program budget more fire prevention activities including hazardous fuel reduction and forest restoration, because now you must only ask for 70 percent of the 10-year average instead of 100 percent? Can you outline for me specifically how much of these newly freed up funds have been made available to the Forest Service through the cap adjustment and how you intend to spend it?

*Answer.* Compared to the fiscal year 2014 enacted budget, over \$160 million would be “freed up” in the Forest Service to invest in prevention and preparedness programs with this proposal. Those funds would go towards Landscape Scale Restoration (LSR), Collaborative Forest Landscape Restoration (CFLRP), Integrated Resource Restoration (IRR), Hazardous Fuels, Suppression and Preparedness in fiscal year 2015 (the fiscal year 2015 Forest Service proposed budget is \$125 million less than the fiscal year 2014 enacted budget, due to continued efforts to reduce the deficit). When the fiscal year 2015 budget request was being prepared, the fiscal year 2014 budget was not enacted. As such, comparisons were made to the fiscal year 2014 President’s budget. When doing so, over \$300 million in additional funding was allocated to LSR, CFLRP, IRR, Hazardous Fuels, Suppression, Preparedness, and State and Volunteer Fire Assistance.

*Question.* What is your legislative strategy to enact the cap adjustment?

*Answer.* The Administration is working with Congress and stakeholders to support and explain this proposal, especially the effects the fire funding problem is having on the Forest Service and the Department of the Interior programs. Given that a similar approach was proposed in bi-partisan bills in both the Senate and House, the administration is looking forward to working with congressional leaders in both Chambers to educate fellow members and encourage support, especially in the Budget Committees.

#### ROADLESS RULE

*Question.* Last month’s Ninth Circuit Court Decision upheld the rulemaking by which the USDA promulgated the 2003 Tongass Exemption. In promulgating the 2003 Exemption rule the USDA relied upon the 2000 Roadless Rule Environmental Impact Statement (EIS). The case was remanded to the United States District Court for the District of Alaska to decide whether or not a Supplemental Environmental Impact Statement (SEIS) should have been prepared to support the 2003 Exemption rule. If the District Court determines that a Supplemental Environmental Impact Statement (SEIS) should have been prepared will the Forest Service prepare an SEIS in support of the 2003 rulemaking?

Answer. The Forest Service will comply with the terms of the District Court's judgment at the time that it is issued.

*Question.* If the District Court determines that a SEIS was not required will the Forest Service appeal that decision to the 9th Circuit.

Answer. The Forest Service will comply with the terms of the District Court's judgment at the time that it is issued.

*Question.* If the District Court determines that a SEIS was not required and an appeal, if any, agrees that a SEIS is not required will the USDA engage in new rulemaking to extinguish the 2003 Exemption?

Answer. The Forest Service will comply with the terms of the District Court's judgment at the time that it is issued.

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QUESTIONS SUBMITTED BY SENATOR JOHN HOEVEN

*Question.* As you mention in your testimony, one of the three key areas the President's fiscal year 2015 budget focuses on is managing wildland fires. As you know, wildfires have always been common and widespread in North Dakota. On a broader scale, there are more than 70,000 communities that we know are at risk from wild-fire.

Specifically, the State Fire Assistance and Volunteer Fire Assistance Programs are primary Federal programs that assist communities to prepare for, and States and local fire departments to respond to, wildfires. We know that State and local resources are often the first to arrive at wildland fires, regardless of where they start—national forests, the Bureau of Land Management (BLM), private or State lands. How is your department focusing on helping communities prepare for wildfires in advance and bolstering state and local initial attack resources to help keep unwanted fires, and their costs, as low as possible?

Answer. Our Cooperative Fire programs—State and Volunteer Fire Assistance—provide funding for training and equipping State and local firefighters, to build capacity to provide effective initial attack response to wildfire. These State and local firefighters are often the Nation's first line of defense against wildland fires—almost 75 percent of wildland fires are first responded to by State and local fire departments. We will continue to provide funding that is level with fiscal year 2014 amounts in the fiscal year 2015 budget for these important programs. We are also focusing our hazardous fuels treatments in and around communities to help reduce the risk of wildfires. In particular the fiscal year 2015 President's budget contains a proposal to provide \$38 million in competitive funding for projects that reduce the risk to communities, targeted to areas of high risk near communities actively working on becoming fire adapted.

*Question.* As you know, I was a member of the Senate and House conference committee which worked to pass a long-term Farm Bill. Included in the bill are several important authorities for the Forest Service which I hope will help reduce the cost of managing forests. Specifically, we included authority for stewardship contracting, the Good Neighbor Authority, and the Insect & Disease Infestation provision.

Can you speak to the role of each of these authorities in helping the Forest Service get more work done on the ground, work that is urgently needed to ensure long-term ecological, economic and social health of our forests, communities, and economies?

Answer. The Forest Service expects that the authorities included in the Farm Bill—permanent reauthorization for stewardship contracting, the Good Neighbor Authority, and the Insect & Disease Infestation provision will help us to more effectively restore our national forests while also benefiting local communities.

Stewardship contracting helps the Forest Service achieve land and natural resource management goals while promoting closer public-private working relationships by using the value of forest products to offset the cost of services. Improved economic conditions and expanded markets for products have contributed to the expanded use of this tool. Overall, during the past 6 fiscal years, stewardship contracting acreage has nearly tripled. In addition to improved economic conditions, a better understanding of how to best use the tool has led to the increased size of projects. In fiscal year 2013 the Forest Service: established over 3,300 acres of forest vegetation, improved over 72,000 acres of wildlife habitat, treated over 130,000 acres of hazardous fuels, and treated over 2,700 acres of noxious weeds and invasive plants through stewardship contracting.

The Forest Service is very interested in the recently expanded Good Neighbor Authority. We believe it will provide an important new tool to allow us to work more effectively with States implementing needed watershed restoration activities.

The Farm Bill provided the opportunity for Governors to request areas to be designated in their State that are experiencing, or at risk of an insect or disease epidemic. Based on the Governor's recommendations, the Forest Service has designated over 45 million acres of National Forest System lands across 94 national forests in 35 States to address insect and disease threats. The Forest Service will collaboratively work with States, tribes, partners, stakeholders and the public to implement landscape scale restoration projects within these designated areas that reduce the risk of insect and disease infestations. The ability to use the expedited National Environmental Policy Act procedures found in section 104 of the Healthy Forest Restoration Act for environmental analyses along with the new categorical exclusion to implement collaborative restoration projects within these designated areas will help to provide for more efficient decisionmaking and project implementation.

*Question.* Could you please provide me with an update on the science you are using for the determination of management practices for the grasslands? Specifically, what science was used to develop the Draft Record of Decision (ROD) for the North Billings County Allotment Management Plan Revisions?

*Answer.* After signing the Dakota Prairie Grasslands Plan in 2002, the Regional Forester empanelled an independent group of scientists to review the parts of the plan related to livestock grazing. The resulting Scientific Review Team (SRT) consisted of eight members. Team members were selected based on recommendations of the North Dakota Governor's office, conservation and industry groups, state and Federal natural resource agencies, and county representatives. Recommendations from the SRT were incorporated into the Draft Record of Decision. The Natural Resources Conservation Service (NRCS) and North Dakota State University (NDSU) also contributed numerous data.

*Question.* When will the Forest Service formalize the final document?

*Answer.* The North Billings County Allotment Management Plan Revisions are subject to the new pre-decisional objection process for NEPA decisions. Review of the eight objections received from seven Objectors began in May 2014. Objection resolution meetings were held on June 2, 2015 and objection letters were signed on June 10, 2014. A final decision is expected after June 12, 2014.

#### CONCLUSION OF HEARINGS

Senator REED. And with that, and with no further business, I will adjourn the hearing.

[Whereupon, at 10:56 a.m., Wednesday, April 30, the hearings were concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]



**DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2015**

U.S. SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,  
*Washington, DC.*

NONDEPARTMENTAL WITNESSES

[CLERK'S NOTE.—The subcommittee was unable to hold hearings on nondepartmental witnesses. The statements and letters of those submitting written testimony are as follows:]

PREPARED STATEMENT OF THE ALEUTIAN PRIBILOF ISLANDS ASSOCIATION

The requests of the Aleutian Pribilof Islands Association (APIA) for the fiscal year 2015 Indian Health Service (IHS) budget are as follows:

- Amend the Aleutian and Pribilof Islands Restitution Act to appropriate \$100.4 million for reconstruction of the Unalaska Hospital and the Atka Island clinic, both of which were destroyed during World War II.
- Allocate an additional \$8.5 million to the IHS to fully fund Village Built Clinic (VBC) Leases, and direct the IHS to use its fiscal year 2015 appropriations to fully fund the VBC leases in accordance with section 804 of the Indian Health Care Improvement Act (IHCIA).
- Ensure that Contract Support Costs continue to be fully funded by moving the program to mandatory spending.
- Place IHS funding on an advance appropriations basis.

The Aleutian Pribilof Islands Association is a regional non-profit tribal organization with members consisting of the 13 federally recognized tribes of the Aleutian Chain and Pribilof Islands Region of Alaska. APIA provides healthcare services to the Alaska Natives in six of the tribal communities of this region through funding received from the IHS under title V of the Indian Self-Determination & Education Assistance Act (ISDEAA). We also provide health-related services to all 13 tribes through various non-IHS grants and agreements.

*Funding for Reconstruction of Two Health Care Facilities Destroyed During World War II.*—During World War II, communities within the APIA region suffered historic losses, not only to their populations due to deaths arising from inadequate healthcare and poor living conditions during removal by the U.S. Government to camps in southeast Alaska, but also to two healthcare facilities that were destroyed and never rebuilt or accounted for in prior restitution made to the Aleutian and Pribilof tribal communities.

On June 4, 1942, the Japanese bombed the 24-bed hospital operated at that time by the Bureau of Indian Affairs in Unalaska, Alaska. Since that time, the closest hospital is located in Anchorage, Alaska—800 air miles away, and not accessible by roads. Ten days later and 350 miles to the east, on June 14, 1942, the residents of Atka Island were forcibly evacuated from the island by the United States for their “safety,” and the U.S. Navy burned all of the structures on the island to the ground, including the island’s health clinic, to prevent their use by the Japanese.

Congress passed the Aleutian and Pribilof Islands Restitution Act in 1988 (Public Law 100–383), which led to creation of the Aleutian and Pribilof Islands Restitution Trust to administer funds appropriated under the Restitution Act on behalf of the St. Paul, St. George, Unalaska, Atka, Akutan, Nikolski, Biorka, Kashaga and Makushin communities. The Restitution Act provided very limited appropriations to partially address losses suffered by these communities during evacuations from

1942 to 1945. During that time, the treatment of the Aleut people in the evacuation camps lacked even the most basic attention to health and human safety matters, in extremely crowded, unheated, abandoned buildings with very poor sanitation conditions. Ten percent of the Aleuts who were evacuated died in the camps. For those who returned to their communities, many found their homes and community facilities destroyed, possessions taken, and churches stripped of religious icons by the U.S. military.

The time is now to replace the Unalaska hospital and the Atka Island Clinic. The Aleutian and Pribilof tribal communities are the most remote within Alaska. The next level of referred specialty and inpatient care is in Anchorage. To say that our patients suffer from a lack of access to basic healthcare services is an understatement. Patients have died en route to Anchorage for emergency care; patients have died due to inability to receive timely screening of cancer; patients must leave their families for months at a time when receiving care 800 miles away in Anchorage. Mothers must leave their families for 4 months to deliver their babies in Anchorage. This is unacceptable care, by any standard. The replacement hospital facility would directly serve the 5,000 year-round residents of Atka, Dutch Harbor, Nikolski and Unalaska, in addition to the typically hundreds of seasonal fishery workers requiring immediate emergency or primary care. Having a hospital would eliminate the need to send referrals to Anchorage at an average airfare cost of \$1,400, not to mention the cost of lodging, meals and the personal hardship of having to leave the community for days at a time. Atka lies 350 miles away from Unalaska, so until its clinic has sufficient capacity to meet local need, that population is at severe risk due to its isolated, weather challenged location.

Based upon APIA budget estimates derived from the IHS Facility Budget Estimating System (FBES), the Unalaska hospital facility project cost for design, construction and equipping the total facility is \$96,900,000. Based upon a 2003 Health Clinic Design Report funded by the Denali Commission, construction of a health clinic sufficient to meet the needs in Atka, and adjusting from 2003 for current inflation, will cost \$3,500,000. APIA thus requests \$100.4 million in funding for reconstruction of these facilities.

APIA is ranked near the top in the IHS's joint venture program, however we are unable to move forward without identified construction resources. For facilities subject to the IHS joint venture program, construction must be accomplished with non-IHS money. The Restitution Act offers the best legislative framework for an appropriation from Congress. We recommend that the Restitution Act be amended to add a new section 1989C-4(b)(1)(D) to 50 U.S.C., to state as follows: "(D) One account for the construction, operation, and maintenance of an inpatient hospital facility in Unalaska and health clinic in Atka with a direct appropriation of \$100,400,000 for those purposes." We ask for the subcommittee's support of such an amendment and the related appropriation of funds.

If we are to successfully receive this non-IHS construction project funding, the joint venture program would allow APIA to enter into a no-cost lease with the IHS for a period of 20 years; the IHS would in turn provide staff, equipment and supplies for the operations and maintenance of the facilities. The joint venture program is a competitive program and funding is limited. According to the IHS's budget justification for fiscal year 2014, the IHS signed 17 agreements for joint ventures between 2001 and 2012, but received 55 "positive responses" to a solicitation for joint ventures during the fiscal years 2010-2012 cycle. Yet, the IHS has indicated it does not have adequate resources to fund even those programs ranked highest on its list of joint venture projects, such as APIA's Unalaska Hospital. Tribes in Alaska support the IHS joint venture program as one of the best solutions to immediately address critical healthcare needs in our communities. The National Congress of American Indians has also supported APIA's request for assistance with both Unalaska and Atka facility construction, via resolution. We ask that the subcommittee appropriate additional funds for staffing and operations of new facilities; doing so will allow IHS to partner with tribes like APIA who are anxious to move their projects forward under this successful joint venture model in fiscal year 2015.

*Funding for Village Built Clinics in Alaska.*—For the last several years, APIA has submitted testimony to this subcommittee on the need to address chronic underfunding of Village Built Clinics (VBCs) in Alaska. VBCs, which are clinic facilities leased by the IHS from other entities, are a vital component of the provision of basic healthcare services in rural Alaska, as they serve as the clinic space for the Community Health Aide Program (CHAP) under the IHCLA. The CHAP utilizes a network of community health aides and practitioners to provide primary healthcare services in rural and isolated areas where access to those services might not otherwise exist.

In 1989, Congress specifically authorized the operation of 170 VBCs in Alaska and provided approximately \$3 million in funding for the program for that year. Since

then, Congress has not provided amounts specifically for VBCs in the IHS appropriation, and IHS has had discretion to fund VBCs from its lump sum appropriation. IHS has needlessly treated the \$3 million level as a cap, and has refused to increase funding for VBC leases. Funding therefore has not kept pace with inflation or the rising costs of healthcare in rural and isolated areas. In fact, the chronic underfunding over decades has resulted in deterioration and in some cases closure of VBC facilities, threatening the CHAP itself and access to basic healthcare services for rural Alaskans that hinges on the continued availability of properly maintained VBC space. Our facilities in Atka and Nikolski have been cited for numerous patient Health Insurance Portability and Accountability Act of 1996 (HIPAA) and safety issues including no patient privacy and holes in the floor. In any other community, these clinics would be condemned, yet the IHS expects us to continue to provide care with no remedy at hand. It is no wonder that we have a difficult time recruiting and retaining providers to serve our communities. Unfortunately, we are not alone in our predicament.

According to an estimate calculated several years ago by the Alaska Native Health Board and adjusted for inflation, at least \$8.3 million is needed to fully fund the VBC leasing program. However, that estimate is outdated and likely falls significantly short of the actual need. APIA therefore urges that Congress appropriate at least an additional \$8.5 million to fully fund VBC leases and that IHS be directed to use its existing appropriations to fully fund such leases. It would be helpful if Congress would also direct the IHS to use its fiscal year 2015 appropriations to fully fund VBC leases in accordance with §804 of the IHCA. It is a matter of patient safety that this be addressed immediately.

*Ensure Contract Support Costs Are a Mandatory Appropriation.*—We are pleased that Congress chose to fully fund contract support costs (CSC) under the ISDEAA in fiscal year 2014, and we are glad the administration has supported that effort in fiscal year 2015. CSC fund vital administrative functions that allow us to operate programs that provide critical services to our members. If contract support costs are not fully funded, however, our programs and services are adversely affected because we are forced to divert limited program funding to cover fixed overhead expenses instead. We therefore appreciate Congress' support in fiscal year 2014 and hope that it carries through to fiscal year 2015 and beyond. However, full funding for CSC must not come with a penalty—tribes should not have to see a reduction in program funding or effective permanent sequestration of Indian program funds. Without any permanent measure to ensure full funding, payment of CSC remains subject to agency discretion from year to year, even though tribes are legally entitled to payment under the ISDEAA. Noting these ongoing conflicts of law, Congress directed the agencies to consult with tribes on a permanent solution.

There is a logical permanent solution Congress can implement: CSC should be appropriated as a mandatory entitlement. Under the ISDEAA, the full payment of CSC is not discretionary; it is a legal obligation, affirmed by the U.S. Supreme Court. Yet the budget for CSC is currently funded and controlled through appropriation acts—as if it were a discretionary program. Congress, in the Joint Explanatory Statement for the fiscal year 2014 Consolidated Appropriations, recognized that the current fundamental mismatch between the mandatory nature of CSC and the current approach leaves the House and Senate Committees on Appropriations in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.” Congress also noted that “[t]ypically obligations of this nature are addressed through mandatory spending.” The obvious solution then is to bring the appropriations process in line with the statutory requirements and to recognize CSC for what it is: a mandatory entitlement, not a discretionary program. We therefore strongly urge the Congress to appropriate funding for CSC on a mandatory basis.

*IHS on an Advance Appropriations Basis.*—We support legislation that would place the IHS budget on an advance appropriations basis. The goal is for the IHS and tribal healthcare providers to have adequate advance notice of the amount of Federal appropriations to expect and thus not be subjected to the uncertainties of late funding and short-term continuing resolutions. Congress provides advance appropriations for the Veterans Administration medical accounts, and the request is for parity in the appropriations schedule for the IHS. Legislation to authorize IHS advance appropriations has been introduced—H.R. 3229 by Representative Young and S. 1570 by Senators Murkowski and Begich.

Thank you for your consideration of our request to support funding for the reconstruction of the Unalaska Hospital and Atka Island Clinic with associated staffing and operating costs. Reconstruction of these facilities will right a huge wrong in our history and will significantly improve healthcare for the Aleutian and Pribilof tribal communities. We also appreciate your consideration of other requests outlined in

this testimony. On behalf of APIA and the people we serve, I am happy to help provide any additional information desired by the subcommittee.

PREPARED STATEMENT OF THE ALLIANCE FOR COMMUNITY TREES

SUMMARY OF REQUESTS

United States Department of Agriculture (USDA) Forest Service:

- Urban and Community Forestry (U&CF) Program at \$31.3 million.
- Forest and Rangeland Research at \$298 million, including \$72 million for Forest Inventory and Analysis.

U.S. Environmental Protection Agency (EPA):

- Recognize the Urban Waters Federal Partnership in funding for EPA clean water initiatives

Dear Mr. Chairman and members of the subcommittee: My name is Dave Forsell and I am the president of Keep Indianapolis Beautiful, a non-profit organization whose mission is to engage diverse communities and create vibrant public places, helping people and nature thrive in our community, often helping people plant and care for trees.

I am here today to testify on behalf of the Alliance for Community Trees (ACTrees), for whom I serve as president of the board of directors. ACTrees is a 501(c)(3) non-profit organization founded in 1993 by leaders of local tree organizations to establish a national voice for urban and community forestry. ACTrees' founders shared a vision of urban trees and ecosystems nurtured by a broad base of community stewards. Through the efforts of 200 member and program partner organizations in 44 States, over 5 million volunteers have been inspired to plant and care for 15 million trees across our Nation, in cities and towns where 83 percent of Americans live.

My testimony will focus on the critical role of the USDA Forest Service in providing Federal leadership for and assistance to public and private partners at the national, State and local levels through its Urban & Community Forestry (U&CF) program and urban forestry research.

WHY THE FOREST SERVICE'S U&CF PROGRAM AND URBAN FORESTRY RESEARCH ARE IMPORTANT TO ACTREES

The Forest Service's U&CF program and urban forestry research projects have been models of working with each other through an integrated approach and partnering with public and private organizations at the national, State and local levels to provide information and tools that partners need to effectively plan and implement urban forestry management programs. The integration between Forest Service program staff and researchers has been essential to address the many issues affecting urban trees and forests and the rapid pace of change in urban environments. In addition, the collaborative approaches of Forest Service program staff and researchers have been critical to open and sharing relationships with partners and adaptive learning and management.

ACTrees members have benefited from both the technical and financial assistance provided by the U&CF program and the information and tools developed by urban forestry researchers. Many of our members have worked directly with Forest Service program staff and researchers on projects in their communities. Others have benefited from Forest Service resources provided through State forestry agencies—the U&CF program's primary partner. While some ACTrees members may not receive assistance from the Forest Service or through State forestry agencies, all members benefit from the urban forestry partnerships the Forest Service has helped create.

ACTrees members recognize the importance of broad partnerships to advance common goals around urban trees and forests. Partnerships among public and private organizations enable sharing of expertise, skills, and resources. Such partnerships result in substantial leveraging of Federal funding provided to local urban and community forestry projects. ACTrees members partner with a diverse range of agencies and organizations at the local level. At the national level, ACTrees works with public and private partners to advance urban and community forestry through collaborative initiatives such as the Sustainable Urban Forests Coalition and the Partners in Community Forestry conferences organized by the Arbor Day Foundation.

An open and collaborative U&CF program has enabled Federal, State and local partners to develop a great diversity of projects around the country, recognizing the wide range of ecosystem types and unique social, cultural and economic contexts in

communities across the Nation. Here are a few examples of projects on which ACTrees member organizations have worked to add value to their communities—neighborhood value, environmental value, cost savings, employment and training. Such stories are happening in cities and towns across America thanks to broad public-private partnerships in urban and community forestry:

- Tree Pittsburgh received a grant from the USDA Forest Service in 2011, through the State’s Bureau of Forestry, to create the city’s first Urban Forest Master Plan. It has leveraged the Federal grant and is developing the Plan, which includes detailed information, resources needed, and recommendations to proactively manage and grow a city’s tree canopy.
- The Tennessee Urban Forestry Council established a Greenprint initiative in 1991 to promote Federal, State and local partnerships toward a strategic goal of doubling the State’s urban forest canopy. The initiative continues to build on its vision and collaborative strategies.
- The Sacramento Tree Foundation is engaged in cooperative research efforts with the U.S. Forest Service and California’s forestry agency to explore the relationships between human health and tree canopy cover.
- The Morton Arboretum near Chicago is cooperating with the USDA Forest Service’s National Institute of Applied Science on an Urban Forest Climate Adaptation project.
- The California Urban Forest Council and California ReLeaf are working to advance urban forestry projects through the State’s climate change legislation and policies, recently seeking \$18 million in cap-and-trade funding for urban forestry projects in underserved communities.
- Tree People in Los Angeles is advancing innovative projects to address drought impacts on trees, such as using recycled water from treatment plants to water trees in urban parks.

In Indianapolis, the power of community and urban forestry is very real! Due to an EPA consent decree, our local water utility, Citizens Energy Group, is spending more than \$1 billion to eliminate all but 5 percent of raw sewage overflows into our river and streams. My organization, Keep Indianapolis Beautiful (KIB), is partnering with Citizens in a pilot program in a west side neighborhood. KIB will be installing 34 beautiful stormwater planters up and down neighborhood streets as part of a stormwater sewer separation project. They’ll be planted with 10,000 native perennials and grasses, adding value to front yards; and 200 trees will be added to the landscape for their power to mitigate stormwater runoff. This 100 percent green solution will save Citizens considerable dollars compared to a standard gray solution. The best part? This work is supporting jobs and training for high school and college students who’ll plant and tend trees; they’ll also have an opportunity to work alongside engineers and ecological services professionals in the process.

#### WHY THE U&CF PROGRAM AND URBAN FORESTRY RESEARCH ARE CRITICAL TO THE FEDERAL GOVERNMENT

In recent years, policymakers and natural resource managers have been calling attention to the increasing importance of urban areas as we look to the future. Our Nation’s cities, towns, and metropolitan centers present critical challenges and opportunities as our population centers grow. The Forest Service’s U&CF program and urban forestry research are uniquely positioned in the Federal Government to help address urban challenges and opportunities as they relate to environmental and natural resource issues—particularly those related to the roles of urban trees and forests as assets for: building and restoring green space and parks for recreation, supporting opportunities for green businesses and jobs in underserved neighborhoods, and providing environmental services essential to community well-being and quality of life, such as clean water, clean air, energy conservation, stormwater management, and atmospheric carbon exchange. No other Federal agency has the expertise and can provide the leadership necessary to help our Nation address urban challenges and opportunities with trees and forests.

The Forest Service has recognized the U&CF program as the key program to help achieve one of seven priority goals in its current strategic plan. Goal 6 is “Engaging Urban America with Forest Service Programs.” Similarly, the Forest Service Research branch has identified Urban Natural Resources Research as one of seven Priority Research Areas. Looking to the future—as reflected in the agency’s “2010 Resources Planning Act Assessment and 2010 National Report on Sustainable Forests”—urban forests will become increasingly important for providing environmental services to our Nation’s growing urban populations. In addition, as part of the USDA, the Forest Service’s U&CF program is particularly well-positioned to help address increasingly important urban-rural challenges, including the expansion of

urban populations into rural landscapes and the lack of opportunities for urban youth to connect to nature.

ACTREES' RECOMMENDATIONS

*Urban and Community Forestry (U&CF).*—There are more than 100 million acres of urban forest lands across the Nation, providing essential environmental, social, and economic services such as energy conservation, improved air and water quality, recreation and improved public health to the more than 83 percent of our Nation's population who live in cities and communities. The Forest Service's U&CF program is the primary Federal program that reaches out and provides technical and financial assistance to local communities and non-profit groups for planting, maintaining, protecting, and restoring these urban forests. In fiscal year 2013, the U&CF program delivered technical, financial, educational, and research assistance to 7,292 communities and nearly 198 million people, over 60 percent of the U.S. population.

ACTrees urges the subcommittee to provide \$31.3 million for the U&CF program in fiscal year 2015, consistent with the level enacted in fiscal year 2012. The President's fiscal year 2015 proposal for U&CF is \$23.7 million, a further reduction from the fiscal year 2014 enacted level of \$28 million. While the President's fiscal year 2015 proposal holds promise for additional funding for urban and community forestry projects through the Forest Service's new Landscape Scale Restoration (LSR) program, ACTrees has much to learn about these opportunities. In addition, ACTrees is excited about the President's proposal for a \$1 billion Climate Resilience Fund, which includes \$25 million for the U&CF program to advance urban forestry projects as measures to help communities adapt to and mitigate climate change impacts.

*Urban Forestry Research.*—The Forest Service Research branch has provided essential information and tools to urban forestry groups and practitioners. It is critical for communities to obtain baseline information about their urban forests before they can plan and implement actions. There have been huge strides made in recent years in developing new technologies and tools, such as the "i-Tree" program, for mapping the urban forest and examining conditions and trends. Similarly, urban forestry research has been helping policymakers and practitioners to understand the environmental, economic, and social services that trees and forests provide.

ACTrees urges the subcommittee to provide funding for Forest and Rangeland Research at \$298 million for fiscal year 2015. This reflects a funding level for basic forest research at \$226 million, consistent with fiscal year 2014, and funding for Forest Inventory and Analysis (FIA) at \$72 million. While there is no budget line item for urban forestry research, the Forest Service has recognized "Urban Natural Resources Stewardship" as one of its seven Priority Research Areas. We urge the subcommittee to recognize the importance of urban forestry research and direct the agency to provide strong funding in this area, as it did in its fiscal year 2014 report language. With our request for \$72 million for FIA, ACTrees has joined many partners in the conservation community recognizing the importance of inventory and assessment information in supporting forest policy and management decisions in all contexts, including urban and community forests.

*U.S. Environmental Protection Agency (EPA), Urban Waters Federal Partnership.*—Launched in 2011, this Federal Partnership has expanded to 18 pilot cities and includes 14 Federal agencies. EPA coordinates this important and innovative Partnership through its Office of Water and the Forest Service participates on behalf of USDA, providing essential tree and forest expertise. The Partnership aims to stimulate regional and local economies, create local jobs, improve quality of life, and protect Americans' health by revitalizing urban waterways in underserved communities across the Nation. ACTrees urges the subcommittee to recognize this important Federal Partnership through its fiscal year 2015 funding of EPA clean water initiatives.

I appreciate your consideration, and the opportunity to testify today on behalf of ACTrees.

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PREPARED STATEMENT OF THE AMERICAN ALLIANCE OF MUSEUMS

Chairman Reed, Ranking Member Murkowski and members of the subcommittee, thank you for allowing me to submit this testimony in my capacity as president of the American Alliance of Museums (AAM). We urge your support for at least \$154.5 million each in fiscal year 2015 (fiscal year 2015) for the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH). Within the context of the NEA, we also urge the committee to include language revising the

Arts and Artifacts Indemnity Act to increase the total allowable outstanding indemnity and the limit for any single exhibition. Lastly, we support \$858 million for the Smithsonian Institution, at least \$50 million for State Historic Preservation Offices, \$15 million for Tribal Historic Preservation Offices and restored funding for the Save America's Treasures and Preserve America programs.

AAM is proud to represent the full range of our Nation's museums—including aquariums, art museums, botanic gardens, children's museums, culturally specific museums, historic sites, history museums, maritime museums, military museums, national parks, natural history museums, planetariums, presidential libraries, science and technology centers and zoos—along with the professional staff and volunteers who work for and with museums. AAM works on behalf of the 17,500 museums that employ 400,000 people, spend more than \$2 billion annually on educational programming, receive more than 55 million visits each year from primary and secondary school students and directly contribute \$21 billion to local economies.

Museums are essential in our communities for many reasons:

—*Museums are key education providers.*—Museums already offer educational programs in math, science, art, literacy, language arts, history, civics and government, economics and financial literacy, geography and social studies, in coordination with State and local curriculum standards. Museums also provide experiential learning opportunities, STEM education, youth training and job preparedness. They reach beyond the scope of instructional programming for schoolchildren by also providing critical teacher training. There is a growing consensus that whatever the new educational era looks like, it will focus on the development of a core set of skills: critical thinking, the ability to synthesize information, the ability to innovate, creativity and collaboration. Museums are uniquely situated to help learners develop these core skills.

—*Museums create jobs and support local economies.*—Museums serve as economic engines, bolster local infrastructure and spur tourism. Both the U.S. Conference of Mayors and the National Governors Association agree that cultural assets such as museums are essential to attracting businesses, a skilled workforce and local and international tourism.

—*Museums address community challenges.*—Many museums offer programs tailored to seniors, veterans, children with special needs, persons with disabilities and more, greatly expanding their reach and impact. For example, some have programs designed specifically for children on the autism spectrum while others are teaching English as a Second Language or providing youth job training opportunities.

—*Digitization and traveling exhibitions bring museum collections to underserved populations.*—Teachers, students and researchers benefit when cultural institutions are able to increase access to trustworthy information through online collections and traveling exhibits. Most museums, however, need help in digitizing collections.

The National Endowment for the Humanities is an independent Federal agency created by Congress in 1965. Grants are awarded to nonprofit educational institutions—including museums, colleges, universities, archives and libraries—for educational programming and the care of collections. NEH supports museums as institutions of learning and exploration and keepers of our cultural, historical and scientific heritages.

In 2013, through Preservation & Access, one of NEH's national program divisions, 55 peer-reviewed, competitive grants totaling over \$3.7 million dollars were awarded to museums, historical societies and historic sites for a variety of projects to preserve and provide access to our Nation's rich cultural heritage. Across all NEH divisions (including Preservation and Access, Research, Education, Public Programs, Challenge Grants and Digital Humanities), these institutions received 123 awards totaling over \$11.5 million. Demand for humanities project support, as demonstrated by NEH grant application rates, far exceeds available funding. In fiscal year 2013, NEH received 4,701 competitive grant applications representing more than \$441 million in requested funds, but was only able to fund 13.4 percent of these peer-reviewed project proposals.

NEH also provides annual grants to State humanities councils located in every State and U.S. territory. In 2012, 53 State councils supported 3,046 events in museums, reaching a total audience of more than 13 million people.

Here are two examples of how NEH funding is used to support museums:

—The Rhode Island Historical Society received \$300,000 beginning in 2011 to make environmental control upgrades, building improvements, and security enhancements to preserve collections documenting the history of Rhode Island from pre-European contact to the present.

—The Birmingham Museum of Art in Alabama received a \$75,000 grant for professional development, bringing K–12 teachers together to study America’s transition from an agricultural to an industrial society as reflected in American art.

The National Endowment for the Arts provides direct Federal funding to State arts agencies and to non-profit arts institutions including museums. Its mission is to make art accessible to all and to provide leadership in arts education. Established in 1965, NEA brings great art to every congressional district. Its grants to museums help them exhibit, preserve and interpret visual material through exhibitions, residencies, publications, commissions, public art works, conservation, documentation, services to the field and public programs.

In 2013, more than 2,100 museums participated in the Blue Star Museums initiative, offering free admission to all active duty and reserve personnel and their families from Memorial Day through Labor Day. This particular effort served over 700,000 people, while many other museums offered military discounts or free admission throughout the year.

In 2013, NEA made more than 130 awards to museums, totaling over \$4.6 million. Many museums—including art museums—continue to report economic stress and stretched budgets. Despite the uncertain economy, museum attendance continues to climb, increasing pressure to serve more people with limited financial and human resources.

Receiving a grant from the NEA confers prestige on supported projects, strengthening museums’ ability to attract matching funds from other public and private funders. On average, each dollar awarded by the NEA leverages nine dollars from other sources. Forty percent of NEA’s grant funds are distributed to State arts agencies for re-granting.

Here are two examples of how NEA funding is used to support museums:

—Alaska’s Seward Association for the Advancement of Marine Science, in consortium with the Anchorage Museums Association received \$39,000 in 2012 to support the research and development of an exhibition teaming artists and scientists to bring greater public attention to the global problem of marine debris.

—The Walters Art Gallery in Baltimore, Maryland received \$34,000 in 2012 to support an exhibition showing the unexpected and multifaceted roles played by Africans in Renaissance Europe, as well as the challenges of stereotyping and racism that faced them.

The Arts and Artifacts Indemnity Act allows museums to apply for Federal indemnity on major exhibitions, saving them roughly \$30 million in insurance costs every year. The program, administered by the National Endowment for the Arts, operates at virtually no cost to the taxpayer; since 1975 it has paid out a total of just over \$100,000. Strict protocols for care, restrictions on the types of work indemnified and high deductibles all contribute to these extraordinarily low costs.

The program has separate limits per exhibition and an overall limit for both international and domestic exhibitions, and Congress has periodically raised these limits, most recently in 2007. Museums report that the current caps are making it difficult to obtain indemnity on objects that would have been covered in the past, exposing them to increased insurance costs. We believe that rising prices in the art market will exacerbate this problem, causing exhibitions to limit their scope or to fail to go forward entirely. In agreement with the Association of Art Museum Directors’, we urge the committee to consider language increasing both the total allowable outstanding indemnity and the limit for any single exhibition under this important program.

The Smithsonian Institution comprises some of the most visited museums in the world, including the National Museum of American History, the National Air and Space Museum and the National Museum of Natural History. The Smithsonian reaches out to visitors and learners of all ages, in the Nation’s capital and across the country, with innovative exhibits and programs. Smithsonian museums attract 30 million visits every year, and their content and curricula are used by teachers all over the country. Smithsonian exhibits and research cover vital topics in art, science, history and culture, including global pandemics, endangered species and the history of our Nation. The use of digital technology including 3-D scanning and printing of iconic objects such as Lincoln’s life casts, the Wright Flyer and fossil whales, expands access for America and America’s teachers to experts and collections and creates new knowledge. The President’s fiscal year 2015 budget request of \$858 million includes critical funding for the National Museum of African American History and Culture, which will tell this essential part of American history. Funding for collections care and facilities maintenance and revitalization allows the Smithsonian to care for the Nation’s treasures and allows greater access for all.

We enthusiastically support this robust funding proposal, an increase, for the Smithsonian Institution. However, we have serious concerns about the President’s

proposed STEM consolidation plan, which would eliminate or cut important programs that support museums at the National Science Foundation, the National Institutes of Health, the National Oceanic Atmospheric Administration and the National Aeronautics and Space Administration.

State and Tribal Historic Preservation Offices (SHPOs and THPOs) carry out the historic preservation work of the Federal Government on State and tribal lands. These duties include finding America's historic places, making nominations to the National Register of Historic Places, reviewing impacts of Federal projects, providing assistance to developers seeking a rehabilitation tax credit, creating alliances with local government preservation commissions and conducting preservation education and planning. This Federal-State-local foundation of America's historic preservation program was established by the National Historic Preservation Act. We urge you to provide \$50 million for SHPOs and \$15 million for THPOs through the Historic Preservation Fund. We also urge you to restore funding of \$25 million for Save America's Treasures and \$4.6 million for Preserve America—which have been instrumental in preserving some of our Nation's most important artifacts and structures—but have not been funded in recent years.

The 2005 Heritage Health Index of archives, libraries, historical societies and museums concluded that immediate action is needed to prevent the loss of 190 million artifacts that are in need of conservation treatment: 59 percent have collections damaged by light; 56 percent have insufficient security to protect their collections; 80 percent do not have an emergency plan that includes collections; 71 percent need additional training and expertise for staff caring for collections; and only 13 percent have access to endowment funds for preservation.

Historic preservation programs matter now more than ever—not only because they are essential to protecting our national heritage, but because they serve as economic engines and job creators in the thousands of communities they serve. Funds invested in building rehabilitation have been shown to create more jobs and more retail activity than those spent on new construction.

Thank you once again for considering this testimony.

FORD W. BELL, DVM,  
*President.*

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PREPARED STATEMENT OF THE AMERICAN CULTURAL RESOURCES ASSOCIATION  
(ACRA)

Request:

- \$46.925 million for State Historic Preservation Offices (SHPOs)
- \$8.985 million for the Tribal Historic Preservation Offices (THPOs)
- \$500,000 for grants for survey and National Register/National Landmark nominations for underrepresented populations

These programs are funded through withdrawals from the U.S. Department of the Interior's National Park Service Historic Preservation Fund (HPF) (16 U.S.C. § 470h).

ACRA MEMBERS CREATE JOBS AND SUPPORT THE ECONOMY

ACRA is the trade association representing the interests of cultural resource management (CRM) firms of all sizes, types and specialties. ACRA's member firms undertake much of the legally mandated cultural resource management studies and investigations in the United States.

There are approximately 1,300 CRM firms nationwide that employ over 10,000 cultural resource management professionals, including archaeologists, preservation architects, architectural historians, historians, and an increasingly diverse group of other specialists. These firms generated over \$1 billion in revenue in 2012. ACRA firms create and support jobs, providing employment for American-educated and trained professionals.

FUNDING SHPOs AND THPOs SUPPORTS DEVELOPMENT

In 1966, Congress, recognizing the importance of our heritage, enacted the National Historic Preservation Act (16 U.S.C. § 470) (NHPA), which established historic preservation as a Federal Government priority. Historic preservation recognizes that what was common and ordinary in the past is often rare and precious today, and what is common and ordinary today may be extraordinary in the future.

Instead of using Federal employees to carry out the Act, the Department of Interior and the Advisory Council on Historic Preservation opted to partner with the States and use SHPOs and THPOs to, among other tasks, review all Federal

projects for their impact on historic properties. CRM firms work closely with Federal, State and local government agencies, private industry and non-profit groups to conduct the reviews required by the NHPA.

In order for the review process to work smoothly, SHPOs and THPOs must have adequate funding. Proper financial support for their work allows SHPOs and THPOs to review and approve projects in a timely basis, facilitating development, moving projects forward in a timely and efficient manner, and ensuring that CRM firms can get the job done.

#### CONCLUSION

On behalf of its 150 member firms, ACRA would like to thank you Chairman Reed, and all the members of the Senate Appropriations Subcommittee on Interior, Environment and Related Agencies for the opportunity to submit testimony.

ACRA also thanks the subcommittee for its commitment to historic preservation. ACRA members stand committed to identify, protect, and maintain our Nation's historic heritage.

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#### PREPARED STATEMENT OF THE AMERICAN FOREST & PAPER ASSOCIATION

Hon. JACK REED,  
U.S. Senate,  
Washington, DC.

Hon. LISA MURKOWSKI,  
U.S. Senate,  
Washington, DC.

Dear Chairman Reed and Ranking Member Murkowski: The American Forest & Paper Association (AF&PA) serves to advance a sustainable U.S. pulp, paper, packaging, and wood products manufacturing industry through fact-based public policy and marketplace advocacy. AF&PA member companies make products essential for everyday life from renewable and recyclable resources and are committed to continuous improvement through the industry's sustainability initiative—"Better Practices, Better Planet 2020". The forest products industry accounts for approximately 4 percent of the total U.S. manufacturing GDP, manufactures approximately \$210 billion in products annually, and employs nearly 900,000 men and women. The industry meets a payroll of approximately \$50 billion annually and is among the top 10 manufacturing sector employers in 47 States.

Actions are needed to increase funding for programs that provide basic data about our Nation's forests to inform industry, policymakers, and academics; and for restoring Federal timber harvests to help ensure adequate fiber supply and to address forest health priorities on both Federal and private lands. Within the jurisdiction of this subcommittee, we urge you to direct the United States Forest Service (USFS) to focus on the needs of the forest products industry and the vital jobs it supports. Specific recommendations follow.

#### FOREST AND RANGELAND RESEARCH

*Forest Inventory and Analysis.*—Targeted research and data collection is needed to monitor forest productivity, forest health, and economic utilization of fiber. The Forest Inventory and Analysis (FIA) program within USFS Research and Development (R&D) is the backbone of our knowledge about the Nation's forests, and it is a vital technical resource that allows assessment of the sustainability, health, and availability of the forest resource. FIA data is utilized by a large swath of stakeholders interested in the state of America's forests: forest resource managers at mills, land managers, conservation groups, and State and Federal agencies look to the program for data about our Nation's forests.

We are concerned about the cuts to this program over recent years. With an increased focus on utilizing woody biomass for renewable energy in addition to traditional forest products, the program, which allows managers to determine the sustainability and availability of the forest resource, should not be reduced but rather increased.

AF&PA opposes cuts to this valuable program, and applauds the subcommittee's increase last year to \$72 million. As a good starting point, AF&PA requests funding levels of at least \$72 million for the FIA program this year, which will allow the USFS to cover the majority of U.S. forest lands and expedite data availability and analysis. This level of funding will enable the USFS to better meet the current demands of the program.

We also recommend increased funding within the USFS R&D program in support of the Agenda 2020 Technology Alliance. Working in partnership with universities and the private sector, the Agenda 2020 program works with USFS on research to develop and deploy wood production systems that are ecologically sustainable, socially acceptable, and economically viable to enhance forest conservation and the global competitiveness of forest product manufacturing and biorefinery operations in the United States. In particular, we encourage greater funding for research on forest productivity and utilization at the Forest Products Lab and Research Stations. Innovative wood and fiber utilization research, including nanotechnology research, contributes to conservation and productivity of the forest resource. The development of new forest products and important research on the efficient use of wood fiber directly address forest health problems through exploration of small diameter wood use and bioenergy production.

#### NATIONAL FOREST SYSTEM, FOREST PRODUCTS

We applaud the administration for calling for an increase in timber outputs by 15 percent. To create forest industry jobs, more Federal timber should be made available for sale. AF&PA requests increasing funding for the Forest Products program to put people back to work in our rural communities while improving the health and reducing the risk of forest fires.

For the 6th year in a row, the administration has proposed creating the consolidated Integrated Resource Restoration (IRR) line item, with proposed funding of \$820 million. AF&PA does not believe IRR will have the benefits the administration claims, and in those regions where IRR has been implemented as a pilot project, instead of benefits, we have seen continued high costs and less accountability for the use of those funds by the USFS.

#### NATIONAL FOREST SYSTEM, HAZARDOUS FUELS REDUCTION

AF&PA supports the budget cap exception recommended in the President's budget that mirrors H.R. 3992, the Wildfire Disaster Funding Act. In the past 2 years, the USFS was forced to redirect over \$1 billion from non-fire programs to pay fire suppression costs. The continued cycle of borrowing has a hugely detrimental effect on other programs, including forest management and research, damaging the ability to effectively implement these programs. This new approach to funding fire suppression costs is promising and we urge the subcommittee to include the Wildfire Disaster Funding Act this year.

Hazardous fuels reduction is essential to the Federal forest health restoration effort and AF&PA supports maintaining this vital program at the fiscal year 2011 level (\$339 million). We also urge the subcommittee to instruct the USFS to implement these projects in forested stands using mechanical treatments that produce merchantable wood fiber for utilization by local mills. Prescribed burns and debris removal will not solve the hazardous fuel overload by themselves. The forest products industry can and does play a key role in reducing hazardous fuels from Federal lands as evidenced by the fact that mechanical hazardous fuel reduction costs frequently are significantly lower in regions with a substantial forest products industry presence. The agency must take advantage of these synergies.

#### STATE AND PRIVATE FORESTRY

AF&PA applauds the subcommittee's sustained support for USFS State and Private Forestry programs. With ongoing droughts, invasive species infestations, and significant forest health problems, private forest resources remain vulnerable to damage from threats that do not respect public/private boundary lines.

As you know, private forests provide the bulk of the Nation's wood fiber supply, while providing millions of acres of wildlife habitat, and supplying clean drinking water for millions of Americans. USFS State and Private Forestry programs protect these resources from threats beyond the capability of small landowners to combat effectively. Therefore, we urge funding at no less than their fiscal year 2012 enacted levels of \$86 million for State Fire Assistance and \$29 million for Forest Stewardship.

#### INTERNATIONAL FORESTRY

AF&PA believes that full and effective implementation and enforcement of the 2008 Lacey Act amendments will reduce the destructive effects of illegal logging on tropical forests, enable American forest product companies to compete on a level playing field, and contribute to cutting of global greenhouse gas emissions through reduced deforestation and sustainable forest management practices. A 2004 AF&PA

report on illegal logging found that up to 10 percent of global timber production could be of suspicious origin and that illegal logging depresses world prices for legally harvested wood by 7 to 16 percent on average. The report also calculated that the economic cost of global illegal logging to the U.S. industry is approximately \$1 billion per year in lost exports and depressed domestic prices.

The USFS International Forestry program lends critical technical assistance for Lacey Act implementation and to improve sustainable forest management practices in developing countries, which helps reduce illegal logging overseas. AF&PA believes cuts to the International Forestry accounts could be detrimental to full Lacey Act compliance and enforcement efforts, and advocates funding the International Forestry program at fiscal year 2012 levels (\$8 million).

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PREPARED STATEMENT OF THE AMERICAN FOREST FOUNDATION

Investments in the U.S. Forest Service Forest Stewardship Program and the U.S. Forest Service Forest Health Protection Program will help family forest owners get ahead of increasing threats from invasive pests and pathogens, wildfire, and development pressures. Complementing these efforts, the Landscape Scale Restoration Program provides an innovative approach to target resources for maximum impact, meaning support for this program will ensure measurable outcomes on the ground. It is also critical that funding for U.S. Forest Service Forest Inventory and Analysis and overall Forest Service Research and Development programs are improved and maintained, so these programs continue to provide the information and technical resources for landowners to make informed decisions about America's forests. The American Forest Foundation (AFF) urges the subcommittee to:

- Support the U.S. Forest Service Forest Stewardship Program at the fiscal year 12 funding level of \$29 million;
- Support the U.S. Forest Service Forest Health Protection (Federal and Cooperative) at the fiscal year 12 funding level of \$111 million;
- Support the President's funding request of \$23.513 million for the Landscape Scale Restoration Program;
- Support the Forest Inventory and Analysis Program at \$72 million, toward providing an updated inventory of America's forests; and
- Support the U.S. Forest Service Research and Development Program at the fiscal year 12 funding level of \$231 million.

We also ask the subcommittee to support a solution to the wildfire funding problem. The mounting cost of wildfire suppression activities over the past few years have far surpassed budgeted appropriations, forcing the U.S. Forest Service to transfer hundreds of millions of dollars from non-fire accounts to pay for suppression. This halts other mission-critical forest health and stewardship activities from taking place, all of which work toward preventing the future threat of catastrophic fire.

Investments in forestry programs will help strengthen rural communities, support rural jobs, and ensure that communities that rely on the clean water and air, wildlife habitat, and forest products from family-owned forests, don't face additional costs for these goods and services.

Unfortunately, new data suggests that by 2020, more than 18 million acres of family forests are threatened by housing development. Furthermore, almost 14 million acres are at risk of mortality due to insects and disease, while 29 million are at high or very high risk of destruction from wildfire.<sup>1</sup> At the same time, less than 15 percent of family forest owners have sought professional advice for the stewardship of their forests. Many are under the impression that leaving their woods alone is the best option. It is therefore essential we ensure these families have tools, technical information, and policy support to keep their forests as forests, for current and future generations.

The American Forest Foundation is a nonprofit conservation organization that works on the ground with more than 22 million family woodland owners through a variety of programs, including the American Tree Farm System®, to protect the values and benefits of America's family forests, with clear ecological and economic impact.

Families and individuals steward more of America's forests than the Federal Government or corporations. Families and individuals own 35 percent of our Nation's forests.<sup>2</sup> These private forests provide myriad public benefits—clean air, clean

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<sup>1</sup> Family Forest Research Center, 2014 Preliminary Data.

<sup>2</sup> USDA, May 2008, *Who Owns America's Forests?*

water, recreation, renewable resources that build our homes and communities, and good-paying rural jobs.

#### FOREST HEALTH INVESTMENTS NEEDED

The threats are daunting. Close to 500 species of tree-damaging pests from other countries have become established in the country, and a new one is introduced, on average, every 2 to 3 years. The USFS Forest Health Protection (FHP) Program is a critical resource supporting efforts to prevent, contain, and eradicate dangerous pests and pathogens affecting trees and forests. The program provides critical assistance to other Federal agencies, State agencies, local agencies and private landowners.

In fiscal year 2013, the FHP Program combated pests on over 285,000 acres of Federal lands and over 444,000 acres of Cooperative lands. Funding cuts meant 321,000 fewer acres were treated on Cooperative lands in fiscal year 2013 than in fiscal year 2011. Any further cuts to this program will necessitate deeper reductions in support for communities already facing outbreaks and expose more of the Nation's family-owned forests to the devastating and costly effects of the Asian Longhorned Beetle, Emerald Ash Borer, Hemlock Woolly Adelgid, Thousand Cankers Disease, Western Bark Beetle and other pests.

#### INVEST IN A MORE FOCUSED, IMPACTFUL FOREST STEWARDSHIP PROGRAM

Over the last few years, there have been significant cut backs in outreach and technical assistance provided to woodland owners, as agency budgets have shrunk, and industry has cut back or eliminated their outreach foresters. This greatly concerns woodland owners across the country, who rely on programs like the Forest Stewardship Program and State forest agency service foresters. The Forest Stewardship Program has been the backbone of the American Tree Farm System, providing the support to woodland owners to ensure they have management plans for certification and can subsequently access certified wood product markets.

These cuts are also of great concern because of the growing number of "unengaged" woodland owners—those 95 percent of woodland owners who are not actively managing their land, and therefore have forests that are more susceptible to the threats mentioned above.

To address some of this loss, AFF is currently piloting, together with several State forest agencies, conservation groups, and industry partners, a number of innovative landowner outreach tools, using micro-targeting and social marketing strategies, to more efficiently and effectively engage "unengaged" woodland owners. To date, we've seen a 12 percent response rate, compared with a 3–4 percent response rate that forest agencies, extension agents, and organizations typically see.

Tools like these, combined with a more focused Forest Stewardship Program that concentrates on landowner outreach and assistance in priority areas like those identified in each State's Forest Action Plan, have significant potential to leverage the Forest Stewardship Program further and lead to even greater impact on the ground.

#### SUPPORT THE LANDSCAPE SCALE RESTORATION PROGRAM, TARGETING OUTCOMES IN CRITICAL AREAS

To complement the ongoing work of the Forest Stewardship Program and further target measurable outcomes in high-priority areas, AFF strongly urges the subcommittee to provide support for the relatively new Landscape Scale Restoration program.

Partners, such as the American Forest Foundation, can leverage the work of this State and Private Forestry Program to maximize on-the-ground impact and engage landowners in targeted forest conservation activities. With this program, the USFS is well-positioned to address the most pressing threats, protect the many public benefits we all enjoy from forests, and leverage Federal efforts for meaningful, measurable impact.

#### MAINTAINING ESSENTIAL INFORMATION FOR FOREST MANAGEMENT OF FAMILY-OWNED WOODLANDS

All of these programs must be grounded in the sound science and sound forest information provided by the U.S. Forest Service's Forest Inventory and Analysis (FIA) Program and the Research and Development Programs (R&D). These programs provide irreplaceable data about our forests and give landowners the tools to know how to manage the growing threats they face.

As our Nation's forest census, the FIA program provides critical updates on forest health and market trends—better equipping forest owners nationwide to mitigate

the impact of impending threats and concerns. FIA also provides a census of the trends in family forest ownership, demographics, and trends, so we can better understand how to work with this significant ownership group, most of whom, as mentioned above are “unengaged” in active forest management.

In particular, the USFS Research and Development Program provides the science to help manage invasive species in urban and rural forests. AFF believes it is vitally important to conduct research aimed at improving detection and control methods for the Emerald Ash Borer, Hemlock Woolly Adelgid, Sudden Oak Death, Thousand Cankers Disease, Gold-spotted Oak Borer and other non-native forests pests and diseases.

The R&D function is not only essential for providing forest management research, it is also on the leading edge of providing new information about the use of wood products, which can help create new markets for products from family-owned woodlands. This information helps position wood in growing markets, like green building markets, where understanding the environmental impacts of building materials is key. We urge the subcommittee to call on R&D to invest an additional \$3 million in green building research through the Forest Products Laboratory to continue this important work.

#### SUPPORT A SOLUTION TO THE WILDFIRE FUNDING PROBLEM

Over the last decade, wildfire expenses have significantly increased, and the Federal wildfire budgets often are not sufficient to cover the costs, leading the Federal agencies to transfer funds from non-fire accounts to cover fire fighting expenses. In fiscal year 12, the USFS transferred \$440 million and in fiscal year 13 the transfer cost was upped to \$600 million. Understandably, this has caused significant disruptions in forest programs, including programs like the Forest Stewardship and Forest Health Protection Programs that aide family woodland owners in their stewardship.

These disruptions clearly demonstrate the urgent need to change the Federal suppression funding model. This pattern of funding is neither efficient nor sustainable. The Wildfire Disaster Funding bill (S. 1875 and H.R. 3992) would provide the USFS and Department of the Interior with a funding structure similar to that used by other agencies that respond to natural disaster emergencies, which have budget cap exemptions for a portion of disaster funding. This important change would enable agencies to reinvest in core activities which have been reduced in recent years due to a continued shift of limited resources to fund wildfire suppression, including the very programs that would help to decrease wildfire costs over time. We urge the subcommittee to support the Wildfire Disaster Funding bill solution.

To conclude, AFF recognizes the subcommittee must find areas to reduce spending. We ask the subcommittee to consider the impact these reductions will have on the country’s nearly 22 million family forest owners and every American who benefits daily from the positive externalities of well-managed, working forests.

I thank the subcommittee for the opportunity to provide some insight on these programs and appreciate consideration of my testimony.

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#### PREPARED STATEMENT OF AMERICAN FORESTS

Dear Chairman Reed, Ranking Member Murkowski, and honorable members of the subcommittee: American Forests appreciates the opportunity to submit public testimony regarding our fiscal year 2015 appropriation recommendations. We understand the continuing economic realities facing the Nation, and we thank this subcommittee for its support of key Federal conservation programs in the Consolidated Appropriations Act of 2014. The return on investing in our Nation’s forests is great, whether those forests are public or private, urban or rural. The economic, social, and environmental benefits healthy forests provide are clear incentives for Federal investment. American Forests’ funding recommendations are generally consistent with the President’s budget requests for the USDA Forest Service (USFS), Department of Interior (DOI), and the Environmental Protection Agency (EPA), with the exception of programs that merit a return to the fiscal year 2012 enacted levels.

Founded in 1875, American Forests is the oldest national nonprofit conservation organization in the country with the mission to protect and restore forests. It has served as a catalyst for many of the most important milestones in the conservation movement, including the founding of the USDA Forest Service, the Conservation Corps, the National Park System, and thousands of forest ecosystem restoration projects and public education efforts. Since 1990, American Forests has planted more than 46 million trees in all 50 States of U.S. and 44 countries, resulting in cleaner air and drinking water, restored habitat for wildlife and fish, and the removal of millions of tons of carbon dioxide from the atmosphere.

The economic benefits of outdoor recreation and natural resource conservation highlight the importance of American Forests' efforts. A recently published report found that the combined value of outdoor recreation and natural resource conservation annually generates at least \$1.7 trillion in economic activity, supports 12.8 million jobs, and brings in \$211 billion in tax revenue.<sup>1</sup> As the report notes, "this sector of the U.S. economy is larger than the U.S. auto and pharmaceutical industries combined." Protecting and restoring our forests will ensure on-going economic and environmental viability for our communities.

USDA FOREST SERVICE

*National Forest System*

*Integrated Resource Restoration.*—The administration's proposal for an Integrated Resource Restoration (IRR) budget consolidation represents the USFS's approach to accelerated restoration. American Forests believes that the administration's proposals for fiscal year 2015 will help move the agency in the right direction by encouraging collaborative efforts with communities and partners to identify and address priorities at a landscape or watershed scale. American Forests supports the President's request of \$820 million to aid in the restoration of our Nation's forests.

*Restoration Partnerships.*—For more than two decades, American Forests has worked with the Forest Service restoring our national forests after a wildfire or other natural events. We have planted millions of trees in our national forests and appreciate the working relationship we have with USFS, which helps us provide these services. Currently, this line item is absorbed into the IRR budget reorganization. However, if this committee does not support that budget consolidation, we want to emphasize the importance of these efforts. American Forests supports the fiscal year 2015 level of \$2 million in support of partnerships that restore our National Forests.

*Collaborative Forest Landscape Restoration Program (CFLRP).*—This program was created to promote job stability, reliable wood supply, forest health, and reduce emergency wildfire costs and risks. In the first 4 years of the program, projects funded through CFLRP have: reduced hazardous fuels on 588,000 acres to protect communities, generated 814 million board feet of timber, made nearly 2 million green tons of biomass available for bioenergy production, and enhanced habitat on 474 miles of streams. American Forests supports the President's fiscal year 2015 request of \$60 million; predicated on the expansion of the program through the necessary legislative action.

*Forest and Rangeland Research*

The Forest and Rangeland Research appropriations provides funds to develop and deliver knowledge and innovative technology to improve the health and use of the Nation's forests in both public and private lands. In the last 20 years, the number of USFS research scientists has declined from more than 2,000 to under 500 scientists today. This significantly reduces the Forest Service's ability to provide the answers it needs to sustainably manage the National Forests, as well as deliver technical assistance to private forest owners and urban forest managers. American Forests requests the fiscal year 2012-enacted level of \$295.3 million for the entirety of Forest and Rangeland Research.

*State and Private Forestry*

*Urban and Community Forestry (U&CF).*—Urban forests make a significant contribution to the quality of life in communities across the country. In 2013, the U&CF program delivered technical, financial, educational, and research assistance to 7,292 communities and nearly 198 million people, more than 60 percent of the U.S. population. Urban forests are integral to any community striving to reinvest in itself, encourage active, healthy citizens, and create a healthier and more sustainable environment with smart green infrastructure. American Forests requests the fiscal year 2012-enacted levels for the Urban and Community Forestry program at \$31.37 million.

*Forest Health Management.*—Exotic pests and invasive species are among the greatest threats to urban and rural forests. Non-native pests already cost city governments \$2 billion each year to remove and replace trees killed by pests. The substantial loss of trees in our communities impacts quality of life and property values. Funding for the Forest Health Program supports activities related to prevention, suppression, and eradication of insects, diseases, and plants, as well as conducting

<sup>1</sup> Southwick Associates, "The Combined Value of Outdoor Recreation, Natural Resource Conservation, and Historical Preservation, 2013," April 8, 2013.

forest health monitoring. American Forests supports the President's combined fiscal year 2015 request for the Forest Health Management Program on Federal and cooperative lands at \$104.57 million.

DEPARTMENT OF INTERIOR

*Bureau of Land Management (BLM)*

*Public Domain Forest Management.*—The BLM is entrusted with the management and ecosystem health and recovery of 58 million acres of forests and woodlands across 12 western States, including Alaska. According to the Department of the Interior's 2012 Economic Impact Report, timber harvested from Public Domain forests supported \$659 million in economic activity, and biomass from BLM forests has become part of the feedstock that meets various State and Federal renewable energy portfolio standards. However, 14 million acres—or 24 percent—of BLM forests are overstocked at increased risk of insect and disease attacks and catastrophic wildfire. Increased funding to address these serious risks is necessary across all land management agencies. American Forests supports the President's fiscal year 2015 request at \$9.93 million.

*Fish and Wildlife Service*

*Endangered Species Program.*—For 40 years, the Endangered Species Act has helped prevent the extinction of our Nation's treasured wildlife and plant species, many of which thrive in forested habitat. While the Act has made significant strides in protecting our most imperiled species, there are still major shortfalls. Numerous species in need of protection, including the whitebark pine, are precluded from the list because of the lack of adequate resources. American Forests supports the President's fiscal year 2015 request of \$170.51 million.

*National Wildlife Refuge System.*—The Refuge System, with 561 refuges of more than 150 million acres across the country, is vital to protecting America's wildlife and ensuring that these habitats are a priority. Because refuges are visited by approximately 45 million people each year and generate more than \$4.2 billion in economic output and more than 34,000 jobs in recreation spending,<sup>2</sup> investment in the Refuge system is an investment in our communities. While it is well documented that an annual operations and maintenance budget should total at least \$900 million,<sup>3</sup> American Forests supports the President's fiscal year 2015 request for \$476.40 million.

*National Park Service (NPS)*

*National Park System.*—American Forests was instrumental nearly 100 years ago in the creation of our national parks and continues to this day supporting the service that stewards these iconic landscapes. However, many of these forested parks are threatened by a series of stresses. Invasive species and uncontrolled outbreaks of pests have left these forested treasures vulnerable. American Forests is dedicated to aiding in the restoration of these parks, especially those in the intermountain west affected by the mountain pine bark beetle. As such, American Forests supports the President's fiscal year 2015 total budget request of \$2.28 billion.

*Urban Parks Recreation and Recovery.*—The reestablishment of this program, proposed to be funded through the Land and Water Conservation Fund, is essential to bring nature to urban communities. These competitive grants focus on engaging and connecting communities, especially young people, to their neighborhood parks through projects that would revitalize and rehabilitate park and recreation opportunities. As a leader in the urban forestry field, American Forests applauds the renewed efforts of the NPS and the Department of Interior to improve park units that will impact urban economies and the quality of life for urban residents by creating open green space. American Forests supports the President's fiscal year 2015 request of \$25 million.

ENVIRONMENTAL PROTECTION AGENCY

Urban and rural forests offer fiscally-sound green solutions to the management of stormwater, water storage, groundwater recharge, and pollutant reduction.

*Green Infrastructure and Clean Water.*—American Forests supports the EPA's goal of strengthening green infrastructure activities to further sustainability goals, particularly in urban, underserved and economically distressed communities by in-

<sup>2</sup>The Department of the Interior's Economic Contributions fiscal year 2011 report, p.21; 2006 Banking on Nature report.

<sup>3</sup>"Restoring America's Wildlife Refuges 2011: Assets for All Americans," Cooperative Alliance for Refuge Enhancement.

corporating green infrastructure and enhancing stormwater management. American Forests also strongly supports efforts to expand the use of green infrastructure to meet Clean Water Act goals, however we would like to see the targeting of 20 percent of the Clean Water State Revolving Funds (CWSRF) increased to include a variety of green infrastructure projects. American Forests supports the President's fiscal year 2015 request of \$5 million to strengthen green infrastructure activities, and the fiscal year 2014 enacted level of \$1.449 billion for CWSRF.

*Urban Waters Federal Partnership.*—This 13 interagency effort, coordinated by the EPA, helps stimulate local economies, create jobs, improve quality of life, and protect health by revitalizing urban waterways, the urban forests that protect them and the communities around them, focusing on underserved urban communities of all sizes. American Forests supports the President's fiscal year 2015 request of \$3.49 billion for supporting EPA's goal of protecting America's Waters, where this program sits within the EPA.

#### LEGISLATIVE LANGUAGE REQUEST

##### *Wildfire Suppression Funding*

Funding wildfire suppression has been an ongoing struggle for the Forest Service and the Department of Interior. As the wildfires become more frequent and more severe, which they are projected to become, a new solution to how the Agencies fund suppression needs to occur. American Forests respectfully requests the subcommittee address the wildfire suppression funding issue by including language from the bipartisan Wildfire Disaster Funding Act (WDFDA—H.R. 3992; S. 1875) in the fiscal year 2015 Interior, Environment, and Related Agencies appropriations bill. This language provides the structure to fund a portion of the USFS and DOI wildfire suppression costs through a budget cap adjustment under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. This would provide the USFS and DOI with a funding structure similar to that used by other agencies who respond to natural disaster emergencies.

##### *Land and Water Conservation Fund*

American Forests supports the permanent authorization of full and dedicated funding, without further appropriation or fiscal year limitation for the Land and Water Conservation Fund (LWCF). LWCF programs protect natural resource lands, outdoor recreation opportunities and working forests at the local, State and Federal levels, ensuring these important lands are protected for current and future generations. American Forests supports the fiscal year 15 budget request which calls for permanent authorization of \$900 million in mandatory funding for LWCF programs in the Departments of Interior and Agriculture beginning in 2016. During the transition to permanent funding in 2015, the budget proposes \$350 million in discretionary and \$550 million in permanent funding, shared by the Departments of Interior and Agriculture. This includes level discretionary funding for State Assistance grants at \$48.1 million, which includes \$3 million for "Competitive Grants."

#### PREPARED STATEMENT OF THE AMERICAN GEOSCIENCES INSTITUTE

Thank you for this opportunity to provide the American Geosciences Institute's (AGI) perspective on fiscal year 2015 appropriations for geoscience programs within the subcommittee's jurisdiction. We ask the subcommittee to support and sustain the critical geoscience work of the United States Geological Survey (USGS), the National Park Service, and the Smithsonian Institution. Specifically, we ask support for the President's request for \$1.074 billion for USGS but we request a more balanced distribution for these funds within USGS, \$225 million for the National Park Service's Natural Resource Stewardship and Everglades Restoration activities, and \$850 million for the Smithsonian Institution.

The Earth provides the energy, mineral, water, and soil resources that are essential for a thriving economy, national security, and a healthy population and environment. We emphasize the importance of understanding the Earth system, and particularly Earth's subsurface, in order to sustain human health and safety, energy and water supplies, and the quality of the environment, while reducing risks from natural hazards. The USGS is the Nation's only natural resource science agency that can provide the objective data, observations, analyses, assessments, and scientific solutions to intersecting Earth-focused issues.

AGI is a nonprofit federation of about 50 geoscientific and professional associations that represent approximately 250,000 geologists, geophysicists, and other Earth scientists who work in industry, academia, and government. Founded in 1948, AGI provides information services to geoscientists, serves as a voice of shared inter-

ests in our profession, plays a major role in strengthening geoscience education, and strives to increase public awareness of the vital role the geosciences play in society's use of resources, resilience to natural hazards, and the health of the environment.

U.S. GEOLOGICAL SURVEY

AGI supports the President's request for \$1.704 billion for USGS. We respectfully suggest that Congress should consider a balanced distribution of funds within USGS to allocate more resources to geoscience functions, for which USGS has unique national expertise and responsibilities.

*Need for balanced investment.*—Planet Earth strongly influences human safety, the economy, and people's quality of life. Earthquake, volcanic, and landslide hazards; the Earth's groundwater, mineral, geothermal energy, and fossil fuel resource potential; and the Earth's potential for waste disposal all relate to the subsurface. The USGS Organic Act recognizes the importance of understanding the geological structure of the country and unequivocally vests responsibility and authority for this in USGS.

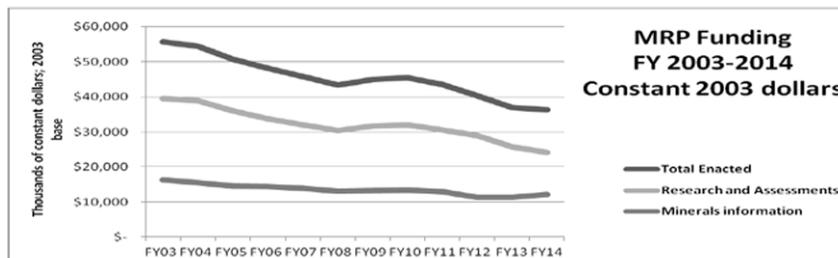
Table 1 highlights those Mission Areas and Accounts that are being cut relative to the overall USGS budget, and we note that they contain the majority of USGS's geoscience functions. We respectfully ask Congress to recognize the importance of geoscience to the Nation's safety, economy, defense, and quality of life, and to support USGS's mandated role by funding balanced investment in USGS programs.

TABLE 1. USGS BUDGET REQUEST, FISCAL YEAR 2015  
[Dollars in thousands]

Mission Area or Account	Fiscal year 2013	Fiscal year 2014 enacted	Percent change, fiscal year 2013–2014	Fiscal year 2015 request	Percent change, fiscal year 2014–2015	Percent change fiscal year 2013–2015
Ecosystems .....	149,086	152,811	2.5	162,025	6.0	8.7
Climate & Land Use .....	133,195	131,975	−0.9	149,081	13.0	11.9
Energy, Minerals .....	71,901	71,901	0.0	73,247	1.9	1.9
Environmental Health .....	18,614	19,614	5.4	25,826	31.7	38.8
Natural Hazards .....	123,536	128,486	4.0	128,339	−0.1	3.9
Water Resources .....	197,449	207,281	5.0	210,386	1.5	6.5
Core Science Systems .....	107,643	108,807	1.1	109,400	0.6	1.6
Science Support .....	110,704	110,704	0.0	108,267	−2.2	−2.2
Facilities .....	100,040	100,421	0.4	106,697	6.3	6.7
<b>Total USGS .....</b>	<b>1,012,168</b>	<b>1,032,000</b>	<b>2.0</b>	<b>1,073,268</b>	<b>4.0</b>	<b>6.0</b>

USGS provides impartial scientific information that underpins well-informed decisionmaking by the Department of the Interior, all levels of government, industry, and the public. It provides vital infrastructure through mapping, baseline studies, monitoring, and observations, in addition to cutting-edge research and analysis. Balanced investment in USGS should support both long-term data collection and project-specific research.

*Mineral Resources Program.*—Funding for the Mineral Resources Program (MRP) has been cut by more than one-third in constant dollar terms since 2003 (see figure below) and the President's request continues this trend. AGI urges Congress to increase funding for MRP and to allocate new money to USGS to add forecasting capabilities to its Minerals Information functions.



*Minerals Information.*—USGS is the sole provider of statistics and analysis on the supply of, demand for, and global flow of about 100 minerals and mineral materials for approximately 180 countries. The Departments of the Interior, Defense, and State, the CIA, the Federal Reserve, as well as manufacturing companies and the financial sector all rely on MRP for reliable, timely, accurate data to guide economic and strategic decisionmaking. Production of critical products is at risk because industry depends on a constant flow of raw materials, many of which are imported and some of which may be subject to disruptions in supply. AGI notes the lack of any capacity to forecast future trends in minerals and mineral commodities, making the country vulnerable to avoidable disruptions in critical material supplies. AGI urges Congress to add new money to enable USGS to develop this strategically important expertise.

*Energy Resources Program.*—AGI supports the increase in funding for geothermal resources studies but we do not support the proposed cut of \$1.5 million to energy research and assessment activities. These cuts are being made when the country is increasing its reliance on natural gas and when it is ever more important to understand the nature and distribution of our energy resources.

*Hydraulic Fracturing.*—AGI supports USGS efforts to better understand the scientific aspects of hydraulic fracturing, to reduce potential impacts, and to provide decision-support information. We support the allocation of \$8.3 million for scientific research on this economically important technology.

*Water Resources Program.*—The extreme drought situation in California, northern Texas, and surrounding areas highlights the importance of understanding the quality and quantity of our water resources. AGI is pleased to see increased investment in the National Groundwater Monitoring Network, streamgages, and other elements of the USGS Water Resources Program (WRP). We note the redistribution of funds within WRP to focus on selected areas and projects and we urge Congress to ensure that USGS continues to maintain and expand the nationwide, long-term data collection and research programs that support water planning and decisionmaking across all States.

*Natural Hazards Program.*—USGS is world-renowned for its information and research on earthquakes, the natural hazard that poses the greatest threat to life and the economy. USGS work on induced seismicity is contributing crucial information to the decisionmaking process about regulating hydraulic fracturing and injection wells. AGI views the elimination of \$700,000 from geodetic monitoring and active-source seismic profiling in order to fund work on induced seismicity as unwise. Both of these functions are important and one should not be sacrificed to fund the other.

Hurricane Sandy, sinkhole incidents in Florida, and the recent landslide in Washington State remind us of the tragic impacts of natural hazards. But we can use science to guide mitigation strategies and minimize damages. AGI supports robust funding of the Natural Hazards Program and urges Congress to consider funding at more than the President's request of \$128.4 million.

*National Cooperative Geologic Mapping Program (NCGMP).*—AGI is grateful to Congress for passing the reauthorization of the National Cooperative Geologic Mapping Program in the 2009 public lands omnibus (Public Law 111–11, Sec. 11001). This important 20-year-old partnership between the USGS, State geological surveys, and universities provides the Nation with fundamental data for addressing natural hazard mitigation, water resource management, environmental remediation, land-use planning, and raw material resource development. AGI thanks the committee for its previous support for the National Cooperative Geologic Mapping Program and supports the President's request for \$24.5 million in fiscal year 2015.

*Libraries and Data Preservation.*—Geological and geophysical data include rock and ice cores, fossil, oil, and rock specimens, paper records, and computer files that are worth far more than the cost of preserving them. The National Geological and Geophysical Data Preservation Program (NGGDP) generates more value in terms of economic development, environmental stewardship, hazard mitigation and fulfilling regulatory requirements than it costs to run. Books, maps, and specimens, many of which record observations of sites that no longer exist, are used extensively by geologists even in this digital age. The consolidation of USGS library space must not be at the expense of access to information. AGI supports the President's request for \$2.1 million for the NGGDP but notes with concern the reductions being implemented to USGS libraries.

#### SMITHSONIAN INSTITUTION

The Smithsonian's National Museum of Natural History plays a dual role in communicating the excitement of the geosciences and enhancing knowledge through research and preservation of geoscience collections. AGI asks the subcommittee to pro-

vide steady funding to cutting-edge earth science research at the Smithsonian Institution. We support the President's request of \$851 million for the Smithsonian Institution in fiscal year 2015.

NATIONAL PARK SERVICE

National parks are very important to the geoscience community and the public as unique national treasures that showcase the geologic splendor of our country and offer unparalleled opportunities for research, education, and outdoor activities. The National Park Services' Geologic Resources Division was established in 1995 to provide park managers with geologic expertise. Working in conjunction with USGS and other partners, the division helps ensure that geoscientists are becoming part of an integrated approach to science-based resource management in parks. AGI supports the President's request for \$215 million for Natural Resource Stewardship activities and \$10 million for Everglades Restoration so the NPS can adequately address the treasured geologic and hydrologic resources in the National Parks.

Thank you for the opportunity to present this testimony to the subcommittee.

PREPARED STATEMENT OF THE AMERICAN HIKING SOCIETY

Hon. JACK REED, *Chairman,*  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, Dirksen Senate Office Building, Washington, DC.*

Hon. LISA MURKOWSKI, *Ranking Member,*  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, Hart Senate Office Building, Washington, DC.*

Dear Chairman Reed, Ranking Member Murkowski, and members of the subcommittee, I am writing regarding funding for the Land and Water Conservation Fund in fiscal year 2015. While current enacted funding is \$306 million and the administration's budget requests \$900 million, American Hiking Society believes \$350 million to be an amount that is within budgetary parameters yet can still accomplish at least some of the basic goals of this Fund.

Among the many worthwhile projects which could be funded at this level are ones which would impact America's National Scenic and Historic Trails. These trails are enjoyed by Americans coast-to-coast, providing a wonderful outdoor recreation experience to families and individuals. Additionally, these trails are a significant economic engine in their communities, many of which are rural in nature and rely on visitors to these iconic outdoor adventures to sustain them. Certainly tourism is one product that can't be outsourced and deserves a solid investment.

Among the National Scenic and Historic Trails which stand to benefit from funding the LWCF at the \$350 million level are:

- The Appalachian Trail
- The Ice Age Trail
- The Lewis & Clark Trail
- The New England Trail
- The Pacific Crest Trail
- And others.

Providing this LWCF funding to the National Trails System is critical to closing gaps in some of the trails and to preserving unique natural and cultural environs in others. Thank you for allowing American Hiking Society to provide our comments on funding the Land and Water Conservation Fund.

Sincerely,

GREGORY A. MILLER, PH.D.,  
*President.*

PREPARED STATEMENT OF THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

I. REQUEST SUMMARY

On behalf of the Nation's Tribal Colleges and Universities (TCUs), which collectively are the American Indian Higher Education Consortium (AIHEC), thank you for this opportunity to present our fiscal year 2015 appropriations recommendations for the 30 colleges funded under various titles of the Tribally Controlled Colleges and Universities Assistance Act (Tribal College Act); the Bureau of Indian Education postsecondary institutions; and the Institute of American Indian Arts. The Bureau of Indian Education administers these programs, save for the Institute of

American Indian Arts, which is congressionally chartered and funded directly through the Department of the Interior.

In fiscal year 2015, TCUs seek \$78.8 million for institutional operations, an endowment building program, and technical assistance under the Tribally Controlled Colleges and Universities Assistance Act of 1978 or Tribal College Act; of which, \$78.1 million for titles I & II grants (28 TCUs); \$109,000 for title III (endowment grants), and \$600,000 for increasingly needed technical assistance. TCUs are founded and chartered by our respective American Indian tribes, which hold a special legal relationship with the Federal Government, actualized by more than 400 treaties, several Supreme Court decisions, prior congressional action, and the ceding of more than one billion acres of land to the Federal Government. Despite the trust responsibility and treaty obligations, the TCUs' primary source of basic operating funds has never been adequately funded. Further, our member institutions—already operating on shoestring budgets—now are suffering the awful impact of sequestration. Should sequestration resume in fiscal year 2016, along with across the board cuts that have become part of the regular order, the tribal colleges will suffer even greater annual reductions to this already underfunded program. Regrettably, the more than 30-year Federal investment in this program, which has proven to be a cost-effective, efficient, and transformative, may be lost as some of tribal colleges could be forced to close their doors. They simply cannot continue to operate on the austere budgets they receive. After 34 years, our fiscal year 2015 request seeks to achieve 85 percent of the authorized funding level for institutional operating grants, which is based on a per Indian student allocation; and to retain \$600,000 to provide critically needed ever changing technical assistance.

AIHEC's membership also includes tribally controlled postsecondary career and technical institutions, a portion of whose institutional operations funding is authorized under title V of the Tribal College Act. AIHEC requests \$9,372,000 for this program. For the Institute of American Indian Arts, AIHEC supports the President's budget request of \$11,469,000, of which \$2,000,000 is to begin to forward fund the college. Haskell Indian Nations University and Southwestern Indian Polytechnic Institute are the two Bureau of Indian Education's two postsecondary institutions. AIHEC supports the highest possible funding level for these valuable institutions.

Lastly, AIHEC seeks a one-time appropriation of \$22 million needed to forward fund the operations grants of the remaining TCUs that are not so funded. Five TCUs are the ONLY schools whose operations funding come from the Department of the Interior that are NOT forwarded funded. All other BIE/Interior schools are forward funded and are able to plan multi-year budgets and to start (and end) the school year with dependable funding. Forward funding does NOT increase the Federal budget over the long-run. It simply allows vital education programs to receive basic operating funds before each school year begins, which is critically important when the Federal Government is funded under continuing resolutions.

## II. TCU SHOESTRING BUDGETS: "DOING SO MUCH WITH SO LITTLE"

Tribal Colleges and Universities are an essential component of American Indian/Alaska Native (AI/AN) education. Currently, 37 TCUs operate more than 75 campuses and sites in 16 States, within whose geographic boundaries 80 percent of all American Indian reservations and Federal Indian trust land lie. They serve students from well over 250 federally recognized tribes, 80 percent of whom receive Federal financial aid. In total, the TCUs annually serve about 88,000 AI/ANs through a wide variety of academic and community-based programs. TCUs are public institutions accredited by independent, regional accreditation agencies and like all U.S. institutions of higher education must periodically undergo stringent performance reviews to retain their accreditation status. Each TCU is committed to improving the lives of its students through higher education and to moving American Indians toward self-sufficiency. To do this, TCUs must fulfill additional roles within their respective reservation communities functioning as community centers, libraries, tribal archives, career and business centers, economic development centers, public meeting places, and child and elder care centers.

The Federal Government, despite its direct trust responsibility and treaty obligations, has never fully funded the TCUs' institutional operating budgets, authorized under the Tribally Controlled Colleges and Universities Assistance Act of 1978. In fact, TCU operating funding is far below the level received by other institutions of higher education. The administration requests and Congress appropriates approximately \$200 million annually towards the institutional operations of Howard University (exclusive of its medical school), the only other Minority Serving Institution (MSI) that receives institutional operations funding from the Federal Government. Howard University's current Federal operating support exceeds \$22,000/student, be-

cause this is the level of need as determined by the U.S. Government. In contrast, most TCUs receive \$5,850/Indian Student (ISC) under the Tribal College Act, only about 73 percent of the authorized level. TCUs have proven that they need and have earned an investment equal to—at the very least—the congressionally authorized level of \$8,000/Indian student. Please understand that we are by no means suggesting that our sister MSI, Howard University does not need or deserve the funding it receives, only that the TCUs also need and deserve adequate institutional operations funding; however, TCU operating budgets remain grossly underfunded.

TCU budgets are at a further disadvantage because the colleges receive funding for only about 80 percent of their students. Almost every other U.S. institution of higher education receives institutional operations funding based on its entire student body. However, it is important to note that although approximately 20 percent of the TCUs' collective enrollments are non-Indian students living in the local community, TCUs only receive Federal funding based on Indian students, defined as a member of a federally recognized tribe or a biological child of an enrolled tribal member. While many TCUs do seek funding from their respective State legislatures for their non-Indian State-residents students (sometimes referred to as "non-beneficiary" students) successes have been at best inconsistent. Yet, if a TCU's non-beneficiary students attended any other public institution in the State, the State would provide the college with ongoing funding toward its day-to-day operations. Given their locations, often hundreds of miles from another postsecondary institution, TCUs remain open to all students, Indian and non-Indian, believing that education in general, and postsecondary education in particular is the catalyst for a better economic future for their regions.

### III. FURTHER JUSTIFICATIONS & FACTS

(a) TCUs provide access to valuable postsecondary education opportunities. Tribal Colleges and Universities provide access to higher education for American Indians and others living in some of the Nation's most rural and economically depressed areas. In fact, seven of the Nation's 10 poorest counties are home to a TCU. The American Community Survey/U.S. Census Bureau reported the annual per capita income of the U.S. population as \$27,100. However, the annual per capita income of AI/ANs is reported to be \$13,300, or less than half that of the general population. TCUs offer their students a high level of support and guidance to bolster their chances of achieving academic success. In addition to serving their student populations, these tribal institutions offer a variety of much needed community outreach programs.

(b) TCUs are producing an American Indian workforce that includes highly trained American Indian teachers, tribal government leaders, nurses, engineers, computer programmers, and other much-needed professionals. By teaching the job skills most in demand on their reservations, TCUs are laying a solid foundation for tribal economic growth, with benefits for surrounding communities and the Nation as a whole. In contrast to the high rates of unemployment on many reservations, graduates of TCUs are employed in "high demand" occupational areas such as Head Start teachers, elementary and secondary school teachers, agriculture and land management specialists, and nurses/healthcare providers. Just as important, the vast majority of tribal college graduates remains in their tribal communities, applying their newly acquired skills and knowledge where they are most needed.

(c) *Growing number of TCUs.*—Compounding existing funding disparities is the fact that although the numbers of TCUs and students enrolled in them have dramatically increased since they were first funded in 1981, appropriations have increased at a disproportionately low rate. Since 1981, the number of tribal colleges has more than quadrupled and continues to grow; the number of Indian students enrolled has risen over 355 percent. In the past 10 years, six additional TCUs have become accredited and eligible for funding under title I of the Tribal College Act, and there are several more colleges currently in the pipeline. TCUs are in many ways victims of their own successes. The growing number of tribally chartered colleges and universities and increasing enrollments have forced TCUs to slice an already inadequate annual funding pie into even smaller pieces.

(d) *Local Tax and Revenue Bases.*—TCUs cannot rely on a local tax base for revenue. Although tribes have the sovereign authority to tax, high reservation poverty rates, the trust status of reservation lands, and the lack of strong reservation economies hinder the creation of a reservation tax base. As noted earlier, on Indian reservations that are home to TCUs, the unemployment rate can well exceed 70 percent. By contrast, the national unemployment rate is currently 6.7 percent.

(e) *Gaming and the TCUs.*—Although several of the reservations served by TCUs do have gaming operations, these are not the mega-casinos located in proximity to

urban outlets and featured in the broad-based media. Only a handful of TCUs receive regular income from the chartering tribe's gaming revenue, and the amounts received can vary greatly from year to year. Most reservation casinos are small businesses that use their gaming revenue to improve the local standard of living and potentially diversify into other, more sustainable areas of economic development. In the interim, where relevant, local TCUs offer courses in casino management and hospitality services to formally train tribal members to work in their local tribally run casinos.

Some form of gaming is legalized in 48 States, but the Federal Government has not used the revenues generated from State gaming as a justification to decrease Federal funding to other public colleges or universities. Some have suggested that those tribes that operate the few enormously successful and widely publicized casinos should be financing higher education for all American Indians. And yet, no State is expected to share its gaming revenue with a non-gaming State.

#### V. APPROPRIATIONS REQUEST FOR FISCAL YEAR 2015

As noted earlier, it has been over three decades since the Tribal College Act was first funded, and the TCUs have yet to receive the congressionally authorized per Indian student funding level. Full funding for the TCUs' institutional operating grants (\$8,000 per Indian student) for fiscal year 2015 would require an increase of approximately \$24 million over the fiscal year 2014 appropriated level. However, we recognize the budget constraints the Nation is currently facing and consequently, we are not requesting that level of increase in fiscal year 2015. Rather, our goal is to achieve 85 percent of the authorized funding level, determined by the per Indian student allocation. This requires a modest increase of \$9 million over fiscal year 2014. Details of the request are outlined in the Request Summary above.

#### VI. CONCLUSION

AIHEC Member institutions/Tribal Colleges and Universities provide quality higher education to many thousands of American Indians and other reservation residents who might otherwise not have access to such opportunities. The modest Federal investment that has been made in TCUs has paid great dividends in terms of employment, education, and economic development. Continuation of this investment makes sound moral and fiscal sense.

We greatly appreciate your past and continued support of the Nation's Tribal Colleges and Universities and your serious consideration of our fiscal year 2015 appropriations requests.

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#### PREPARED STATEMENT OF THE AMERICAN INSTITUTE OF BIOLOGICAL SCIENCES

The American Institute of Biological Sciences (AIBS) appreciates the opportunity to provide testimony in support of appropriations for the United States Geological Survey (USGS), United States Forest Service (USFS), and Environmental Protection Agency (EPA) for fiscal year 2015. AIBS encourages Congress to provide the USGS with \$1.2 billion in fiscal year 2015, with at least \$180 million for the Ecosystems activity. We further request that Congress provide the USFS Forest and Rangeland Research program with at least \$310 million, and EPA's Office of Research and Development with at least \$597 million.

The AIBS is a nonprofit scientific association dedicated to advancing biological research and education for the welfare of society. AIBS works to ensure that the public, legislators, funders, and the community of biologists have access to and use information that will guide them in making informed decisions about matters that require biological knowledge. Founded in 1947 as a part of the National Academy of Sciences, AIBS became an independent, member-governed organization in the 1950s. Today, AIBS has more than 140 member organizations and is headquartered in Reston, Virginia, with a Public Policy Office in Washington, DC.

#### U.S. GEOLOGICAL SURVEY

The USGS provides unbiased, independent research, data, and assessments that are needed by public and private sector decision-makers. Data generated by the USGS save taxpayers money by reducing economic losses from natural disasters, allowing more effective management of water and natural resources, and providing essential geospatial information that is needed for commercial activity and natural resource management. The data collected by the USGS are not available from other sources and our Nation cannot afford to sacrifice this information.

The Ecosystems activity within USGS underpins the agency's other science mission areas by providing information needed for understanding the impacts of water use, energy exploration and production, and natural hazards on natural systems. The USGS conducts research on and monitoring of fish, wildlife, and vegetation—data that informs management decisions by other Interior bureaus regarding protected species and land use. Biological science programs within the USGS gather long-term data not available from other sources. The knowledge generated by USGS programs is used by Federal and State natural resource managers to maintain healthy and diverse ecosystems while balancing the needs of public use.

Examples of successful USGS Ecosystem initiatives include:

- Development of comprehensive geospatial data products that characterize the risk of wildfires on all lands in the United States. These products are used to allocate firefighting resources and to plan fuel reduction projects.
- Identification of white-nose syndrome, a fungus that is devastating U.S. bat populations and is jeopardizing the multi-billion dollar pest control services provided by bats.
- Identification and evaluation of control measures for Asian carp, sea lamprey, Burmese pythons, and other invasive species that cause billions of dollars in economic losses.
- Study of the impacts of solar energy and other next generation energy sources on wildlife and endangered species.

The requested fiscal year 2015 budget would support several important ecosystem science priorities at USGS. The budget would expand detection and control of invasive species and improve predictive tools. USGS would also support efforts to further the science and integration of ecosystems services frameworks into decision-making and implement efforts to assess and sustain the Nation's environmental capital. Additionally, USGS would be able to address disconcerting declines in native pollinators.

The request includes additional funding for research to inform adaptive management of severe and prolonged drought. The budget would also provide an increase for the National Streamflow Information Program, which supports USGS' national network of streamgages.

New funding is proposed for the Cooperative Research Units to increase undergraduate and graduate student involvement in Interior research. Roughly 500 graduate students each year receive training at Cooperative Research Units. Through the units, the USGS and their partners address pressing issues facing natural resource managers at the local, State, and Federal levels. Examples of recent research initiatives include studying the effects of the Gulf of Mexico oil spill on wildlife and fisheries, and studying the impacts of wildfires on forest ecology. The program is an efficient use of resources: each Federal dollar invested in the program is leveraged more than five-fold.

Although the proposed budget supports many USGS priorities, the requested funding level would result in \$41.3 million in cuts to programs that support agency core missions. Indeed, the budget request for Ecosystems is less than the agency received in fiscal year 2002 in nominal dollars.

In summary, the USGS is uniquely positioned to provide a scientific context for many of the Nation's biological and environmental challenges, including water quality and use, energy independence, and conservation of biological diversity. This array of research expertise not only serves the core missions of the Department of the Interior, but also contributes to management decisions made by other agencies and private sector organizations. An investment of \$1.2 billion in the USGS and at least \$180 million in the Ecosystems activity will yield dividends.

#### U.S. FOREST SERVICE

United States Forest Service research provides scientific information and new technologies to support sustainable management of the Nation's forests and rangelands. These products and services increase the basic biological and physical knowledge of the composition, structure, and function of forest, rangeland, and aquatic ecosystems.

The fiscal year 2015 budget request would cut funding for Forest Service research by 6 percent—well in excess of the 2.6 percent cut proposed for the entire agency. The Forest and Rangeland Research division would lose 114 employees as a result.

The proposed budget cuts would impact research on wildland fires, invasive species, wildlife and fish, and resource management. USFS' research on wildland fire and fuels evaluates the effectiveness of hazardous fuels treatments and helps managers as they protect life and property and restore fire-adapted ecosystems. Other

programs support key areas of scientific research, the outcomes of which inform sustainable management of the Nation's forests and rangelands.

We ask Congress to restore the proposed cuts and to fund the Forest and Rangeland Research program at \$310 million, the same amount as in fiscal year 2010.

ENVIRONMENTAL PROTECTION AGENCY

The Office of Research and Development (ORD) supports valuable extramural and intramural research that is used to identify and mitigate environmental problems facing our Nation. ORD research informs decisions made by public health and safety managers, natural resource managers, businesses, and other stakeholders concerned about air and water pollution, human health, and land management and restoration. In short, ORD provides the scientific basis upon which EPA monitoring and enforcement programs are built.

Despite the important role played by ORD, its funding has declined by 17 percent in nominal dollars since fiscal year 2004, when it peaked at \$646.5 million. "This long-term decline has limited and will continue to limit the research that can be conducted to support the agency's effort to protect human health and the environment," according to the EPA's Science Advisory Board. "These limitations pose a vulnerability for EPA at a time when the agency faces significant science questions with long-term implications for protecting the environment and public health."

At \$537.3 million, the budget request for fiscal year 2015 falls far short of addressing past and current shortfalls. We ask that Congress restore funding for ORD to at least the fiscal year 2010 enacted level of \$596.7 million.

The Ecosystem Services Research program within ORD is responsible for enhancing, protecting, and restoring ecosystem services, such as clean air and water, rich soil for crop production, pollination, and flood control. The program has been long underfunded, according to the EPA Science Advisory Board, with a 58 percent budget decline over the last decade. We ask that Congress address the chronic underfunding of the program.

The Science to Achieve Results (STAR) program supports valuable research on human health and the environment through competitively awarded research grants. The program enables EPA to fill information gaps that are not addressed by intramural EPA research programs or by other Federal agencies.

Two valuable training opportunities for the next generation of scientists will be eliminated as part of a proposed governmentwide reorganization of science, technology, engineering, and mathematics education programs. Funding would be zeroed out for EPA STAR graduate fellowships and Greater Research Opportunities undergraduate fellowships. The Science Advisory Board "considers it a priority to increase STAR fellowships, if possible, because support for environmental scientists at an early stage in their careers is a cost-effective way to advance ORD's strategic goals." The National Academy of Sciences called the fellowship "a valuable mechanism for enabling a continuing supply of graduate students in environmental sciences and engineering." We are concerned that the elimination of these programs will be detrimental to preparation of the next generation of environmental scientists and engineers. We ask for the program to remain at EPA and to be supported at an adequate funding level.

ORD's Safe and Sustainable Water Resources program supports research that underpins safe drinking water for society. The program's research also focuses on better understanding resiliency of watersheds to stressors and factors that affect watershed restoration. The budget request would allow the program to pursue research that will inform decisions about water safety and to ensure the sustainability of our wetlands.

In conclusion, we request that Congress restore funding for the ORD to the fiscal year 2010 enacted level. These appropriation levels would allow ORD to address a backlog of research needs.

Thank you for your thoughtful consideration of this request.

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PREPARED STATEMENT OF THE ANIMAL WELFARE INSTITUTE

On behalf of the Animal Welfare Institute, I want to thank Chairman Reed, Ranking Member Murkowski, and the distinguished members of the subcommittee for this opportunity to submit testimony regarding funding for the agencies involved in white-nose syndrome research and management, as well as for other programs of the U.S. Fish and Wildlife Service, National Park Service (NPS), U.S. Geological Survey, U.S. Forest Service, and the Bureau of Land Management.

WHITE-NOSE SYNDROME (WNS)

\$2.5 million (President’s budget) ..... U.S. Fish and Wildlife Service/Science Support

Purpose: To fund research on ways to stop the development and spread of WNS, and the fungus that causes it, among bat populations.

\$500,000 ..... U.S. Geological Survey/Ecosystems

Purpose: To conduct research into WNS management to aid in the recovery of affected species and reduce the spread of the WNS fungus.

\$3 million ..... National Park Service/Park Management

Purpose: To inventory and protect NPS bat and cave resources; expand research into WNS management; monitor NPS resources for WNS; conduct public education about WNS; and standardize WNS screening procedures for visitors across park units.

\$750,000 ..... U.S. Forest Service/Research and Development

Purpose: To conduct research on managing WNS per the Service’s WNS science strategy.

\$250,000 ..... U.S. Forest Service/Forest Systems

Purpose: To inventory and monitor bat resources and manage WNS on Forest Service lands.

\$500,000 ..... Bureau of Land Management

Purpose: To fund field research related to WNS in bats and the inventorying and monitoring of bat resources on Bureau-administered lands.

Capitalizing on the investments and progress already made, the funds we request would support Federal programs to fight WNS, a disease the U.S. Fish and Wildlife Service estimates has killed at least 5.7 million bats since its 2006 outbreak. Caused by the invasive *Pseudogymn-oascus destructans* (Pd) fungus, WNS is present in 25 States and 5 Canadian provinces, and Pd in another 3 States. The disease or its fungus has affected 11 hibernating bat species so far, including the endangered Indiana, gray, and Virginia big-eared bats; 25 of our Nation’s 47 bat species may ultimately be at risk. Losses are so severe that FWS published a proposed rule to list the northern long-eared bat as endangered throughout its range, which is most of the eastern U.S., and is reviewing another two species for possible listing under the Endangered Species Act.

The loss of bats from WNS will likely have serious implications for our economy and environment. Bats are primary predators of night-flying insects, including agricultural pests that attack corn, soybeans, cotton, and other crops. By eating these pests, bats save farmers an average of \$22.9 billion per year by reducing the need for pesticides and lowering food production costs. Bats also perform ecological services for 66 plant species that produce timber. Healthy forests need healthy bats.

The Federal Government and its State, local, tribal, and nonprofit partners continue to make progress in fighting WNS. Thanks to Federal funding from previous years, these institutions are conducting research in line with the priorities identified at the 2014 WNS symposium: understanding the nature and dynamics of remnant bat populations in WNS-affected areas; understanding the nature and dynamics of Pd infectivity and virulence factors; and other questions such as biological control for WNS. These research directions hold promise for solutions to slow or stop the spread of the disease, and to alleviate its impacts on affected bats. In one of the past year’s notable findings, Forest Service scientists taxonomically reclassified the WNS fungus from *Geomyces destructans* to *Pseudogymnoascus destructans*. A goal of the WNS community is to pinpoint the WNS fungus’ harmful genes and silence them as a means of controlling the fungus; this research furthers that effort by shedding light on the genetic similarities and differences between the white-nose fungus and its closest, benign fungi relatives. Another positive development is the creation of the North American Bat Monitoring Program, which will be pilot-tested this summer. Until now, no coordinated or standard system for monitoring bat populations has existed within North America. As a result, wildlife managers and re-

searchers have lacked accurate data on which to base appropriate bat management actions. The program will benefit not only the WNS fight but also other bat conservation efforts.

These developments would not have been possible without funding. We thank Congress for recognizing the gravity of the WNS crisis and supporting agencies' response to the disease in past years. We have come so far in understanding WNS and determining directions for the fight against this devastating disease. Failing to adequately fund WNS response in fiscal year 2015 will undermine our hard-won progress, jeopardize the application of science to management, and thwart the impact of private funds leveraged to combat WNS. We recognize today's difficult budget situation but urge you to provide funding at the levels noted above.

Money spent on WNS is a wise investment. Preventing the spread of WNS will spare businesses the regulatory and other impacts of massive bat die-offs. The experience gained will aid in responding to future fungal outbreaks that may affect human health. Finally, fighting WNS now will reduce future harm to the economy from insect-related losses to agriculture and forestry and the cost of listed-species recovery. An ounce of prevention truly is worth a pound of cure.

FISH AND WILDLIFE SERVICE OFFICE OF LAW ENFORCEMENT—\$66.737 MILLION

The administration's fiscal year 2015 budget proposes a moderate funding increase for the FWS Office of Law Enforcement (OLE), one of the most important lines of defense for America's wildlife. OLE is tasked with enforcing over a dozen Federal wildlife and conservation laws that frequently impact both domestic and global security. Year after year, OLE protects the public against the illegal trade in wildlife and wildlife products—which is third only to the illicit trade in narcotics and weapons in terms of revenue generated globally—and the U.S. remains a source of, or destination for, much of this contraband. Even those who may not concern themselves with wildlife are reaping benefits as OLE protects against smuggling illegal substances and helps to thwart potentially devastating human health threats. It is critical that OLE receive adequate funding to fulfill its mission.

Accordingly, we support FWS's proposed appropriation of \$66.737 million for OLE, an increase of \$1.994 million over the fiscal year 2014 enacted budget, and the addition of seven full-time employees. This increase in funding and staff will provide for expanded forensics capability at the National Fish and Wildlife Forensics Laboratory, support the work of Special Agents and Wildlife Inspectors, and enhance the Service's ability to combat wildlife trafficking.

*National Fish and Wildlife Forensics Laboratory—\$1.247 million increase + 5 FTE*

The successful outcomes of enforcement cases would not be possible without the essential work of the National Fish and Wildlife Forensics Laboratory (NFWFL), used by FWS agents and inspectors to gather hard evidence in wildlife crime cases. The lab uses state-of-the-art science, along with years of institutional knowledge, to identify wildlife products by species, determine the cause of death, and make other findings critical to a successful legal case. All 50 States and the 175 Convention on International Trade in Endangered Species (CITES) member countries depend on this facility to prosecute wildlife crimes.

It is heartening that \$1.247 million of the proposed \$1.994 million increase to OLE's budget and 5 of the 7 additional full time employees will be allocated to the NFWFL's work. This will aid in the advancement of research involving genetic markers and isotope analysis, which will ultimately improve investigators' ability to determine the geographic origin of animals and animal parts. These funds would also serve to develop the laboratory's Morphology Section, where there is a great need for both hiring and training of forensics experts.

*Program Activities/Special Agents and Wildlife Inspectors—\$247,000 increase*

The Fish and Wildlife Service Special Agents and Wildlife Inspectors who enforce U.S. wildlife laws play a critical role in protecting our Nation's wildlife. Special Agents aid in the reduction of illegal trade in wildlife and wildlife products, which continues to imperil species in the U.S. and around the world. Wildlife Inspectors play a similarly valuable role, minimizing illegal contraband shipments, uncovering smuggled goods and illegal trade rings at the border, and thwarting national and global health risks associated with importing non-native species.

In fiscal year 2013, FWS Special Agents pursued 10,422 investigations involving 180,368 wildlife shipments, including 157,065 shipments containing foreign species. Agents identified 1,824 individuals/businesses conducting illegal activities involving migratory birds; 2,535 individuals/businesses engaged in crime involving threatened and endangered species; and 7,521 individuals/businesses conducting illegal activities involving foreign species. These enforcement activities resulting in \$24.6 million

in fines and penalties, 45.9 years of jail time for the perpetrators, and 452.7 years of probation.<sup>1</sup>

In the same year, FWS Wildlife Inspectors processed approximately 182,000 declared shipments of wildlife products worth over \$6.2 billion.<sup>2</sup> This impressive record merits proper funding and staffing adequate to fulfill OLE's mission.

*Wildlife Trafficking—\$500,000 increase + 2 FTE*

FWS's Special Investigations Unit (SIU) works to address complex wildlife trafficking cases, including cases involving critically endangered species. Poaching is on the rise internationally, and SIU's investigation and enforcement work is of critical importance to making the United States a part of the solution. Both the Administration's National Strategy for Combating Wildlife Trafficking and the President's Executive Order on combating wildlife trafficking highlight the prevention of wildlife crime as a national priority.

Increasing its staff from 6 to 8 agents will provide SIU with the capacity to undertake a national investigation of the trade in ivory, including both importation and smuggling within the United States, while continuing its national and international efforts to investigate rhino horn trafficking. We support FWS's request for \$500,000 (of the total \$1.994 million requested increase) and 2 additional full time employee positions (of the 7 total FTE requested for law enforcement).

WILD FREE-ROAMING HORSES AND BURROS ACT

The wild horse is as much a symbol of our American heritage as the image of Uncle Sam and baseball. Currently, America's wild horses are subjected to gross mismanagement and mistreatment by the Bureau of Land Management (BLM), which uses a significant portion of its budget to round up and warehouse wild horses and burros without credible evidence supporting the need for such removals as recently documented by a National Academy of Science study. Furthermore, since 2004, wild horses have been at risk of being sold to killer-buyers who make a profit by sending horses to slaughter for human consumption—in fact, in recent years, hundreds of wild horses were sold to at least one known killer-buyer.

In 1971, Congress acted to protect these wild animals and their natural habitat. For the last few years, this subcommittee has also called on the BLM to find humane solutions, but they ignore options and fail to act responsibly. It is now time for Congress to act decisively to ensure these animals are neither sent into holding facilities nor sentenced to slaughter. BLM's proposed budget includes a program increase of \$2.8 million for wild horse and burro management. These funds are to be used for population control research, including ongoing studies that "focus on developing more effective and longer lasting fertility control agents. . . ."<sup>3</sup> We support these efforts and request that any increase in appropriations under the Wild Free-Roaming Horses and Burros Act be used solely for implementation of humane, on-the-range management methods such as immunocontraception, and not unnecessary roundup.

Finally, we strongly support the continued inclusion of this "no-kill" language to ensure that BLM does not kill healthy wild horses and burros: Provided, that appropriations herein made shall not be available for the sale or destruction of healthy, unadopted wild horses and burros in the care of the Bureau or its contractors.

NATIONAL PARK SERVICE LETHAL MANAGEMENT OF NATIVE WILDLIFE

In recent years, the National Park Service (NPS) has significantly expanded its lethal control of native ungulates in contravention of its own legal mandates. During this time, the NPS has initiated lethal control of ungulates in a number of national parks (e.g., Valley Forge, Catoctin, Indiana Dunes, and Rock Creek) and is considering similar efforts in other parks. In each case, the NPS has misapplied its own statutes and policies and has failed to provide any credible site-specific data to justify its heavy-handed strategies. Though even the NPS concedes that ungulates are keystone herbivores, it is unwilling to allow ungulates to naturally influence ecosystem structure and function, as its own statutes and policies require. Therefore, we request that the following language, which would save taxpayer dollars, be included in the Senate Interior Appropriations bill: No funds appropriated under this legislation shall be expended by the National Park Service to lethally control or kill

<sup>1</sup>U.S. Fish and Wildlife Service Office of Law Enforcement, Law Enforcement at a Glance (2014).

<sup>2</sup>Id.

<sup>3</sup>U.S. Department of the Interior Bureau of Land Management, Budget Justifications and Performance Information: fiscal year 2015 (2014).

native ungulates nor shall the National Park Service permit any entity, public or private, to kill said ungulates.

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PREPARED STATEMENT OF THE APPALACHIAN TRAIL CONSERVANCY

Dear Mr. Chairman and members of the subcommittee: On behalf of the Appalachian Trail Conservancy (ATC), for reasons described below, I am requesting a fiscal year 2015 appropriation from the Land and Water Conservation Fund (LWCF) in the amount of \$4,461,000 for the Department of the Interior, National Park Service and \$7,850,000 for the U.S. Department of Agriculture (USDA) Forest Service (USFS) for the acquisition of lands and interests in lands surrounding or bordering the Appalachian National Scenic Trail in the States of New Hampshire, Vermont, Massachusetts, Pennsylvania, North Carolina, and Tennessee.

ATC also requests support for the President's fiscal year 2015 budget request of \$2,283,852,000 for National Park Service operations and \$10 million for the Centennial Challenge, as well as a budget request of \$183,000 for the USDA Forest Service for operational costs associated with managing the Appalachian National Scenic Trail.

*Background.*—The Appalachian National Scenic Trail (ANST) is America's premier long-distance footpath. Begun in 1922 and completed in 1937 as a continuous footpath extending from western Maine to northern Georgia, the trail gained Federal recognition in 1968 with the passage of the National Trails System Act. Amendments to that act in 1978 expanded the authorization for Federal and State land acquisition to establish a permanent, publicly owned right-of-way as well as a protective corridor or greenway along the trail. Since 1978, with the strong support of the subcommittee and the Congress as a whole, the Appalachian National Scenic Trail land acquisition program of the National Park Service and USDA Forest Service has become one of the most successful land conservation efforts in the Nation's history. Additional land acquisitions will serve to protect priority landscapes along the trail that offer recreational and ecological benefits to the public.

*Resource Characteristics.*—The Appalachian Trail is a 2,185-mile footpath extending along the crests and valleys of the Appalachian Mountains through 14 States from Maine to Georgia. Often characterized as a string of pearls, the trail, which is administered as a unit of the National Park System, connects eight National Forests, six other units of the National Park System, and approximately 60 State parks, forests, and game management units. With an estimated 2 million visitors per year, it ranks among the most heavily visited units of the National Park System and also ranks among the top 10 units from the standpoint of natural diversity, with more than 2,200 documented occurrences of federally and State listed rare, threatened, or endangered species at more than 500 discrete sites.

The Appalachian Trail is equally well known as a remarkable public/private partnership. Since the initial construction of the trail in the 1920s and '30s, volunteers affiliated with the Appalachian Trail Conservancy have constructed, reconstructed, and maintained the footpath, as well as a system of more than 250 shelters and associated facilities such as privies, improved campsites, bridges, signs, and parking lots. In 2013, for example, 5,941 volunteers contributed 245,548 hours of labor along the trail.

*Need for Appropriations.*—As noted previously, while the Appalachian National Scenic Trail protection program represents one of the most successful land acquisition programs in the history of the conservation movement in the United States, that program is not yet complete. A number of critical parcels are now ripe for land acquisition from willing sellers, and we are seeking fiscal year 2015 LWCF appropriations to secure those properties. A brief description of each of those critical parcels follows.

*Bald Cap Peak, New Hampshire.*—ATC and The Conservation Fund request a fiscal year 2015 LWCF appropriation of \$200,000 for the National Park Service. The funds would be obligated for the National Park Service to acquire a 300-acre tract in fee in Coos County, New Hampshire. The tract will broaden the Appalachian Trail corridor in these highlands, protecting the natural flora and fauna along it, as well as the high elevation watershed found along the crest of the mountains the trail traverses. These lands are part of the Mahoosuc Mountain range, which is the northerly extension of the White Mountains in northeastern New Hampshire. Acquisition of this property would enhance protection for three major peaks in the area, including Bald Cap Peak, Bald Cap, North Bald Cap, and the area around Mount Success. This acquisition also will protect a key side trail that provides access to one of the more remote sections of the trail.

*Greensboro Farm, New Hampshire.*—ATC and the Trust for Public Lands request a fiscal year 2015 LWCF appropriation of \$2,251,000 for the National Park Service to acquire a 173-acre tract of land owned by Dartmouth College and located in the town of Hanover, New Hampshire. This acquisition will protect the ANST corridor from incompatible development and permanently protect side trails maintained by the town of Hanover which connect to the Appalachian Trail, but which do not have permanent protection status. Acquisition of this property, known as Hudson Farm, will also protect wetland and riparian systems, grassland bird habitat, rare plant sites, a significant wildlife corridor, and forest resources. The Hudson Farm is likely to be divested by Dartmouth College within the next 2 to 4 years, as it has been deemed a non-strategic real estate holding.

*Pomfret Pines Project, Vermont.*—ATC and The Conservation Fund request funding in fiscal year 2015 of \$533,000 for the National Park Service to acquire an easement interest in an 81-acre property, known as the Pomfret Pines Farm, situated on a hill adjacent to and above the Appalachian Trail in the town of Pomfret, Vermont, to conserve its natural and scenic character. The property may be under threat of subdivision and residential development.

*Hottle-Fahey Forest, Massachusetts.*—ATC requests funding in fiscal year 2015 of \$777,000 for the National Park Service to acquire a 306-acre tract of the Hottle-Fahey Forest that lies in the foreground viewshed of Warner Hill in Hinsdale, Massachusetts. In 2010, an industrial wind developer proposed constructing six large wind turbines within 500 feet of the ANST corridor at this point. This would have seriously altered the view from Warner Hill and significantly changed the character of this section of the trail through the small rural village of Hinsdale. In late 2012, the developer withdrew plans to develop the site, but the threat for industrial development and/or timber extraction remains. The Hottle-Fahey Forest lies in the center of the Hinsdale Flats, an area designated by the State of Massachusetts as an Area of Critical Environmental Concern (ACEC), a site that receives special recognition because of the quality, uniqueness, and significance of its resources.

*White Rocks Addition, Pennsylvania.*—ATC requests a fiscal year 2015 LWCF appropriation of \$500,000 for the National Park Service to acquire a 107-acre property in the viewshed of the Appalachian Trail as it crosses the White Rocks formation just southeast of Boiling Springs, Pennsylvania. This tract is contiguous to a recently protected 800-acre tract. The most pressing threat to this landscape is the potential for additional development by the landowner.

*Tennessee Mountains Trails and Waters-Rich Mountain Inholding.*—ATC requests a fiscal year 2015 LWCF appropriation of \$3,700,000, including the Rich Mountain inholding (\$700,000), for the USDA Forest Service. This collaborative project includes funding for acquisitions associated with trails in Tennessee, including a 100-acre privately owned inholding situated in the northwest corner of the recently acquired 10,000-acre Rocky Fork property, a significant acquisition for the ANST. This tract includes the highest point of land for the overall property as well as prominent cliffs. The cliffs are only a short distance from the ANST through a high elevation heath bald. The property provides sweeping views of the Sampson Mountain Wilderness and northeast Tennessee/southwest Virginia.

*North Carolina Threatened Treasures—Grassy Ridge Project.*—ATC requests a fiscal year 2015 LWCF appropriation of \$1,100,000 for the USDA Forest Service to acquire 601 acres of high elevation grassy bald with several threatened and endangered species. This parcel is the largest unprotected parcel in the ANST and Overmountain Victory National Historic Trail viewshed. An additional \$1,050,000 will be contributed to the project from the North Carolina Parks and Recreation Trust Fund and the North Carolina Clean Water Trust Fund.

*Sugarloaf Mountain, Tennessee.*—ATC requests a fiscal year 2015 LWCF appropriation of \$330,000 for the USDA Forest Service to acquire this 80-acre inholding within the Cherokee National Forest to protect the viewshed of the Appalachian Trail. The tract hosts a cove hardwood forest, a waterfall, and abundant wildflowers, offering an outstanding recreational experience. ATC will contribute funding for the appraisal of this important tract.

*National Trails Collaborative Landscape.*—ATC requests a fiscal year 2015 LWCF appropriation of \$2,720,000 for the USDA Forest Service. This acquisition package includes several important ANST tracts, including:

—*Ripshin Wetlands.*—This 403-acre property is adjacent to the Moffett Laurel Botanical Area Rare Community and Ripshin Ridge Rare Community. The Ripshin tract contains documented habitat and breeding grounds for the Bog Turtle, a State threatened species and federally listed threatened species within an Appalachian Highlands Bog. Cliff top viewpoints offer exceptional views of this tract for Appalachian Trail hikers. This tract is surrounded on three sides by the Cherokee National Forest.

—*Hump Mountain, Tennessee.*—The 27-acre Hump Mountain tract is a high elevation southern Appalachian grassy bald, which is home to a unique ecosystem including several threatened and endangered species and species of concern. The tract is also part of the culturally significant Roan Highlands landscape and a national natural landmark, and it is surrounded on three sides by the Cherokee and Pisgah National Forests.

—*Shook Branch, Tennessee, Cherokee National Forest.*—This 20-acre tract provides an important linkage for the Appalachian Trail corridor as it travels from Watauga Lake to the Pond Mountain Wilderness. Rerouting the trail onto this tract will provide a much safer crossing of the very busy U.S. 321, prevent development adjacent to a USFS/Tennessee Valley Authority recreation area, and provide an improved corridor for wildlife.

*National Park Service Funding.*—ATC requests a \$10 million appropriation for the Centennial Challenge and \$2,283,852,000 for National Park Service (NPS) operations. As NPS prepares for its 100th anniversary, Congress has an achievable opportunity to begin reversing the damaging pattern of recent cuts and long-term underfunding and instead invest in the popular and economically important NPS, including the ANST. The troubled budget process of recent years has allowed a slow motion shutdown that has meant deferring significant maintenance projects and the hiring of key park staff that provide for safe and enjoyable visits.

*USDA Forest Service, Appalachian National Scenic Trail Operations.*—ATC requests \$183,000 in operational funds for the USDA Forest Service Southern Region 8 to provide a liaison for trail management. Operational funds also support volunteer trail maintenance crews and visitor outreach.

Thank you for the opportunity to submit this testimony and for your consideration of our request.

RON TIPTON,  
*Executive Director/Chief Executive Officer.*

PREPARED STATEMENT OF THE APS FOUR CORNERS POWER PLANT

APRIL 9, 2014.

Hon. JACK REED, *Chairman,*

Hon. LISA MURKOWSKI, *Ranking Member,*

*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

—Appropriate \$706,300 in "Conservation and Restoration" funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled "Conservation and Restoration") to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

—Appropriate \$200,000 in FWS "Conservation and Restoration" funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.

—Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

DAVID C. BLOOMFIELD, P.E.,  
*Four Corners Site Plant Manager.*

PREPARED STATEMENT OF THE ASME ENVIRONMENTAL PROTECTION AGENCY TASK FORCE

Mr. Chairman, Ranking Member, and members of the subcommittee: The ASME Environmental Protection Agency Task Force is pleased to provide this testimony on the fiscal year 2015 budget request for research and development programs in the Environmental Protection Agency (EPA).

INTRODUCTION

ASME is a nonprofit, worldwide educational and technical Society with more than 130,000 members. It conducts one of the world's largest technical publishing operations, holds more than 30 technical conferences and 200 professional development courses each year, and has authored over 600 industrial and manufacturing standards.

BACKGROUND

Scientists and engineers have a long-standing professional interest in applying Science & Technology (S&T) to improve the environment and human health in the U.S. Mechanical engineers increasingly collaborate with other professionals to develop innovative and cost-effective environmental technologies and systems.

The EPA plays an essential role in the Nation's efforts to protect human health and safeguard the environment, and EPA's S&T research and development (R&D) activities are instrumental in improving environmental protection in a sound, sustainable, and cost-effective manner. R&D efforts are needed to improve environmental health, the ecology, environmental monitoring, environmental technology development and implementation. Pollution reduction is needed to address the emerging concerns of climate change, as well as homeland security and infrastructure protection.

OVERVIEW OF THE ASME EPA TASK FORCE REVIEW

The fiscal year 2015 budget request for EPA is \$7.9 billion, a \$310 million or 3.8 percent decrease from the fiscal year 2014 enacted amount of \$8.2 billion. The EPA's Science and Technology account would increase by 0.6 percent or \$4.6 million in fiscal year 2015 to \$763.7 million.

EPA has seen declining budget figures for the last four budget cycles. The EPA Task Force feels that a higher appropriation is warranted for the agency in fiscal year 2015. Additional R&D funds are needed in order to enhance study responses to hydraulic fracturing and oil shale waste issues, climate change, terrestrial carbon sequestration and management, biofuels, and nanotechnology development.

The Task Forces comments on the fiscal year 2015 budget focus on the R&D activities of the S&T portfolio within the EPA's Office of Research and Development (ORD) and the Superfund program that support eight strategic programmatic research areas:

The change in funding levels supporting these core objectives between fiscal year 2013 and fiscal year 2015 is as follows:

[Dollars in millions]

	Fiscal year 2013	Fiscal year 2014	Fiscal year 2015
Indoor Air and Radiation .....	\$6.39	\$6.45	\$6.09
Homeland Security .....	38.88	38.36	39.44
Clean Air and Climate .....	114.9	120.4	118.5
Safe and Sustainable Water Resources .....	106.2	111.0	114.1
Human Health Protection .....	3.6	3.6	3.6
Air, Climate, and Energy Research .....	87.1	94.9	101.9

EPA OFFICE OF RESEARCH AND DEVELOPMENT

Through research and technical assistance, ORD provides the scientific foundation for EPA by performing research and development to identify and solve present and future environmental issues and providing responsive technical support to its scientific partners. The ORD administers programs addressing both foundational research, to improve the scientific tools used to understand and evaluate environmental health, as well as problem-driven research designed to provide scientific solutions to high-priority environmental problems. It is an invaluable national resource.

We note that the ORD workforce has declined by over 10 percent in the past several years and is now not sufficient to permit action on various topics of national importance. Effort should be made to “right size” the ORD staff so that it can continue to support R&D on current and future environmental problems.

We support the increases requested for the EPA’s S&T directorate, which partially reverses several years of funding decreases. An evaluation of EPA’s resources is needed to ensure that it can balance between existing priorities and new challenges. Program specifics issues are outlined below:

#### INDOOR AIR AND RADIATION

[Dollars in millions]

	Fiscal year 2013	Fiscal year 2014	Fiscal year 2015
Indoor Air: Radon Program .....	\$0.56	\$0.19	\$0.0
Reduce Risks from Indoor Air .....	0.36	0.31	0.41
Radiation Protection .....	1.9	2.1	2.0
Radiation Preparedness Response .....	4.0	3.8	3.6

The Task Force supports the EPA’s replacement of the Radon Program with the Federal Radon Action Plan, which will leverage industry and nonprofit efforts to amplify existing Federal efforts to reduce radon risk.

#### HOMELAND SECURITY

[Dollars in millions]

	Fiscal year 2013	Fiscal year 2014	Fiscal year 2015
Critical Infrastructure Protection .....	\$10.3	\$10.4	\$12.0
Preparedness, Response and Recovery .....	27.9	27.3	26.8
Protection of EPA Personnel and Infrastructure .....	0.54	0.54	0.57

Homeland security activities are a significant component of the EPA’s S&T activities, focusing on critical infrastructure protection and disaster preparedness and response. The Task Force plans to review the reduced program operation levels, particularly with respect to EPA personnel accounts, to insure that the reductions do not delay the completion of the program’s objectives. The Task Force supports the additional funding allocated to the Critical Infrastructure Protection program.

#### CLEAN AIR AND CLIMATE

[Dollars in millions]

	Fiscal year 2013	Fiscal year 2014	Fiscal year 2015
Climate Protection .....	\$13.0	\$8.31	\$8.0

The EPA Task Force views Climate Protection Research as a critical issue and is troubled by the funding trajectory for this program given funding in the previous fiscal years. We urge Congress to appropriate additional funds for Climate Protection to exceed the fiscal year 2015 requested level.

#### RESEARCH: AIR, CLIMATE AND ENERGY

[Dollars in millions]

	Fiscal year 2013	Fiscal year 2014	Fiscal year 2015
S&T Activities .....	\$87.1	\$94.9	\$101.9

The EPA Task Force supports the full fiscal year 2015 increased request for Air, Climate and Energy Research, particularly the \$3.79 million in additional funding for support for hydraulic fracturing research activities within the ACE research program.

## SAFE AND SUSTAINABLE WATER RESOURCES

[Dollars in millions]

	Fiscal year 2013	Fiscal year 2014	Fiscal year 2015
Research	\$106.2	\$111.0	\$114.1

Safe and Sustainable Water Resources funding supports a variety of activities related to the challenges facing U.S. water resources, including drinking water and waste water from industrial activities like hydraulic fracturing. Funding for Sustainability research is slated for an increase of just over \$3.1 million for this fiscal year. The Task Force is pleased that funding has been increased and supports the fiscal year 2015 request.

## HUMAN HEALTH PROTECTION

[Dollars in millions]

	Fiscal year 2013	Fiscal year 2014	Fiscal year 2015
Drinking Water Programs .....	\$3.61	\$3.63	\$3.68

Overall, the fiscal year 2015 budget request calls for a slight increase from the fiscal year 2014 appropriated amount. The Task Force considers the long term development of infrastructure related to water quality issues as a high priority of the EPA and supports this request given the constrained budget environment.

## WATER QUALITY RESEARCH AND SUPPORT GRANTS

The EPA Task Force urges Congress to again support funding for the Water Quality Research and Support Grant program. Last year, Congress provided \$4.23 million for this nationally competitive grant program to fund water quality and availability research. Given the severe droughts and water resource challenges facing many parts of the country, the Task Force supports funding at the fiscal year 2014 appropriated level for this grant program.

## ENVIRONMENTAL EDUCATION

The fiscal year 2015 EPA budget does not request any funding to support Environmental Education, which was funded at \$8.7 million in fiscal year 2014. It is essential to encourage students to pursue careers in environmental science and engineering. Such investments are critical to addressing environmental concerns, bolstering our Nation's workforce, and maintaining its competitiveness. If Congress and the Administration proceed with the transfer of EPA environmental education activities to the National Science Foundation (NSF), close coordination and consultation with EPA should be conducted to ensure that the goals of EPA's programs are continued under NSF administration.

## CONCLUSION

The administration's fiscal year 2015 request is, in part, reflective of a difficult fiscal environment where tough choices have to be made to support priorities within the EPA. As this Task Force has previously stated, however, difficult budget choices should not preclude certain priorities from receiving funding. The Task Force requests that additional funding be allocated for the Homeland Security programs to insure that security enhancements to our water supply are not delayed nor disrupted. Further, the Task Force proposes the continued funding of EPA's Water Quality Research Support Grant program.

This statement represents the views of the EPA Task Force of the Environmental Engineering Division (EED) of ASME's Technical Communities and is not necessarily a position of ASME as a whole.

## PREPARED STATEMENT OF THE ASSOCIATION OF ART MUSEUM DIRECTORS

The Association of Art Museum Directors (AAMD) respectfully requests funding of no less than \$155 million each for the National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH).

In addition, AAMD requests a revision of the Arts and Artifacts Indemnity Act (Public Law 94-158) as amended (Public Law 110-161, Sec. 426) to increase the amount of indemnity that may be outstanding at any given time and for any single exhibition. Congress last amended the Act in 2005 and 2007, and both times it did so through the appropriations process.

#### I. THE ARTS AND ARTIFACTS INDEMNITY ACT

Congress and President Gerald Ford approved the Arts and Artifacts Indemnity Act in 1975 to promote the international exchange and exhibition of major artworks. Officially a program of the Federal Council on the Arts and Humanities, the program is administered by the NEA. In 2007, Congress expanded eligibility to include coverage of works of art owned by U.S. entities while on exhibition in the United States.

Federal indemnity only covers objects in major exhibitions. It usually does not cover every object, as some are excluded because they are fragile, or for other reasons. When objects are excluded, the museum must either secure private insurance or cover them through its own blanket policy. Having indemnity for some objects makes getting insurance for the remainder easier and more affordable.

Absent indemnification, some exhibitions would have to be cut back in scale, whether by traveling to fewer venues or including fewer objects. In some cases, exhibitions would not go forward at all. For this reason, fine arts insurers as well as museums support the indemnity program, since they would rather insure some objects in an exhibition than not have the exhibition presented in the first place.

The program has run smoothly and incurred minimal costs to the Federal Government, which since 1975 has paid just two claims, totaling \$104,700. It currently saves art museums approximately \$30 million annually, while enabling major exhibitions to be presented to audiences around the country, with all of their attendant educational and economic benefits.

The program's cost has been so low for several reasons. First, it imposes high deductibles: for exhibitions indemnified for over \$500 million, the deductible is \$500,000. Second, the program is very strict about what it will cover, with entire classes of objects ineligible due to fragility. Third, the program demands the highest standards in security and environmental controls; for example, all exhibitions must have human guards 24 hours a day, and all works must travel with couriers.

The Act allows no more than \$10 billion in indemnity for international exhibitions to be outstanding at any one time, and no single international exhibition may receive indemnity for more than \$1.2 billion of value. No more than \$5 billion may be outstanding at any one time for domestic exhibitions, and no single domestic exhibition may receive indemnity for more than \$750 million of value.

In 2012, museums requested indemnity for nearly \$16 billion in value for international exhibitions and over \$6 billion for domestic. Museums report that the caps are preventing indemnity from being extended to objects that would have been covered in past years. Simply put, there is not enough coverage to go around. As both inflation and a rising art market take their toll, the situation is bound to worsen.

A list of recently indemnified exhibitions appears on the NEA's Web site. While only the museum that organizes the exhibition applies for indemnity, all museums that present or lend to the exhibition benefit from it. For example, the Art Museum at the Rhode Island School of Design recently shared a Manet portrait and a Renoir with audiences far beyond Rhode Island, thanks to the indemnity program. The Joslyn Art Museum in Omaha sent its Veronese to the Boston Museum of Fine Arts as part of a major exhibition of Venetian painting, Titian, Tintoretto, Veronese: Rivals in Renaissance Venice.

Nor is it only large institutions that present qualifying exhibitions. For example, the Speed Art Museum in Louisville, Kentucky organized "Rembrandt, Rubens, Gainsborough and the Golden Age of Painting," which traveled with indemnity to the Philbrook Museum of Art in Tulsa, Oklahoma; Dixon Gallery and Gardens in Memphis, Tennessee; Flint Institute of Arts in Flint, Michigan; and the El Paso Museum of Art in El Paso, Texas. In this case, indemnity coverage permitted the Speed to control the exhibition's costs and translated into a reduced participation fee for these moderate sized art museums.

Since 1975, Congress has raised the international caps several times, the last being in 2005, generally anywhere from 25 percent to 100 percent. A partial legislative history is included below.

AAMD requests that Congress once again raise the international caps and, for the first time since instituting the domestic program in 2007, raise its caps as well. Using previous congressional actions as precedent, we suggest that it would be reasonable to institute an overall cap of \$15 billion for international exhibitions with

the limit per exhibition rising to \$1.8 billion, and an overall cap of \$7.5 billion for domestic exhibitions with the limit per exhibition rising to \$1 billion.

*Partial Legislative History of the Indemnity Act*

1975 S. 1800.—An Act to provide indemnities for exhibitions of artistic and humanistic endeavors, establishes aggregate cap of \$250,000,000, with \$50,000,000 maximum per international exhibition.

1980 S. 1386.—Reauthorization of National Foundation on the Arts and Humanities Act and the Museum Services Act, increases aggregate cap to \$400,000,000.

1985 S. 1264.—Arts, Humanities and Museums Amendments of 1985, increases the aggregate of loss or damage covered at any one time by indemnity agreements made under such Act. Increases the maximum level of indemnification for each exhibition.

1990 H.R. 5769.—Interior and Related Agencies Appropriations Act, increases aggregate cap and exhibition cap.

1999 H.R. 4328.—Omnibus Consolidated and Emergency Supplemental Appropriations Act, amends the Arts and Artifacts Indemnity Act to increase certain coverage limits for loss or damage of items covered by indemnity agreements under such Act.

2003 H.R. 13.—Museum and Library Services Act, increases aggregate cap from \$5 billion to \$8 billion and exhibition cap from \$500 million to \$600 million.

2005 H.R. 2361.—Department of the Interior, Environment, and Related Agencies Appropriations Act, increases aggregate cap to \$10 billion and exhibition cap to \$1.2 billion.

2007 H.R. 2764.—Consolidated Appropriations Act, establishes program for domestic exhibitions with aggregate cap of \$5 billion and exhibition cap of \$750 million.

## II. NATIONAL ENDOWMENT FOR THE ARTS

As stated above, AAMD requests that Congress appropriate no less than \$155 million for the NEA. The agency continues to make modest but important grants that leverage significant private support.

For this statement we would like to focus on the Blue Star Museums program, which is an outstanding example of NEA leadership. In 2013, 80 percent of AAMD's membership participated in the Blue Star program, which calls on museums to offer free admission to active-duty military families at least from Memorial Day to Labor Day. Many museums offered free admission year-round. We have asked our members to enroll for 2014 and are receiving an enthusiastic response.

Inspired by the Blue Star program, many AAMD members have tailored programs to the military audience:

- The Frist Center for the Visual Arts in Nashville, Tennessee presented “Steve Mumford’s War Journals, 2003–2013.” Thanks to a generous donor, the Frist also offers free membership to military families.

- The Minneapolis Institute of Art has created a specialized tour for veterans attending the Psychiatry Partial Hospital (PPH) program at the Minneapolis VA. The tour, titled “Honoring the Warrior” combines art history, art appreciation and art therapy into a unique therapeutic experience where veterans can explore their thoughts and feelings through their reactions to particular works of art.

- The Honolulu Museum of Art is particularly proud of the Warriors’ Eyes on Art program, a partnership with Honolulu’s Tripler Army Medical Center. Servicemen and servicewomen in treatment for P.T.S.D. visit the museum before hours to visit the galleries and create art works of their own with professionals from the museum and medical center.

- At the Bronx Museum of the Arts, a series of paintings, interviews and stories “convey the pressing need for a civilian awareness of the realities and experiences of veterans from current and past generations,” according to the museum’s website.

Each of these AAMD members is a Blue Star Museum.

## III. NATIONAL ENDOWMENT FOR THE HUMANITIES

Finally, and as stated above, AAMD requests that Congress appropriate no less than \$155 million for the NEH.

This important agency assists art museums in presenting humanities scholarship to the general public. It also has historically played an invaluable role in assisting with the preservation and conservation of important collections. This is exactly the

type of unglamorous work for which it is chronically difficult to raise private funding, making Federal support all the more valuable.

Both the NEA and NEH rely on the participation of non-governmental peer reviewers in making funding decisions, ensuring that political interference is non-existent. This system is the envy of many nations, and we strongly encourage Congress to maintain its vitality through continued and increased funding.

We would be happy to answer any questions or provide more information as needed.

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PREPARED STATEMENT OF THE ASSOCIATION OF STATE DRINKING WATER ADMINISTRATORS

**Who We Are:** I am John Calkins, president of the Association of State Drinking Water Administrators (ASDWA). ASDWA represents the State drinking water programs in the 50 States, territories, District of Columbia, and the Navajo Nation in their efforts to provide safe drinking water to more than 275 million consumers nationwide.

SUMMARY OF REQUEST

ASDWA respectfully requests that, for fiscal year 2015, the subcommittee appropriate funding for three programs at levels commensurate with Federal expectations for performance; that ensure appropriate public health protection; and that will result in enhancing economic stability and prosperity in American cities and towns. ASDWA requests \$200 million for the Public Water System Supervision (PWSS) program; \$1.3 billion for the Drinking Water State Revolving Loan Fund (DWSRF) program; and \$10 million for State drinking water program security initiatives. A more complete explanation of the needs represented by these requested amounts and their justification follows.

HOW STATES USE FEDERAL FUNDS

*Public Health Protection.*—States need increased Federal support to maintain overall public health protection and to support the needs of the water systems they oversee. State drinking water programs strive to meet public health protection goals through two principal funding programs: the Public Water System Supervision Program (PWSS) and the Drinking Water State Revolving Loan Fund (DWSRF) Program. These two programs, with their attendant State match requirements, provide the means for States to work with drinking water utilities to ensure that American citizens can turn on their taps with confidence that the water is both safe to drink and the supply is adequate. In recent years, State drinking water programs have accepted additional responsibilities in the area of water system security that include working with all public water systems to ensure that critical drinking water infrastructure is protected; that plans are in place to respond to both natural and man-made disasters; and that communities are better positioned to support both physical and economic resilience in times of crisis.

Vibrant and sustainable communities, their citizens, workforce, and businesses all depend on a safe, reliable, and adequate supply of drinking water. Economies only grow and sustain themselves when they have reliable water supplies. Over 90 percent of the population receives water used for bathing, cooking, and drinking from a public water system—overseen by State drinking water program personnel. Fire-fighting also relies on water from public water systems to ensure public safety. Even people who have their own private wells will visit other homes, businesses, and institutions served by a public water system. As important as public water systems are to the quality of water we drink and our health, the majority of water produced by public water systems is used by businesses for a variety of purposes, including processing, cooling, and product manufacturing. The availability of adequate supplies of water is often a critical factor in attracting new industries to communities. Public water systems—and the cities, villages, schools, and businesses they support—rely on State drinking water programs to ensure they are in compliance with all applicable Federal requirements and the water is safe to drink. Several incidents in the U.S. over the past several years that have led to illnesses or deaths from unsafe drinking water serve as stark reminders of the critical nature of the work that State drinking water programs do—every day—and the dangers of inadequately funded programs.

*The PWSS Program.*—To meet the requirements of the Safe Drinking Water Act (SDWA), States have accepted primary enforcement responsibility for oversight of regulatory compliance and technical assistance efforts for over 155,000 public water

systems to ensure potential health-based violations do not occur or are remedied in a timely manner. Over 90 contaminants are regulated in Federal drinking water regulations and the pace of regulatory activity has accelerated in recent years. Beyond the contaminants covered by Federal drinking water regulations, States are also implementing an array of proactive initiatives to protect public health from “the source to the tap.” These include source water assessments and protections for communities and watersheds; technical assistance with water treatment and distribution for challenged utilities; and enhancement of overall water system performance capabilities. In recent years, States have also taken on an increasingly prominent role in working with Federal and local partners to help ensure sufficient water quantity. In short, State activities go well beyond simply ensuring compliance at the tap—and, they perform all of these tasks more efficiently and cheaply than would be the case if the program were federally implemented. In short, well supported State programs are a “good deal” for America.

*The DWSRF Program.*—Drinking water in the U.S. is among the safest and most reliable in the world, but it is threatened by aging infrastructure. Through loans provided by the DWSRF, States help water utilities overcome this threat. The historical payback to the DWSRF on this investment has been exceptional. In the core DWSRF program, \$15.7 billion in cumulative Federal capitalization grants since 1997 have been leveraged by States into over \$25.8 billion in infrastructure loans to small and large communities across the country (through the end of 2013). Such investments pay tremendous dividends—both in supporting our economy and in protecting our citizens’ health. Many State drinking water programs have also used “set-asides” from the DWSRF to support the technical assistance and training needs of numerous small drinking water systems and to help these water systems obtain the technical, managerial, and financial proficiency needed to meet SDWA requirements.

*State Drinking Water Security Responsibilities.*—State drinking water programs are critical partners in emergency planning, response, and resiliency at all levels of government. In fact, States are typically the critical nexus between Federal and local levels officials in emergency situations. State primacy agencies provide key resources and critical support—regardless of whether the emergency is rooted in terrorism, natural disasters, or cyber intrusions. States continually work toward integrating security considerations throughout all aspects of their drinking water programs.

#### WHY INCREASED FUNDING IS URGENTLY NEEDED

*State Drinking Water Programs are Hard Pressed and the Funding Gap Continues to Grow.*—States must accomplish all of the above-described activities—and take on new responsibilities—in the context of a challenging economic climate. This has meant operating with less State-provided financial support—which has historically compensated for inadequate Federal funding. State drinking water programs have often been expected to do more with less and States have always responded with commitment and integrity. However, State drinking water programs are stretched to the breaking point. Insufficient Federal support for this critical program increases the likelihood of a contamination event that puts the public’s health at risk. Although the 1996 SDWA Amendments authorized the PWSS Program at \$100 million per year, appropriated amounts have only recently reached that authorized level—a level that now, more than 17 years from the date of those amendments, falls far short of the amount needed. \$101.9 million was appropriated for the PWSS program in fiscal year 2014 and the administration requested only \$109 million in fiscal year 2015. These amounts are woefully inadequate for the enormity of the task faced by State drinking water programs. We believe, based on our assessments of every State’s need (in a report we released in January 2014), that at least twice that amount is needed. Inadequate Federal funding for State drinking water programs has a number of negative consequences. Many States are simply unable to implement major provisions of the newer regulations, leaving the work undone or ceding the responsibility back to EPA, which is also challenged by the Agency’s own resource constraints and lack of “on the ground” expertise. This situation has created a significant implementation crisis in several regions of the country and is ultimately delaying implementation of critically needed public health protections.

*Drinking Water Infrastructure Investment is Well Below Documented Need.*—In 2013, the Association of Civil Engineers gave the Nation’s water infrastructure a D+ grade and EPA’s most recent National Drinking Water Infrastructure Needs Survey (2011) indicated that drinking water system infrastructure needs total \$384 billion over the next 20 years. The American Water Works Association recently estimated that 20 year need at \$1 trillion. Investment is needed for aging treatment

plants, storage tanks, pumps, and distribution lines that carry water to our Nation's homes, businesses and schools. States are also providing, in many cases, State funding to augment Federal assistance, as the total loan figures noted above demonstrate. The DWSRF must continue to be a key part of the solution to the Nation's infrastructure crisis. Further, as mentioned earlier, States can "set-aside" funds from the DWSRF (up to 31 percent of the grant) for a variety of critical tasks, such as shoring up the technical, managerial, and financial capacity of public water systems. Set-asides are thus an essential source of funding for States' public health protection programs and these efforts work in tandem with infrastructure loans.

*State Drinking Water Security Funds Are Urgently Needed.*—After 7 years of congressional support for State security programs through a small grant of approximately \$5 million in EPA's appropriations (from fiscal year 2002 through fiscal year 2008), no funds have been provided for this purpose since fiscal year 2009 and none are requested by the administration for fiscal year 2015. It is very difficult to understand why this small, but essential grant to States has been zeroed out of EPA's proposed budget and why Congress has not supported State drinking water security programs. State drinking water programs urgently need funds to continue to maintain and expand their security activities, particularly in partnership with small and medium public water systems.

#### DETAILED JUSTIFICATION FOR FISCAL YEAR 2015 REQUEST LEVELS

*For the PWSS Program in fiscal year 2015, ASDWA respectfully requests \$200 million.*—The number of regulations requiring State implementation and oversight as well as performance expectations continue to grow while at the same time, the Federal funding support necessary to maintain compliance levels and meet expectations has been essentially "flat-lined." Inflation has further eroded these inadequate funding levels. States want to offer the flexibilities allowed under existing rules/requirements to local water systems; however, fewer State resources mean less opportunity to work one-on-one with water systems to meet their individual needs. The figure recommended below is based on ASDWA's January 2014 resource needs report and begins to fill the above-described resource gap. These funds are urgently needed for implementing new drinking water rules, taking on a number of other new initiatives, and accounting for the eroding effects of inflation. We further recommend that Congress not allow any Federal funds already appropriated to State drinking water programs to be rescinded.

*For the DWSRF Program in fiscal year 2015, ASDWA respectfully requests \$1.3 billion.*—States were very encouraged by the \$1.387 billion appropriated for the DWSRF in fiscal year 2010 but are disappointed at the subsequent downward trend—\$963 million in fiscal year 2011, \$919 million in fiscal year 2012, \$854 million for fiscal year 2013 (a figure not seen since 2006), and, a somewhat better \$907 million in fiscal year 2014. Of particular concern to the drinking water community is the administration's request of \$757 million for fiscal year 2015; a figure we consider to be unacceptably low. The primary purpose of the DWSRF is to improve public health protection by facilitating water system compliance with national primary drinking water regulations through the provision of loans to improve drinking water infrastructure. Water infrastructure is needed for public health protection as well as a sustainable economy, as explained above. States have very effectively and efficiently leveraged Federal dollars with State contributions to provide assistance to more than 10,000 projects, improving health protection for millions of Americans. The U.S. Conference of Mayors reports that each public dollar invested in water infrastructure increases private long-term Gross Domestic Product output by \$6.35. In light of these indicators of success and documented needs, we believe funding at the \$1.3 billion level (commensurate with the fiscal year 2010 appropriation) will better enable the DWSRF to meet the SDWA compliance and public health protection goals for which it was designed.

*For State Drinking Water Security Programs in fiscal year 2015, ASDWA respectfully requests \$10 million.*—Given the realities and the lessons learned from recent catastrophic events such as Hurricane Sandy in New York and New Jersey; tornados in central Oklahoma; wildfires and floods in Colorado; and continuing drought in Texas—to name but a few—State drinking water programs are working more closely than ever with their water utilities to evaluate, assist, and support drinking water systems' preparedness, response, and resiliency capabilities. States continue to expand their efforts to reflect a resilient, "all hazards" approach to water security and to assist public water systems of all sizes—with a particular focus on smaller water systems that most need help.

## CONCLUSION

ASDWA respectfully recommends that the Federal fiscal year 2015 budget needs for States' role in the provision of safe drinking water be adequately funded by Congress. A strong State drinking water program supported by the Federal-State partnership will ensure that the quality of drinking water in this country will not deteriorate and, in fact, will continue to improve—so that the public can be assured that a glass of water is safe to drink no matter where they travel or live. States are willing and committed partners. However, additional Federal financial assistance is needed to meet ongoing and ever growing regulatory, infrastructure, and security needs. In 1996, Congress provided the authority to ensure that the burden would not go unsupported. For fiscal year 2015, ASDWA asks that the promise of that support be realized.

## PREPARED STATEMENT OF THE ASSOCIATION OF ZOOS AND AQUARIUMS

Thank you Chairman Reed and Ranking Member Murkowski for allowing me to submit written testimony on behalf of the Nation's 213 U.S. accredited zoos and aquariums. Specifically, I want to express my support for the inclusion of \$10,000,000 for the Multinational Species Conservation Funds (MSCF) operated by the U.S. Fish and Wildlife Service and \$9.7 million for National Environmental Education Act programs at the Environmental Protection Agency (EPA) in the fiscal year 2015 Interior, Environment, and Related Agencies appropriations bill.

Founded in 1924, the Association of Zoos and Aquariums (AZA) is a nonprofit 501c(3) organization dedicated to the advancement of zoos and aquariums in the areas of conservation, education, science, and recreation. Accredited zoos and aquariums annually see more than 182 million visitors, collectively generate more than \$21 billion in annual economic activity, and support more than 204,000 jobs across the country. Annually, AZA-accredited institutions spend \$160,000,000 on more than 2,650 field conservation projects in 130 countries.

MSCF programs support public-private partnerships that conserve wild tigers, elephants, rhinos, great apes, and marine turtles in their native habitats. Through the MSCF programs, the United States supplements the efforts of developing countries that are struggling to balance the needs of their human populations and endemic wildlife. MSCF programs help to sustain wildlife populations, address threats such as illegal poaching, reduce human-wildlife conflict, and protect essential habitat. By working with local communities, they also improve people's livelihoods, contribute to local and regional stability, and support U.S. security interests in impoverished regions. This Federal program benefits AZA-accredited zoos and aquariums in their field conservation efforts and partnerships with the U.S. Fish and Wildlife Service.

I also encourage you to continue to support the valuable environmental education initiatives at the EPA. Education programs at AZA-accredited institutions provide essential learning opportunities, particularly about science, for schoolchildren in formal and informal settings. Studies have shown that American schoolchildren are lagging behind their international peers in certain subjects including science and math. In the last 10 years, accredited zoos and aquariums formally trained more than 400,000 teachers, supporting science curricula with effective teaching materials and hands-on opportunities. School field trips annually connect more than 12,000,000 students with the natural world. Increasing access to formal and informal science education opportunities has never been more important.

Finally, much of the important conservation work at accredited zoos and aquariums depends on a robust and fully staffed U.S. Fish and Wildlife Service. While I am aware of the budget challenges facing Congress and the agencies, I encourage you to ensure that the U.S. Fish and Wildlife Service has sufficient resources to employ qualified professionals, particularly for the programs handling permits, which support the science-based conservation breeding and wildlife education programs that require animals to be moved in an efficient, timely manner: International Affairs (Management Authority), Endangered Species, Law Enforcement, and Migratory Birds.

AZA-accredited zoos and aquariums are essential conservation and education partners at the Federal, State, and local levels domestically as well as internationally. To ensure that accredited zoos and aquariums can continue to serve in these important roles, I urge you to include \$10,000,000 for the Multinational Species Conservation Funds operated by the U.S. Fish and Wildlife Service and \$9.7 million for National Environmental Education Act programs at the Environmental Protection Agency in the fiscal year 2015 Interior, Environment, and Related Agencies appropriations bill.

Thank you.

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PREPARED STATEMENT OF THE BRISTOL BAY AREA HEALTH CORPORATION

The requests of the Bristol Bay Area Health Corporation (BBAHC) for the fiscal year 2015 Indian Health Service (IHS) budget are as follows:

- Allocate at least an additional \$8.5 million to the IHS to fully fund Village Built Clinic (VBC) leases, and direct the IHS to use its fiscal year 2015 appropriations to fully fund the VBC leases in accordance with section 804 of the Indian Health Care Improvement Act.
- Ensure that Contract Support Costs continue to be fully funded by moving the program to mandatory entitlement spending.
- Support reauthorization of the Special Diabetes Program for Indians at \$200 million annually.
- Allocate \$50 million to the IHS from the Prevention and Public Health Fund for tribal behavioral health grants.
- Place IHS funding on an advance appropriations basis.
- Improve the safety of Alaska Native communities by affirming tribal jurisdiction.

The BBAHC was created in 1973 to provide healthcare services to Alaska Natives of Southwest Alaska. BBAHC began operating and managing the Kanakanak Hospital and the Bristol Bay Service Unit for the IHS in 1980 and was the first tribal organization to do so under the Indian Self-Determination and Education Assistance Act (ISDEAA). BBAHC is a co-signer to the Alaska Tribal Health Compact with the IHS under the ISDEAA and is now responsible for providing and promoting healthcare to the people of 34 Alaska Native villages.

*Funding for Village Built Clinics in Alaska.*—For the last several years, BBAHC has submitted testimony to this subcommittee on the need to address chronic underfunding of VBCs in Alaska. VBCs are clinic facilities leased by the IHS from other entities and are a vital component of the provision of basic healthcare services in rural Alaska. VBCs serve as the clinic space for the Community Health Aide Program (CHAP) under the Indian Health Care Improvement Act (IHCIA). The CHAP, which IHS is directed by the IHCIA to carry out, utilizes a network of community health aides and practitioners to provide primary healthcare services in rural and isolated areas where access to those services might not otherwise exist.

In 1989, Congress specifically authorized the operation of 170 VBCs in Alaska and provided approximately \$3 million in funding for the program for that year. Since then, Congress has not provided amounts specifically for VBCs in the IHS appropriation, and IHS has had discretion to fund VBCs from its lump sum appropriation. But even though the 1989 appropriation was not a cap restricting IHS allocation of funds in later years, IHS has treated it as such and has refused to increase funding for VBC leases. Funding therefore has not kept pace with inflation or the rising costs of healthcare in rural and isolated areas. In fact, the chronic underfunding over decades has resulted in deterioration and in some cases closure of VBC facilities, threatening the CHAP itself and access to basic healthcare services for rural Alaskans that hinges on the continued availability of properly maintained VBC space.

According to an estimate calculated several years ago by the Alaska Native Health Board and adjusted for inflation, at least \$8.3 million is needed to fully fund the VBC leasing program. However, that estimate is outdated and likely falls significantly short of the actual need. BBAHC therefore urges that Congress appropriate at least an additional \$8.5 million to fully fund VBC leases and that IHS be directed to use its existing appropriations to fully fund such leases in accordance with section 804 of the IHCIA.

This subcommittee should also be aware that, having attempted without success for many years to convince IHS to accept its responsibilities for the VBCs as part of the mandated CHAP program, some tribal organizations in Alaska are taking a new approach. The Maniilaq Association recently requested that the IHS enter into a mandatory lease under 105(l) of the ISDEAA for one of the VBCs that Maniilaq owns. Implementing regulations require payment under the lease to fully compensate for the costs of adequately operating and maintaining the facilities. However, the IHS refused to enter into the lease, and the matter is now being litigated. If Maniilaq prevails, the case could establish legal precedent that will allow tribal contractors in Alaska to negotiate for full funding for VBCs as part of their funding agreements under the IHS's ISDEAA leasing authority. Though funding should be provided in full through the VBC program directly, the option to enter into a § 105(l) lease must also be preserved as an alternative funding mechanism.

*Ensure Contract Support Costs Remain Fully Funded via Mandatory Spending.*—We are pleased that the administration is following the subcommittee’s lead, and seeks to fully fund contract support costs (CSC) under the ISDEAA in fiscal year 2015, and we urge Congress to continue supporting that goal. Contract support costs fund vital administrative functions that allow us to operate programs that provide critical services to our members—such as dental care, urgent care in village clinics, wide ranging community health services, and 24-hour medical care in Kananak Hospital. If CSC are not fully funded, however, our programs and services are directly impacted as we are forced to divert limited program funding to cover fixed overhead expenses instead. We therefore appreciate Congress’ support in fiscal year 2014 and hope that it carries through to fiscal year 2015 and beyond.

However, the CSC funding problem is not yet solved. Full funding for CSC must not come with a penalty—namely, a reduction in program funding or effective permanent sequestration of Indian program funds. That result would have the same devastating effect on our service delivery as the failure to fully fund CSC. Yet Congress, in the Joint Explanatory Statement accompanying the fiscal year 2014 Consolidated Appropriations Act, noted that “since [contract support costs] fall under discretionary spending, they have the potential to impact all other programs funded under the Interior and Environment Appropriations bill, including other equally important tribal programs.” Moreover, without any permanent measure to ensure full funding, payment of CSC remains subject to agency discretion from year to year, even though tribes are legally entitled to full payment under the ISDEAA. Noting these ongoing conflicts of law, Congress directed the agencies to consult with tribes on a permanent solution.

In our view, there is a logical permanent solution which Congress is empowered to implement: CSC should be appropriated as a mandatory entitlement. Under the ISDEAA, the full payment of CSC is not discretionary; it is a legal obligation, affirmed by the U.S. Supreme Court. Yet the budget authority for CSC is currently provided and controlled through appropriation acts—as if it were a discretionary program. Congress recognized that the current fundamental mismatch between the mandatory nature of CSC and the current appropriation approach leaves both the House and Senate Committees on Appropriations in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.” As the Joint Explanatory Statement also noted, “Typically obligations of this nature are addressed through mandatory spending.” The obvious solution then is to bring the appropriations process in line with the statutory requirements and to recognize CSC for what it is: a mandatory entitlement, not a discretionary program. We therefore strongly urge the Congress to move to appropriate funding for CSC on a mandatory basis.

*Reauthorize the Special Diabetes Program.*—While the entitlement funding for the Special Diabetes Program for Indians (SDPI) is not part of the IHS appropriations process, those funds are administered through the IHS. With the recent enactment into law of a 1-year extension of the SDPI as part of the Medicare “doc fix” bill (Public Law 113–93), it is funded through fiscal year 2015 at \$150 million, minus a 2 percent reduction (\$3 million) due to the sequestration of non-exempt mandatory programs (Public Law 112–240). This funding level has not increased since 2004. The SDPI has proven highly effective in Indian country, and has produced excellent results. For example, in the 4 years preceding the last report on the SDPI in 2011, the average blood sugar level dropped nearly a percentage point overall, corresponding to a 40 percent decline in the risk of eye, kidney, and nerve complications due to diabetes. We ask that you support ongoing efforts to reauthorize this program for a 5-year period at an annual funding level of \$200 million.

*Increase Funding for Behavioral Health, Suicide Prevention, and Alcohol and Substance Abuse Treatment.*—Alaska faces particular hardships in providing for our communities’ behavioral and mental health. There is a dire need for more prevention funding for suicide intervention as well as alcohol and substance abuse prevention, particularly for our youth. These efforts go hand in hand, as the problems often overlap. Alaska has twice the national rate of suicide, and ranks second in the Nation in suicide attempts requiring hospitalization. Alaska Native teens commit suicide at a rate nearly six times that of non-Native teenagers. The suicide rate among all Alaskans increased by 33 percent between 2005–2008—a period when the national rate remained steady. Compounding and complicating the suicide epidemic is alcohol and substance abuse, or a mental health disorder. The overwhelming majority of the people we lose to suicide suffer from diagnosable, treatable mental health or substance abuse problems. However, the waiting list for treatment averages nearly 9 months, and due to lack of funding there is often no place to refer people, particularly young people.

Alcohol and substance abuse contributes to myriad other problems as well, including crime, domestic violence, child abuse or neglect. Oftentimes, tribes in Alaska have a difficult time working through the State of Alaska to provide these services, which adds layers of guidelines, regulations, and reduced funding. We have found that tribes and tribal organizations should receive behavioral funds directly, because programs that implement traditional cultural values are more successful than those that don't. Included in the Affordable Care Act (ACA) is mandatory funding (\$17.7 billion over 10 years) for a Prevention and Public Health (PPH) Fund from which Congress may allocate funding to various programs. In fiscal year 2012 the administration requested that \$50 million of it be allocated to a new tribal behavioral health grant program; unfortunately Congress did not provide that allocation. We urge that Congress allocate \$50 million to the IHS in fiscal year 2015 for this purpose and that it be recurring.

*IHS on an Advance Appropriations Basis.*—We support legislation that would place the IHS budget on an advance appropriations basis. The goal is for the IHS and tribal healthcare providers to have adequate advance notice of the amount of Federal appropriations to expect and thus not be subjected to the uncertainties of late funding and short-term continuing resolutions. Congress provides advance appropriations for the Veterans Administration medical accounts, and the request is for parity in the appropriations schedule for the IHS. Legislation to authorize IHS advance appropriations has been introduced—H.R. 3229 by Representative Young and S. 1570 by Senators Murkowski and Begich.

*Support Tribal Jurisdiction To Protect Alaska Communities.*—We support the ongoing efforts to amend S. 1474, the Alaska Safe Families and Villages Act, in a manner that would recognize Alaska tribes' jurisdiction to protect their communities by dealing locally with domestic violence, sexual assault and drug and alcohol abuse. At the same time, we greatly appreciate the provision that is already in S. 1474 which would repeal section 910 of the Violence Against Women Act Reauthorization that left Alaska tribes out of the expanded tribal jurisdiction over domestic violence affirmed in that law. These changes will require additional Bureau of Indian Affairs resources regarding law enforcement and courts. We look forward to continued work with our congressional delegation and others on this legislation of such crucial importance to Alaska Native communities.

Thank you for your consideration of our requests. We will be glad to provide any additional information the subcommittee may request.

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PREPARED STATEMENT OF JAY BUSHNELL

APRIL 4, 2014.

To: Hon. Jack Reed, Chair of Senate Subcommittee on the Interior, Environment and Related Agencies

From: Dr. Jay Bushnell, immediate past president and advocacy chair, Friends of the Lower Suwannee and Cedar Keys National Wildlife Refuges

Re: Support the 2015 \$476 million proposed budget for the National Wildlife Refuge System

I would encourage your subcommittee to develop a plan to eventually fully fund the refuge system. The proposed budget of \$476 million is a small step in that direction. This does not represent a major increase in funding from what has been budgeted since 2007. Yet over the last 7 years the refuge system has increased from some 500 to over 561 refuges. It has become increasingly difficult, if not impossible, to fulfill the refuge mission as outlined in the National Wildlife Refuge System Improvement Act of 1997 with continued budget constraints. The predicted cut in positions continues to plague the refuge system and specifically hampers the Lower Suwannee and Cedar Key National Wildlife Refuges (NWRs).

While the primary mission of the refuge system is focused on wildlife conservation, it is also important to recognize that the system is an economic engine. The report *Banking on Nature* points out that in 2011 for every dollar invested there was a return of \$4.87 to the local communities. Over 70 percent of the revenue contributed came from non-local visitors who were attracted to non-consumptive activities like wildlife viewing, photography and hiking in the refuges. The fact that the Friends of the Lower Suwannee and Cedar Keys NWR are having 3,000–4,000 folks visiting our Web page each month verifies the fact that we are reaching a large non-local crowd (please check us out at [friendsofrefuges.org](http://friendsofrefuges.org)). Funding of the refuge system should be considered an investment with a great rate of return.

The Lower Suwannee and Cedar Keys NWRs have four positions that have not been refilled, including a designated biologist we have been without since 2006

when I first started volunteering, and now a full time law enforcement officer. We also face the possibility of not acquiring a critical piece of land that has been on the approved U.S. Fish and Wildlife Service (FWS) acquisition list. Some 2,000 acres that are a part of what is referred to as Caber property are now on the market. This has been considered a vital acquisition for the Land and Water Conservation Fund portion of the proposed budget.

The Lower Suwannee NWR comprises over 52,000 acres that are split by the historic Suwannee River for the last 20–25 miles where the river empties into the Gulf of Mexico. The Cedar Keys NWR is composed of some 727 acres on 13 islands in the Gulf of Mexico. Because of their non-contiguous nature, both refuges face challenging management issues.

The Lower Suwannee NWR is special and unique in the following ways:

- The pristine natural condition of the refuge helps protect the environmental health of the Suwannee River and the surrounding area.
- The Suwannee River is home to a wide variety of plant and animal life. The river is the most important spawning ground for the protected gulf sturgeon. The river is also an important habitat for the endangered manatee.
- The refuge contains a unique combination of upland hardwood, wetland/swamp, and saltwater marsh habitats. Uniquely, one can find both temperate and tropical types of vegetation in the refuge.
- The refuge provides habitat for a wide variety of birds including 15 endangered or threatened species like the bald eagle. The refuge is an important nesting site for the short-tailed hawks of which there are only an estimated 200 mating pairs in the wild. The swallowtail kite, once widespread, now is restricted to just the southeastern portion of the United States with the refuge being a very important nesting site.
- Combined with surrounding State parks, the refuge will become an even more important conservation area as Florida's population increases.
- With constructed bat houses, the refuge has successfully established a viable bat population that serves as a model for future bat projects.
- Many important cultural heritage sites are also to be found in the refuge.

The Cedar Keys NWR is special and unique in the following ways:

- The 727-acre refuge composed of 13 islands is a major rookery for pelicans and a wide variety of shore birds.
- As studied by the University of Florida's Florida Marine Center, of particular interest is the symbiotic relationship of cottonmouth moccasins and nesting birds on Seahorse Key. The moccasins provide protection from predators like raccoons and rats for the nesting birds. In return, the birds provide a steady diet of fish for the moccasins. This is the only place on earth that such a relationship between snakes and birds exists.
- The Lower Suwannee Archaeological Survey of the University of Florida has uncovered prehistorical sites dating back over 4,000 years.
- Historically, the refuge contains important historical structures including the Seahorse Key Lighthouse designed in the 1850s by Lieutenant George Meade, later to become General Meade of Gettysburg fame. It is also of interest that the lighthouse sits on a natural dune that is some 50+ feet above sea level. This makes it one of the highest points in the Big Bend area of Florida.
- This refuge also provides a vital barrier island system.

Presently, the most critical problem we face involves staffing. With adequate staffing, along with operational funding, the refuge staff, with the help of the Friends of the Lower Suwannee and Cedar Keys NWR, would be able to:

- Provide better monitoring of the health of the refuges' habitat;
- Consistently police the proper utilization of the resources of the refuges and to protect the habitat and its wildlife;
- Conduct more programs for school children to learn about conservation;
- Expand the conservation efforts across other public agencies as well as private stakeholders to deal with common problems like invasive species eradication and the protection of endangered species;
- Upgrade and maintain public facilities like roads, docks, boardwalks, observation stations and signage;
- Expand public access and use of the refuges; and
- Monitor, manage, and protect the flora and fauna in the refuges.

Thank you for considering these requests.

## PREPARED STATEMENT OF THE CENTER FOR BIOLOGICAL DIVERSITY

Chairman Reed, Senator Murkowski, and members of the subcommittee, thank you for the opportunity to submit written testimony. I am Brett Hartl, endangered species policy director at the Center for Biological Diversity. The Center is a non-profit environmental organization focused on the protection of native species and their habitats through science, policy and environmental law. The Center has more than 775,000 members and online activists dedicated to the protection and restoration of imperiled plants and wildlife, open space, air and water quality.

The Endangered Species Act (ESA) is America's strongest environmental law. It has prevented the extinction of 99 percent of the 1,500 domestic species it protects. Were it not for the Act, scientists estimate that 227 of these plants and animals would have disappeared by 2006, and even more by 2012. The Act also has had considerable success moving species towards recovery. A 2011 study by the Center identified 110 listed species that have seen substantial recovery with Endangered Species Act protection, with over 90 percent of these species recovering at the rate projected in their recovery plan.

However, not all species have approved recovery plans yet, and some species with recovery plans continue to decline. The Service's 2010 report to Congress indicated that approximately 339 threatened and endangered species are still declining towards extinction. As the extinction crisis worsens due to threats including climate change, many other once-common species, such as monarch butterflies and greater sage-grouse, have experienced major population declines and may need to be listed in the future.

Simply put, Federal funding has not kept up with the biological needs of listed species in the United States. The Fish and Wildlife Service received \$170.5 million for endangered species in fiscal year 2014 to conserve approximately 1,500 protected species. By comparison, the National Marine Fisheries Service received \$176 million to conserve approximately 180 species protected by the ESA and Marine Mammal Protection Act. And the U.S. Agency for International Development received \$184 million for biodiversity conservation internationally. The Center has identified three areas where funding beyond what is proposed for the Fish and Wildlife Service in the President's 2015 budget proposal is required to address the continuing extinction crisis in the United States: (1) listing of endangered species; (2) species recovery funding; and (3) land acquisition for endangered species.

## ADDITIONAL FUNDING FOR LISTING UNDER SECTION 4 OF THE ESA

Protecting a species as threatened or endangered is the keystone of the ESA because it is only after a species is listed that it receives meaningful protections under the Act. In fact, the length of time a species has been protected and has had designated critical habitat significantly increase the likelihood a species will improve. Species designated as "candidates" for protection due to lack of funding, are far more likely to become extinct. Most recently, the Tacoma pocket gopher (*Thomomys mazama tacomensis*) was declared extinct in 2014. The species was first identified as declining in 1985 and declared a candidate for ESA protection in 2001. But its last populations winked out while waiting for ESA protections.

Although the Service has long-struggled to list species according to the deadlines established by the ESA, the backlog of candidate species that warrant protection under the Act greatly increased following the moratorium imposed on listing in 1995. Since then, Congress has imposed a funding cap on the amount of money the Service can spend in a year on listing. Currently, using the best-available science, the Service has identified 146 candidate species that warrant protection under the ESA, but for which funding is insufficient to complete the listing process. Some of these species, such as the band-rumped storm-petrel and Great Basin Columbia spotted frog, have awaited protections since 1989. Many more have waited for ESA protections since the early 1990s.

Funding for listing peaked in fiscal year 2010 at \$22.1 million and has since fallen by 10 percent. Hamstringing the Service budget does not further the recovery of any of these candidate species. Instead, delaying listing invariably leads to greater population declines, making recovery harder, longer, and more costly to achieve. The facts have demonstrated that for nearly all endangered species, the only path to recovery has been through protection under the ESA. The more quickly species are listed, the more quickly recovery planning and recovery work can begin, and the faster species can be delisted as recovered.

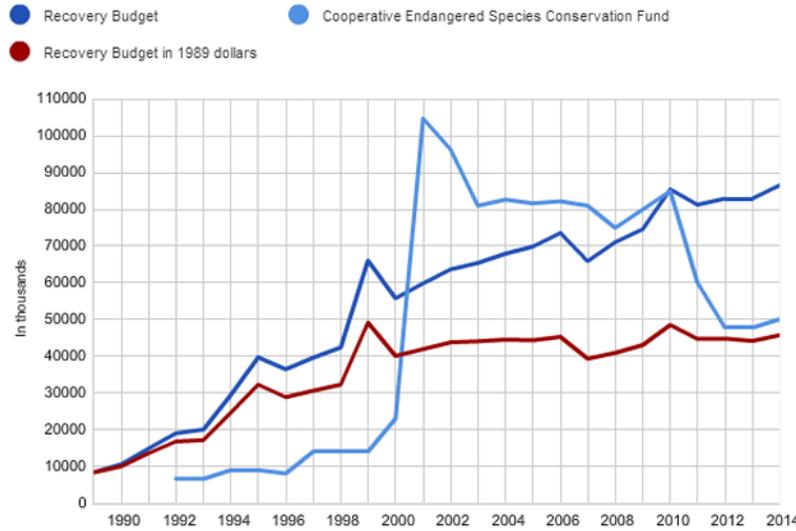
The current average cost of completing the listing process for a candidate species under the ESA is approximately \$650,000. Raising the budget subcap from the fiscal year 2014 level of \$20 million to \$30 million a year would allow the Service to completely address the listing backlog and address all candidate species in the next 3

years. Eliminating the backlog would not only provide an immediate conservation benefit to these species, but would also potentially allow the Service to more efficiently list species moving forward. Because funding has historically been insufficient to complete the listing process, the Service must add an additional step in the listing process and publish a separate 12-month finding that the species is “warranted-but-precluded”—and each of these 12-month findings costs \$100,000. Eliminating the backlog would save the Service \$100,000/species and would allow the Service to use the more-streamlined process already employed by the Service when it delists recovered species.

FUNDING FOR RECOVERY

The purpose of the ESA is not only to save species from extinction but also to recover them to the point that the protections provided by the Act are no longer necessary. Recovering species under the ESA requires the Fish and Wildlife Service to address and alleviate the threats that caused a species to decline in the first instance, including controlling invasive species, restoring degraded habitat, reducing illegal poaching, reintroducing new populations, and other forms of intensive management. All recovery actions are costly, especially with new and growing threats such as climate change. As shown in Figure 1, funding for recovery in inflation-adjusted dollars has remained flat to declining.

Figure 1.—Recovery Funding Fiscal Year 1989 to Fiscal Year 2014

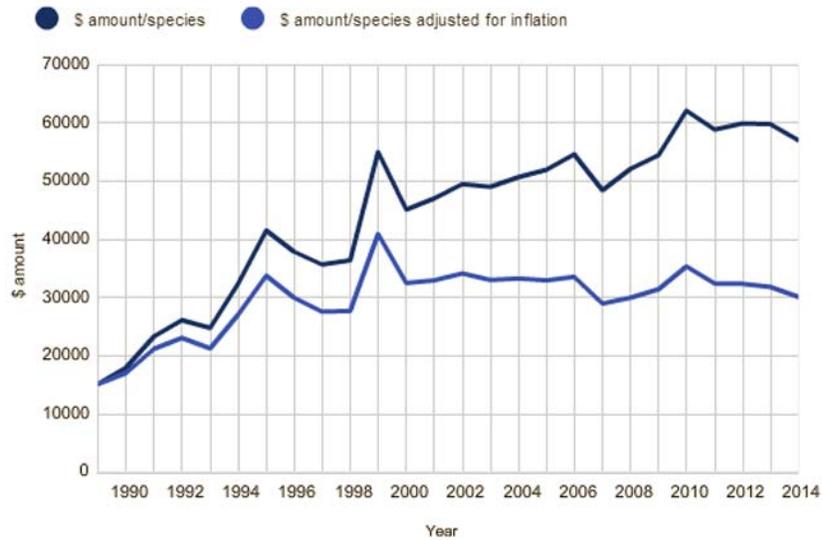


As the extinction crisis continues and more species need protection under the ESA, the average amount of money available per species continues to decline. In real dollars, the average amount in inflation-adjusted dollars spent per species on recovery peaked in 1999 at \$40,915 per species and has since dropped to \$30,090/species. Nearly 150 listed species receive less than \$1,000 per year, or three dollars per day, to address their recovery and almost 100 species are getting no money at all. Many of the species that the Service has identified as declining are those that receive little to zero funding per year.

If Congress wants to see more species recovered more quickly, then it should restore all of the cuts to ESA recovery funding that have occurred in the past 5 years and provide additional funding to the Service moving forward. First, Congress should restore full funding to the Cooperative Endangered Species Conservation Fund (CESCF). In 2001, Congress allocated \$104.7 million to the CESCF and has since reduced funding to this program by 47 percent to a level of only \$50.1 million. This program provides valuable conservation tools and funding to States, territories and private landowners to participate in a wide array of conservation projects for candidate and listed. Cutting this program dis-empowers States and makes it hard-

er for them to meaningfully participate in the conservation and recovery of endangered species.

Figure 2.—Average Recovery Funding/Species Fiscal Year 1989 to Fiscal Year 2014  
Species



Second, Congress should significantly increase the amount of funding for recovery by ensuring that each listed species receives at least \$7,500 each year in direct recovery funding. Doing so would require Congress to provide at minimum, an additional \$26 million per year in recovery funding. This would better ensure that endangered species that are continuing to decline receive some attention each year from conservation professionals.

The longer a species is in crisis, the more expensive it becomes for that species to fully recover. Failing to ensure that each species receives a nominal amount of money for recovery makes recovery of declining species much less likely. Increasing the overall funding for recovery will prevent species from declining to the point where listing is necessary and will reduce the amount of recovery work that Fish and Wildlife will have to do down the road.

#### LAND ACQUISITION

For listed species with finalized recovery plans, approximately 450 plans have identified land acquisitions (either through outright purchase or the securing of easements) as priority actions that would improve the conservation status of those listed species. For example, the El Segundo blue butterfly population size has increased by 22,312 percent since it was protected by the ESA in 1984. However, the butterfly's recovery plan states that until four parcels of expensive, coastal land near the Los Angeles International Airport can be secured through purchase or acquisition, this species probably cannot be either downlisted to threatened or considered recovered. Simply put, land conservation could significantly improve the recovery rate of listed species.

Funding available through the Land and Water Conservation Fund (LWCF) to secure habitat for endangered species has simply not kept up with the biological need. The Center recommends that Congress amend the Land and Water Conservation Fund Act to (1) make all money that is authorized for land acquisition each year immediately available in full without further appropriation, and (2) that the conservation fund cap be indexed to the amount of royalties and revenues received from oil and gas development on the Outer Continental Shelf (OCS).

In 1968, Congress first made revenues from OCS development part of the conservation fund and set the annual authorization level at \$200 million. At that time,

OCS revenues were approximately \$500 million per year.<sup>1</sup> In other words, the conservation fund was authorized to use around 40 percent of the annual revenue stream from the OCS. In 1977, after OCS revenues increased to \$4 billion/year,<sup>2</sup> Congress increased the authorized level of the fund to \$900 million. This authorization represented approximately 22.5 percent of total OCS annual revenues. Since 1977, the conservation fund authorization amount has remained at \$900 million while the total revenues from the OCS have continued to rise and are now reaching levels of up to \$9 billion/year. The percentage of OCS revenues potentially going into the conservation fund has dropped from 40 percent of annual OCS receipts in 1968, to only 6 percent in 2014.

Increasing the conservation fund to 22.5 percent of current OCS revenues would mean that approximately \$2.025 billion would be available each year for land acquisition. Providing this full amount for land acquisition would allow the entire Department of Interior to address its priority land acquisitions. While this increase is substantial, it is important to remember that the purchasing power of the conservation fund has diminished because the average cost of land acquisition has risen nearly ten-fold from an average of \$162 per acre in the 1960s to \$1,515 per acre in the 2000s. At current funding levels, the Fish and Wildlife Service estimates that it would take 44 to 75 years to acquire the land that has already been identified as priority acquisitions by the Service. Thank you for the opportunity to submit testimony.

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#### PREPARED STATEMENT OF THE CENTRAL ARIZONA PROJECT

On behalf of the Central Arizona Water Conservation District (CAWCD), I encourage you to include \$5.2 million for general water quality improvement efforts within the Colorado River Basin and an additional \$1.5 million for salinity specific projects in the Bureau of Land Management's (BLM) Soil, Water and Air Program in fiscal year 2015. This funding will help protect the water quality of the Colorado River that is used by approximately 40 million people for municipal and industrial purposes and used to irrigate approximately 4 million acres in the United States.

CAWCD manages the Central Arizona Project, a multi-purpose water resource development and management project that delivers Colorado River water into central and southern Arizona. The largest supplier of renewable water in Arizona, CAP diverts an average of over 1.6 million acre-foot of Arizona's 2.8 million acre-foot Colorado River entitlement each year to municipal and industrial users, agricultural irrigation districts, and Indian communities.

Our goal at CAP is to provide an affordable, reliable and sustainable supply of Colorado River water to a service area that includes more than 80 percent of Arizona's population.

These renewable water supplies are critical to Arizona's economy and to the economies of Native American communities throughout the State. Nearly 90 percent of economic activity in the State of Arizona occurs within CAP's service area. CAP also helps the State of Arizona meet its water management and regulatory objectives of reducing groundwater use and ensuring availability of groundwater as a supplemental water supply during future droughts. Achieving and maintaining these water management objectives is critical to the long-term sustainability of a State as arid as Arizona.

#### NEGATIVE IMPACTS OF CONCENTRATED SALTS

Natural and man-induced salt loading to the Colorado River creates environmental and economic damages. EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. Human activity, principally irrigation, adds to salt load of the Colorado River. Further, natural and human activities concentrate the dissolved salts in the River.

The U.S. Bureau of Reclamation (Reclamation) has estimated the current quantifiable damages at about \$295 million per year to U.S. users with projections that damages would increase to more than \$500 million by 2030 if the program were not to continue. These damages include:

- a reduction in the yield of salt sensitive crops and increased water use to meet the leaching requirements in the agricultural sector;

<sup>1</sup> S. Rep. No. 90-1071, at 2618 (1968), *reprinted in* 1968 U.S.C.C.A.N. 2613, 2618.

<sup>2</sup> S. Rep. No. 95-162, at 8 (1977), *reprinted in* 1977 U.S.C.C.A.N. 322, 328.

- increased use of imported water and cost of desalination and brine disposal for recycling water in the municipal sector;
- a reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector;
- an increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector;
- an increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;
- a decrease in the life of treatment facilities and pipelines in the utility sector; and
- difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins.

Adequate funding for salinity control will prevent the water quality of the Colorado River from further degradation and avoid significant increases in economic damages to municipal, industrial and irrigation users.

#### HISTORY OF THE BLM COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

In implementing the Colorado River Basin Salinity Control Act of 1974, Congress recognized that most of the salts in the Colorado River originate from federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to the quality of waters being delivered to Mexico. Title II of the Act deals with improving the quality of the water delivered to users in the United States. This testimony deals specific with title II efforts. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM.

In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin and to pursue salinity control studies and to implement specific salinity control practices. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

The threat of salinity continues to be a concern in both the United States and Mexico. On November 20, 2012, a 5-year agreement, known as Minute 319, was signed between the U.S. and Mexico to guide future management of the Colorado River. Among the key issues addressed in Minute 319 included an agreement to maintain current salinity management and existing salinity standards. The CAWCD and other key water providers are committed to meeting these goals.

#### CONCLUSION

Implementation of salinity control practices through BLM Program has proven to be a very cost effective method of controlling the salinity of the Colorado River. In fact, the salt load of the Colorado River has now been reduced by roughly 1.2 million tons annually, reducing salinity in the Lower Basin by more than 100 ppm. However, shortfalls in funding levels have led to inefficiencies in the implementation of the overall Program. Therefore, additional funding is required in 2015 to meet this goal and prevent further degradation of the quality of the Colorado River with a commensurate increase in downstream economic damages.

CAWCD urges the subcommittee to include \$5.2 million for general water quality improvement efforts within the Colorado River Basin and an additional \$1.5 million for salinity specific projects in the Bureau of Land Management's (BLM) Soil, Water and Air Program. If adequate funds are not appropriated, significant damages from the higher salt concentrations in the water will be more widespread in the United States and Mexico.

## PREPARED STATEMENT OF THE CENTRAL UTAH WATER CONSERVANCY DISTRICT

APRIL 3, 2014.

Hon. JACK REED, *Chairman*,  
 Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in "Conservation and Restoration" funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled "Conservation and Restoration") to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS "Conservation and Restoration" funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

GENE SHAWCROFT, P.E.,  
*Deputy General Manager.*

## PREPARED STATEMENT OF THE CHILDREN'S ENVIRONMENTAL HEALTH NETWORK

The Children's Environmental Health Network (CEHN or the Network) is pleased to have this opportunity to submit testimony on fiscal year 2015 appropriations for the U.S. Environmental Protection Agency (EPA) and the Agency for Toxic Substances and Disease Registry (ATSDR). We seek funding levels of \$9 billion for EPA and \$76.2 million for ATSDR.

CEHN urges the subcommittee to provide funding at or above the requested levels for the following EPA activities:

- Office of Children's Health Protection
- Children's Environmental Health & Disease Prevention Research Centers
- Office of Research & Development
- School and Child Care Environmental Health
- The Pediatric Environmental Health Specialty Units

CEHN also urges the restoration of the State Indoor Radon Grants and full funding of all activities that advance healthy school and childcare environments for all children, including those supported by ATSDR.

The Network's mission is to protect the developing child from environmental hazards and promote a healthier environment. The Network's Board and committee members include internationally-respected experts in children's environmental health science and policy. We recognize that children, in our society, have unique moral standing.

Today's children are facing the distressing possibility that they may be the first generation to see a shorter life expectancy than their parents due to poor health. Key contributors to this trend are the modern pediatric epidemics of obesity, asthma, learning disabilities, and autism. For all of these conditions, the child's environment plays a role in causing, contributing to or mitigating these chronic conditions.

The estimated costs of environmental disease in children (such as lead poisoning, childhood cancer, and asthma) were \$76.6 billion in 2008.<sup>1</sup>

Investments in programs that protect and promote children's health will be repaid by healthier children with brighter futures. Thus it is vital that the Federal programs and activities that protect children from environmental hazards receive adequate resources.

As epidemiologists see increasing rates of asthma, learning disabilities, and childhood cancers; as parents seek the causes of birth defects; as researchers understand more and more about the fetal origins of disease, policy makers must do a much better job of understanding and acting on the connections between children's health and the environments in which they spend their time.

These environments include, but go beyond, home, school, and childcare settings. A growing number of studies are finding unexpected impacts of prenatal environmental exposures on health in later years. For example, prenatal exposures to either a common air pollutant or a common pesticide have each been linked to lower IQs and poorer working memory at age 7.

Thus, all agencies should assure that their children's programs build on and respond to the growing evidence of the importance of prenatal and early life exposures to a child's health and future.

#### ENVIRONMENTAL PROTECTION AGENCY

A variety of factors, such as children's developing systems, their unique behaviors, and differing exposures, mean that children can be more susceptible than adults to harm from toxic chemicals. Standards and guidelines that are based on adults cannot be assumed to be protective of children. The EPA programs of highest importance in the protection of children are described below.

*EPA's Office of Children's Health Protection (OCHP).*—OCHP has been leading EPA's efforts to protect children from environmental hazards since 1997. Despite an effective track record, funding for OCHP has been level, at approximately \$6 million, since its creation. OCHP focuses on interagency work that promotes healthy housing and healthy children. These areas show that environmental interventions result in great cost savings, not to mention the health problems averted, such as asthma episodes and lead poisoning cases. There is great interest but few resources for these approaches. We urge increased funding for this vital office.

*Children's Environmental Health & Disease Prevention Research Centers.*—These Centers, jointly funded by EPA and NIEHS, play a key role in providing the scientific basis for protecting children from environmental hazards. With their modest budgets, which have been unchanged for more than 10 years, these centers generate valuable research. It was these centers, for example, that generated the findings mentioned earlier about connections between prenatal exposures and lower IQ at age 7.

Several Centers have established longitudinal cohorts, which in some cases are more than 10 years old. The ability to look for linkages between exposures and health outcomes in infants, toddlers, and, now, adolescents, is vital. If these cohorts are disbanded due to funding cuts, at best it will take years and untold resources before it is possible to replicate them. Few if any longitudinal cohort studies on adolescents, puberty and environmental exposures exist. The Network is concerned that inadequate funding may result in the loss of these valuable cohorts. We urge the subcommittee to support these centers at \$33 million in fiscal year 2015.

*Office of Research & Development (ORD).*—This office is critical in efforts to understand environmental impacts on children's health. EPA has pledged to increase its efforts to provide a safe and healthy environment for children by ensuring that all EPA regulations, standards, policies, and risk assessments take into account childhood vulnerabilities to environmental chemicals. We encourage additional funds for research on children's issues in fiscal year 2015. We ask that your subcommittee direct the office to improve transparency by tracking and reporting on the funding and research across the office dedicated to children's environmental health.

Children's environmental health is an issue that cuts across all of ORD's programs. For example, EPA's National Health and Environmental Effects Research Laboratory scientists are protecting children's health through the development of cost-effective methods to test and rank chemicals for their potential to cause developmental neurotoxicity. To date, only a small number of the thousands of chemicals currently in commerce have been assessed for their potential toxicity and for their

<sup>1</sup>Trasande, Liu Y. "Reducing The Staggering Costs Of Environmental Disease In Children, Estimated At \$76.6 Billion In 2008," *Health Affairs*. No. (2011): doi: 10.1377/hlthaff.2010.1239.

effects on the child's developing nervous system. These new testing methods can screen in hours to days instead of months to years and will provide faster, less expensive ways of assessing potential toxicity.

These new testing methods, however, do not replace the need for continued research in childhood exposures and health effects. Much of the research in this field cannot be conducted in a short timeframe and requires sustained funding if scientists are to conduct research and measure effectiveness.

*State Radon Grants.*—Radon is the leading cause of lung cancer in non-smokers, and the EPA reports that it is one of the most serious public health problems in the United States, responsible for up to 21,000 lung cancer deaths annually. While we applaud the Agency's continued work on indoor air quality, asthma, and its plans to "continue to lead on radon activities," we are not convinced that the way to do so is to eliminate the State Indoor Radon Grants. We urge you to restore this program.

*School and Child Care Environmental Health.*—In America today, millions of children, often as young as 6 weeks, spend 40–50 hours a week in childcare. Yet, little is known about the environmental health status of the Nation's childcare centers or how to assure that these facilities are protecting this highly vulnerable group of children. Environmental health is rarely if ever considered in licensing regulations or in training childcare professionals. Similarly, about 54 million children and nearly 7 million adults—20 percent of the total U.S. population—spend up to 40 hours per week inside school facilities every week. Unfortunately, many of these facilities contain unsafe environmental conditions that harm children's health and undermine attendance, achievement, and productivity. Thus, it is vital that EPA maintain and expand its activities for healthy school and child care settings, such as the Indoor Air Quality Tools for Schools program.

*Pediatric Environmental Health Specialty Units.*—Pediatric Environmental Health Specialty Units (PEHSUs) form a valuable resource network for parents and clinicians around the Nation. They are funded jointly by the Agency for Toxic Substances and Disease Registry (ATSDR) and the EPA with a very modest budget. PEHSU professionals provide medical consultation to healthcare professionals from individual cases of exposure to advice regarding large-scale community issues. PEHSUs also provide information and resources to school, child care, health and medical, and community groups and help inform policymakers by providing data and background on local or regional environmental health issues and implications for specific populations or areas. We urge the subcommittee to provide adequate funding for both EPA's and ATSDR's portions of this program.

#### ATSDR

CEHN urges the subcommittee to provide funding at or above the requested levels for ATSDR activities. ATSDR uses the best science in taking public health actions, such as site assessments and toxicological profiles, to prevent harmful exposures and diseases of communities and individuals related to toxic substances.

ATSDR understands that in communities faced with contamination of their water, soil, air, or food, infants and children can be more sensitive to environmental exposure than adults and that assessment, prevention, and efforts to find remedies for exposures must focus on children because of their vulnerability and importance to the Nation's future. We support the full funding of ATSDR and the continuation of their varied responsibilities.

#### CHILDREN'S HEALTH AND HEALTHY CHILDREN MUST BE ON-GOING PRIORITIES FOR THIS AND EVERY ADMINISTRATION

We have seen much progress in recognizing the impact of environmental toxicants on children's health. Much more remains to be done, however. The Network urges the subcommittee to direct both agencies to assure that all of their activities and programs—including regulations, guidelines, assessments and research—specifically consider children.

EPA and ATSDR must always assure that children and other vulnerable sub-populations are protected, especially poor children, minority children, farmworker children, and others at risk.

Thank you for the opportunity to submit testimony on these critical issues, and thank you for your concern about the environmental health of children.

## PREPARED STATEMENT OF THE CHOCTAW NATION OF OKLAHOMA

Mr. Chairman and members of the subcommittee, thank you for the opportunity to provide written testimony on the fiscal year 2015 Interior, Environment and Related Agencies appropriations for the Indian Health Service (IHS) and Bureau of Indian Affairs (BIA). On behalf of Chief Gary Batton, I submit this testimony which identifies the funding priorities and budget issues important to the citizens of Choctaw. We request that the subcommittee work with tribes and not allow tribal programs in the Indian Health Service and Bureau of Indian Affairs, as well as throughout the entire Federal Government, to incur further sequestration budget decreases and across the board rescissions that are not imposed on other beneficiaries of the Federal budget.

We recommend the following:

## Indian Health Service

1. Joint Venture Program—Increase President's Request to \$170 million.
2. Special Diabetes Program for Indians—Reauthorize for 5 years at \$200 million/year.
3. Restore Funding to the Office of Tribal Self-Governance—\$6 million.

## Indian Health Service and Bureau of Indian Affairs

1. Contract Support Costs—Full Funding with an Annual Special Appropriation.
2. Restore Sequestered Funds and Exempt Tribes from Future Sequestration.

The Choctaw Nation of Oklahoma is the third largest Native American tribal government in the United States, with over 208,000 members. The Choctaw Nation territory consists of all or part of 10 counties in southeast Oklahoma, and we are proudly one of the State's largest employers. The nation operates numerous programs and services under Self-Governance compacts with the United States, including but not limited to: a sophisticated health system serving over 33,000 patients with a hospital in Talihina, Oklahoma, eight outpatient clinics, referred specialty care and sanitation facilities construction; higher education; Johnson O'Malley program; housing improvement; child welfare and social services; law enforcement; and many others.

## JOINT VENTURE PROGRAM—INCREASE PRESIDENT'S REQUEST TO \$170 MILLION

The Joint Venture Construction Program (JVCP) allows IHS to enter into agreements with tribes that construct their own health facilities. The funding for the construction of the health facility comes from the tribe using their resources, financing or other funding sources with the exception of the IHS healthcare facility construction appropriations. Tribes apply for the JVCP during a competitive process and projects that are approved enter into agreements with IHS. Upon projected completion of construction by the respective tribe, the IHS agrees to request congressional appropriations for additional staffing and operations based on the tribes' projected dates of completion, fully executed beneficial occupancy and opening.

The President's proposed level of \$85 million will not support the intent of the JVCP and should be increased to \$170 million at a minimum. Between fiscal year 2001 and fiscal year 2012, 17 joint venture project agreements signed by IHS and tribes were initiated and 9 have been completed. The interest of tribes to assume the cost and build or repair the facilities represents the viability of the JVCP and the future of healthcare access and delivery of services in American Indian and Alaska Native rural and remote communities.

Another key element to a successful JVCP partnership is full payment of contract support costs. Without reimbursement of contract support cost, offsetting program reductions must be made and services are reduced. Upon entering an agreement the IHS should include staffing and contract support costs in the IHS annual appropriations requests to ensure that the facility can open and begin operations as planned.

## SPECIAL DIABETES PROGRAM FOR INDIANS—SUPPORT 5 YEAR REAUTHORIZATION AT \$200 MILLION/YEAR

The Choctaw Nation would like to thank the U.S. House of Representatives for passing H.R. 4302, Protecting Access to Medicare Act, which includes the extension of the Special Diabetes Program for Indians (SDPI) through 2015 at the current level of \$150 million. Although we requested that Congress reauthorize the program for 5 years and increase the funding to \$200 million a year, we are grateful that you sustained the program which allows us an opportunity to continue our advocacy for an extended reauthorization period.

Since the program was initially authorized in 1997 there has been tremendous improvement in the status of diabetes, as well as building a desperately needed infra-

structure for diabetes throughout American Indian and Alaska Native communities. SDPI funding is not part of the IHS appropriations process, but the funds are administered through IHS. The success can be attributed to nearly 400 Indian Health Service, Tribal and Urban (I/T/U) Indian health programs who have assisted in developing innovative and culturally appropriate strategies, vital resources and tools to prevent and treat diabetes.

Congressional funding remains the critical factor in the battle against diabetes and we request that you urge your colleagues to extend the reauthorization to 5 years and increase funding to \$200 million for the SDPI program.

RESTORE FUNDING TO THE OFFICE OF TRIBAL SELF-GOVERNANCE (OTSG)—\$6 MILLION

In 2003 Congress reduced funding for OTSG by \$4.5 million in addition to congressional rescissions in 2005 and 2006 to total more than a 50 percent cut. In the recent Murray/Ryan spending plan OTSG was cut another \$1 million. Self-Governance was permanently authorized in the IHS under Public Law 106-260; Tribal Self-Governance Amendments of 2000 which increased the responsibilities of the OTSG, yet with the reduction in funding it is not able to fulfill the legal requirements under the law. In addition, there are now 341 tribes and 84 compacts and 109 funding agreements in Self-Governance and OTSG distributes approximately \$980 million to Self-Governance tribes. We request that you restore the \$6 million cut to OTSG to fulfill legal requirements under title V of Public Law 106-260.

CONTRACT SUPPORT COSTS—FULL FUNDING WITH AN ANNUAL SPECIAL APPROPRIATION

Full funding of contract support cost in the fiscal year 2014 and fiscal year 2015 budgets is timely and appreciated. However, funding for tribal programs is seriously impacted. Although our requests to honor the contracts and the compacts and pay full contract support costs have been fulfilled, it has come at a price that is insurmountable and detrimental to past, present and future tribal program funding. And, even though CSC claims are paid from the Judgment Fund, the day-to-day cost of tribes doing business with the Federal Government has forever compromised how tribal governments operate and provide essential services to our citizens.

The Choctaw Nation is requesting that contract support costs be an annual special appropriation that is not tied to the "Operations of Indian Programs" account or the Indian Health Service funding. While it is true that contract support costs is based on the programs, services, functions and activities tribes include in the contracts or compacts with the agencies, most of these funding agreements are multi-year and the levels can be computed beforehand for inclusion in an appropriations measure separate from the larger appropriations bill. This will allow the agencies to more accurately capture the contract support costs and provide Congress with approximate amount for a special appropriation. We welcome the opportunity to discuss this in further detail with members of this subcommittee.

RESTORE SEQUESTERED FUNDS AND EXEMPT TRIBAL FUNDING FROM FUTURE SEQUESTRATION

Tribes have borne an unfair share of the budget deficit. The Choctaw Nation request that tribal programs be exempt from future sequestration considering that we have already contributed to the deficit at a rate that is not commensurate with other stakeholders. The percentage of the entire United States' budget that is going to Indian Country is only 0.07 percent. That is a third less than what the percentage was in 1995. Yet we incurred a cut of \$220 million in the Indian Health Service and \$119 million for the Bureau of Indian Affairs Operations of Indian Programs Account—both under the 2013 sequestration. It is not realistic to expect tribes to continue to absorb the debt of this Nation and ignore the Trust obligation and Trust relationship between our governments. We are in fiscally tough times and our requests, as well as your responses, are tough choices and decisions that we will all have to live with.

In 2013, the Choctaw Nation testified and shared our concern about the impending sequestration. When Congress approved legislation for the budget cuts, they specifically exempted many programs that benefit low-income Americans, including Medicaid, tax credits for working families and food stamps. However, basically none of the tribal programs funding in the Departments of Interior, Education, Health and Human Services or Agriculture were exempt.

This issue was further exacerbated when the agencies consulted with the tribes on the fiscal year 2014 Spending Plans as a means of "damage control" and to soften the impact of the sequestration. It was our understanding that the Murray/Ryan budget deal was an attempt to lessen the blow of the sequestration cuts but such is not the case. Our requests to assist in the development of the Spending Plans,

or at a minimum to review them prior to submission, was not an option and we were once again left outside of the process, the decisionmaking and impacted by the outcome.

In general, all tribal programs, not just the Bureau of Indian Affairs (BIA) and Indian Health Services (IHS) budgets should be exempt from any budget recessions and discretionary funding budget reductions. We remain extremely concerned about the consequences of sequestration and strongly urge Congress to fully restore sequestration cuts from fiscal year 2013. This action threatens the trust responsibility and reduces portions of the budget that are not major contributors to the deficit.

Thank you for considering the requests of the Choctaw Nation of Oklahoma.

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PREPARED STATEMENT OF THE CHOOSE CLEAN WATER COALITION

MARCH 28, 2014.

Hon. JACK REED, *Chairman,*  
*Subcommittee on Interior, Environment and Related Agencies,*  
*U.S. Senate, Washington, DC.*

Hon. LISA MURKOWSKI, *Ranking Minority Member,*  
*Subcommittee on Interior, Environment and Related Agencies,*  
*U.S. Senate, Washington, DC.*

Dear Chairman Reed and Ranking Member Murkowski: As members of the Choose Clean Water Coalition, we are requesting continued support for programs that are essential to maintaining and restoring clean water to the rivers and streams throughout the Chesapeake Bay region, and to the Bay itself. At least 11 million people in this region get their drinking water directly from the rivers and streams that flow through the cities, towns and farms throughout our region. The quality of this water is critical to both human health and to the regional economy.

The efforts to clean the Chesapeake began under President Reagan in 1983. In his 1984 State of the Union speech President Reagan said, "Preservation of our environment is not a liberal or conservative challenge, it's common sense."

To follow a common sense path to maintain healthy local water and restore Chesapeake Bay, which is critical for our regional economy, we request funding for the following programs in fiscal year 2015:

U.S. ENVIRONMENTAL PROTECTION AGENCY

*Chesapeake Bay Program—\$73.1 million*

We support the President's 2015 budget request of \$73.1 million for the base budget of the Chesapeake Bay Program, which coordinates Chesapeake Bay watershed restoration and protection efforts. The majority of the program's funds are passed through to the States and local communities for on-the-ground restoration work through programs such as the Small Watershed Grants, Innovative Nutrient and Sediment Reduction Grants, State Implementation Grants, and the Chesapeake Bay Regulatory and Accountability Program grants. Last year \$29.5 million of this went exclusively to the six Chesapeake Bay watershed states and the District of Columbia to achieve water quality restoration goals.

In particular, we urge you to increase funding for both the Chesapeake Small Watershed Grants (SWG) Program and the Innovative Nutrient and Sediment Reduction grants to \$6 million each—a modest increase over fiscal year 2014. These are two well-run, competitive grants programs that have contributed significantly to water quality improvements throughout the Chesapeake Bay watershed. These are the Bay Program's only grants that go to restoration efforts by local governments and communities, not just the States. In the fiscal year 2014 Omnibus Appropriations Bill, Congress directed EPA to increase funding for the SWG, which goes specifically to local communities for restoration work.

*Clean Water State Revolving Fund (SRF)—\$1.44887 billion*

This program is critical to the 1,779 local governments throughout the Chesapeake region. The funding level has eroded over the years as the clean water needs of local communities have increased dramatically, but Congress has stabilized this important program for the past 3 years and we urge you to do so again in fiscal year 2015. These low interest loans are critical for clean water and for ratepayers in the Chesapeake region and nationwide. We urge you to support the same funding level as fiscal year 2014 that provided \$327 million in low interest loans to local governments in Delaware, Maryland, New York, Pennsylvania, Virginia, West Virginia and the District of Columbia. This SRF allocates money to the States based

on a set formula, which is then used for low interest loans to local governments for critical capital construction improvement projects to reduce nutrient and sediment pollution from wastewater treatment and stormwater facilities; nonpoint sources of pollution, such as farms and development; and other sources. The SRF enables local governments in the Chesapeake watershed to take actions to protect their local waters to meet Clean Water Act requirements. As the list of clean water infrastructure needs in the Chesapeake region continues to expand we request that the Clean Water SRF not be cut in 2015.

DEPARTMENT OF THE INTERIOR

*U.S. Geological Survey (USGS)—Chesapeake Bay Studies—\$9.557 million*

We support the President's 2015 budget request of \$9.557 million for the U.S. Geological Survey for the science that undergirds the restoration and protection efforts in the Chesapeake Bay region. This funding supports restoration of fish and wildlife and their habitats; and to assess and explain water-quality changes. There are four key focus areas for the USGS Chesapeake work in 2015: (1) restoring brook trout and their habitats in headwater areas of the Chesapeake watershed; (2) identifying the endocrine-disrupting compounds and other contaminants that threaten fisheries and wildlife in the Chesapeake watershed; (3) furthering understanding of the effects of development and sea-level rise on coastal wetlands important for waterfowl; and (4) monitoring and explaining changes to water quality. The efforts of USGS are critical to preserving and restoring healthy fish and wildlife resources to the Chesapeake region.

*National Park Service—Chesapeake Regional Programs—\$2.991 million*

The National Park Service Chesapeake Bay Office runs a number of small, but very important programs that focus on increasing public access and the use of ecological, cultural and historic resources of the Chesapeake region. Expanding access and public awareness fosters stewardship and protection efforts.

The key programs in the President's fiscal year 2015 budget request that we support are: Chesapeake Bay Gateways and Trails (\$1,999,000); Captain John Smith Chesapeake National Historic Trail (\$368,000); Star Spangled Banner National Historic Trail (\$148,000); and, support for coordinating these programs through the National Park Service Chesapeake Bay Office (\$476,000).

*National Park Service—Land Protection in Maryland, Pennsylvania & Virginia through the Land and Water Conservation Fund—\$9.832 million*

We support the President's 2015 budget that calls for the strategic use of funds from the Land and Water Conservation Fund to protect and preserve key assets in the National Park System at Gettysburg National Military Park (\$376,000) and the Appalachian National Scenic Trail (\$500,000) in Pennsylvania; Fredericksburg and Spotsylvania County Battlefields National Military Park (\$1.519 million) and the Captain John Smith Chesapeake National Historic Trail (\$6.0 million) in Virginia; and Piscataway Park (\$1.437 million) in Maryland. In addition to enhancing public access and education and preserving key historic and heritage sites, these acquisitions, including the battlefield and military parks and the national scenic trail, will protect key freshwater and tidal habitat areas critical to an array of fish and wildlife species.

*U.S. Fish and Wildlife Service—Land Protection in Virginia through the Land and Water Conservation Fund—\$5.56 million*

The President's 2015 budget calls for two targeted additions to the Rappahannock River Valley National Wildlife Refuge. We support the expansion of the Refuge for both public access and wildlife habitat protection.

Thank you for your consideration of these very important requests to maintain funding for these programs which are critical to clean water throughout the mid-Atlantic region.

Sincerely,

1000 Friends of Maryland; American Rivers; Anacostia Watershed Society; Audubon Naturalist Society; Blue Water Baltimore; Chapman Forest Foundation; Citizens for Pennsylvania's Future; Clean Water Action; Conservation Pennsylvania; Delaware Nature Society; Elk Creeks Watershed Association; Friends of Dyke Marsh; Friends of Frederick County; Friends of Lower Beaverdam Creek; Friends of the North Fork of the Shenandoah River; Friends of the Rappahannock; Friends of the Rivers of Virginia; Interfaith Partners for the Chesapeake; James River Association; Loudoun Wildlife Conservancy; Maryland Academy of Sciences at the Maryland Science Center;

Maryland Conservation Council; Maryland League of Conservation Voters; Mattawoman Watershed Society; and National Parks Conservation Association; National Wildlife Federation; Natural Resources Defense Council; Nature Abounds; New York State Council Trout Unlimited; Pennsylvania Council of Churches; Pennsylvania Council of Trout Unlimited; Piedmont Environmental Council; Potomac Conservancy; Rivanna Conservation Society; Rock Creek Conservancy; Sassafras River Association; Savage River Watershed Association; Shenandoah Riverkeeper; Shenandoah Valley Network; Stewards of the Lower Susquehanna; St. Mary's River Watershed Association; Trout Unlimited; Trout Unlimited Mid-Atlantic Council Upper Susquehanna Coalition; Virginia Conservation Network; Virginia League of Conservation Voters; Waterkeepers Chesapeake; West Virginia Rivers Coalition.

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PREPARED STATEMENT OF THE CITY OF AURORA

APRIL 5, 2014.

Hon. JACK REED, *Chairman*,  
 Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in "Conservation and Restoration" funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled "Conservation and Restoration") to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS "Conservation and Restoration" funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

MARSHALL P. BROWN,  
*Director, Aurora Water.*

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PREPARED STATEMENT OF THE CITY OF FARMINGTON

APRIL 7, 2014.

Hon. JACK REED, *Chairman*,  
 Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin

Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in “Conservation and Restoration” funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled “Conservation and Restoration”) to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS “Conservation and Restoration” funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled “National Fish Hatchery System Operations”) for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

ROBERT CAMPBELL,  
*Assistant City Manager.*

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PREPARED STATEMENT OF THE CIVIL WAR TRUST

MAY 21, 2014.

To the Chair and members of the subcommittee: Thank you for the opportunity to provide testimony on behalf of the Civil War Trust. I write today to respectfully request that the Senate Appropriations Subcommittee on Interior, Environment, and Related Agencies fund the Civil War Battlefield Preservation Program at its authorized amount of \$10 million.

The Civil War Trust is a national nonprofit organization dedicated to preserving America's remaining Civil War battlefields. Thanks to the generosity of our 200,000 members and supporters, the Civil War Trust has protected more than 38,500 acres of hallowed ground in 20 States.

The Civil War Battlefield Preservation Program is an authorized competitive matching grants program that requires a 1 to 1 Federal/non-Federal match, although on most occasions the Federal dollars are leveraged much more than 1 to 1. The program promotes cooperative partnerships between State and local governments and the private sector to protect high priority Civil War battlegrounds outside National Park Service boundaries.

BATTLEFIELD LANDS ARE OUR SHARED AMERICAN HERITAGE

Civil War battlefield lands are an irreplaceable part of our shared national heritage. When preserved, battlefields serve as outdoor classrooms to educate current and future generations about this defining moment in America's history. They are living monuments, not just to the men in blue and gray who fought there, but to all who have proudly worn our Nation's uniform. Preserved battlefields are also economic drivers for communities, bringing in tourism dollars that are extremely important to State and local economies. When these hallowed grounds are lost, they are lost forever.

This hearing is especially timely because of the ongoing sesquicentennial commemoration of the Civil War, in which millions are learning about our Nation's unique history by visiting Civil War battlefields and historic sites throughout the country.

ORIGINS OF THE PROGRAM

In 1990, Congress created the Civil War Sites Advisory Commission (CWSAC), a blue-ribbon panel composed of lawmakers, historians and preservationists, to examine the status of America's Civil War battlefields. Three years later, the Commission

released a report identifying the most important Civil War battlefields, prioritizing them according to preservation status and historic significance. In addition, the Commission also recommended that Congress establish a Federal matching grant program to encourage the private sector to invest in battlefield preservation. The Commission's proposal for a Federal matching grants program was the genesis of the Civil War Battlefield Preservation Program.

Since the program was first funded in fiscal year 1999, the grants have been used to protect 22,000 acres of hallowed ground in 16 States. Among the many battlefields that have benefited from this program are: Antietam, Maryland; Bentonville, North Carolina; Champion Hill, Mississippi; Chancellorsville, Virginia; Chattanooga, Tennessee; Gettysburg, Pennsylvania; Harpers Ferry, West Virginia; Mill Springs, Kentucky; Prairie Grove, Arkansas; and Wilson's Creek, Missouri. It is important to note that grants are awarded for acquisition of lands from willing sellers only; there is—and never has been—any eminent domain authority.

#### URGENT NEED FOR FUNDING

The Civil War Trust wishes to thank the subcommittee for its previous support for this valuable program. We recognize that these are difficult economic times and appreciate the constraints on this subcommittee.

We also want to emphasize that the clock is ticking on the remaining battlefields of the Civil War. The Civil War Trust estimates that, in the next decade, most unprotect battlefield land will be either developed or preserved. Full funding for the Civil War Battlefield Preservation Program at its authorized level of \$10 million a year will enable nonprofit groups like the Trust to protect as many key battlefield lands as possible in the limited time remaining. The ongoing 150th anniversary commemoration of the Civil War is the most opportune time to provide robust funding for the Civil War Battlefield Preservation Program.

#### CONCLUSION

The Civil War was a defining moment in our country's history. For 4 long years, North and South clashed in hundreds of battles that reunited our Nation and sounded the death knell for slavery. More than 625,000 soldiers and 50,000 civilians perished as a result of the war. Preserved battlefields help insure that the sacrifices of that turbulent period of our Nation's history are never forgotten.

I sincerely hope the subcommittee will consider our request to provide funding for the Civil War Battlefield Preservation Program at its authorized level of \$10 million. We look forward to working closely with you as we continue our important work to preserve our sacred Civil War battlefields. Thank you for the opportunity to present this testimony to the subcommittee.

O. JAMES LIGHTHIZER,  
*President.*

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#### PREPARED STATEMENT OF THE COALITION AGAINST FOREST PESTS

The Coalition Against Forest Pests is asking the Subcommittee on Interior, Environment and Related Agencies to appropriate a total of \$111 million for the Forest Health Management programs (combining the Federal and cooperative lands programs); and \$303 million for Forest and Rangeland Research programs.

Our Coalition of non-profit organizations, for-profit corporations, landowners, State agencies and academic scholars seeks to improve our Nation's efforts to address the critical threat posed to our forests by non-native and native pests.

Our Nation's forests and trees provide numerous benefits in both rural and urban areas. They sustain the health of our environment and our economy by providing clean air and water, wildlife habitat, enhanced property values, renewable energy sources, and carbon sequestration. Healthy forests support numerous jobs; for example, the U.S. forest products industry employs nearly 900,000 people in all 50 States. Visitors to National Forest System lands generate more than \$13 billion of recreation and other related economic activity. One million tourists view fall foliage displays, generating \$1 billion in revenue in New England annually.

Forests' ability to continue providing these benefits is threatened by damaging invasive species that are arriving and spreading at an increasing rate. At least 28 new tree-killing pests have been detected over the last decade. Some cause enormous damage. For instance, thousand cankers disease threatens black walnut trees; walnut growing stock is valued at \$539 billion.

Already, municipal governments across the country are spending more than \$2 billion each year to remove trees on city property killed by non-native pests. Home-

owners are spending an additional \$1 billion to remove and replace trees on their properties and are absorbing an additional \$1.5 billion in reduced property values.

The Forest Health Management programs (FHM) manage forest health through direct action on the National forests and through assistance to other Federal agencies, State agencies, local agencies and private landowners. The total allocated by FHM to non-native forest pests has fallen 15 percent since fiscal year 2011, with concomitant cuts for management of several pests: 90 percent for emerald ash borer; 46 percent each for Asian longhorned beetle and hemlock woolly adelgid. We appreciate the near doubling of the account addressing three pests: goldspotted oak borer, thousand cankers disease, and laurel wilt. Still, the additional funds fall short of the level appropriate given the economic and ecological importance of the walnut, oak, and redbay trees at risk and the expectation that laurel wilt will nearly eradicate redbay just 25 years after the disease's discovery.

In fiscal year 2013, the FHM Program combated pests on over 285,000 acres of Federal lands and over 444,000 acres of Cooperative lands. Funding cuts meant 321,000 fewer acres were treated on Cooperative lands in fiscal year 2013 than in fiscal year 2011. The President's budget projects an increase in acres treated in fiscal year 2015, although it is unclear how this will be accomplished.

Our awareness of the need to restore these programs and address additional pests such as western bark beetles, southern pine beetle, gypsy moth, white pine blister rust, Port-Orford-cedar root disease, oak wilt, and polyphagous shot hole borer underlies our request for an appropriation of \$111 million—the fiscal year 2012 level.

The USFS Forest and Rangeland Research program provides the scientific foundation for developing effective tools to detect and manage forest pests and the pathways by which they are introduced and spread. Due to budget cuts in earlier years, this program has lost 71 percent of entomologists and pathologists on staff in 1985. These scientists' expertise is needed now more than ever due to the ever-growing number of non-native pests. Since 1985, more than 40 new forest pests have been detected in the U.S., including the Asian longhorned beetle, emerald ash borer, sudden oak death, laurel wilt, thousand cankers disease, goldspotted oak borer, and polyphagous shot hole borer. New pathways of introduction and spread have required analysis, e.g., wood packaging and firewood. Yet, the President's budget request for these programs would make a further cut of 6 percent, thereby jeopardizing vitally important research on these pests and pathways as well as hemlock woolly adelgid, white pine blister rust, and newly detected invaders. Already, recent cuts have forced significant reductions in several programs:

- The Asian longhorned beetle kills many hardwood trees, especially the maples and birches making up much of the forest reaching from Maine to Minnesota and urban trees worth an estimated \$600 billion. Due to the difficulty in detecting this beetle, large but previously unsuspected outbreaks have been detected in 2008, 2010, and 2013. Yet funding for research on this species has been cut by 66 percent since fiscal year 2011.
- The emerald ash borer occupies more than 171,000 square miles in 22 States. More than 200 million ash trees in the Plains States and additional trees in the South might be protected if better detection and control methods were available. Despite the desperate need for better tools, including breeding of trees resistant to the beetle, funding for research on this species has been cut by 9 percent since fiscal year 2011.
- Sudden oak death affects 143 different plant species and continues to spread in 15 California counties as well as Curry County, Oregon. In 2012 and 2013, sudden oak death killed nearly 700,000 trees in California. Many types of trees and shrubs in the East are vulnerable to the pathogen. Yet funding for research on this species has been cut by 87 percent since fiscal year 2011.

We applaud the significant increase in funding for research on the goldspotted oak borer and thousand cankers disease. The goldspotted oak borer has killed up to 80,000 California live oak and black oak trees in San Diego and Riverside Counties in less than 15 years and threatens oaks throughout California.

In a time when America's forests and trees face significant threats regarding their present and long-term health, USFS must be provided with adequate funds to support these key programs.

Thank you for your time and consideration of this important request.

Sincerely,

Alliance for Community Trees (ACTrees); American Forest Foundation; American Forests; California Forest Pest Council; Davey Tree Expert Company; National Association of State Departments of Agriculture; National Association of State Foresters; National Wild Turkey Federation; National Woodland Owners Association; Society of American

Florists; Society of American Foresters; The Nature Conservancy; and Vermont Woodlands Association.

PREPARED STATEMENT OF THE COLORADO RIVER BASIN SALINITY CONTROL FORUM

MAY 6, 2014.

Hon. JACK REED, *Chairman,*  
*Senate Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies*

Hon. LISA MURKOWSKI, *Ranking Member,*  
*Senate Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies*

Waters from the Colorado River are used by nearly 40 million people for municipal and industrial purposes and used to irrigate approximately 4 million acres in the United States. Natural and man-induced salt loading to the Colorado River creates environmental and economic damages. The U.S. Bureau of Reclamation (Reclamation) has estimated the current quantifiable damages at about \$376 million per year. Congress authorized the Colorado River Basin Salinity Control Program (Program) in 1974 to offset increased damages caused by continued development and use of the waters of the Colorado River. Modeling by Reclamation indicates that the quantifiable damages would rise to approximately \$577 million by the year 2030 without continuation of the Program. Congress has directed the Secretary of the Interior to implement a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management (BLM). BLM funds these efforts through its Soil, Water and Air Program. BLM's efforts are an essential part of the overall effort. A funding level of \$5.2 million for general water quality improvement efforts within the Colorado River Basin and an additional \$1.5 million for salinity specific projects in 2015 is requested to prevent further degradation of the quality of the Colorado River and increased downstream economic damages.

EPA has identified that more than 60 percent of the salt load of the Colorado River comes from natural sources. The majority of land within the Colorado River Basin is federally owned, much of which is administered by BLM. In implementing the Colorado River Basin Salinity Control Act in 1974, Congress recognized that most of the salts in the Colorado River originate from federally owned lands. Title I of the Salinity Control Act deals with the U.S. commitment to the quality of waters being delivered to Mexico. Title II of the Act deals with improving the quality of the water delivered to users in the United States. This testimony deals specifically with title II efforts. In 1984, Congress amended the Salinity Control Act and directed that the Secretary of the Interior develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by BLM. In 2000, Congress reiterated its directive to the Secretary and requested a report on the implementation of BLM's program (Public Law 106-459). In 2003, BLM employed a Salinity Coordinator to increase BLM efforts in the Colorado River Basin and to pursue salinity control studies and to implement specific salinity control practices. With a significant portion of the salt load of the Colorado River coming from BLM administered lands, the BLM portion of the overall program is essential to the success of the effort. Inadequate BLM salinity control efforts will result in significant additional economic damages to water users downstream.

Concentration of salt in the Colorado River causes approximately \$376 million in quantified damages and significantly more in unquantified damages in the United States and results in poor water quality for United States users. Damages occur from:

- a reduction in the yield of salt sensitive crops and increased water use to meet the leaching requirements in the agricultural sector;
  - increased use of imported water and cost of desalination and brine disposal for recycling water in the municipal sector;
  - a reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector;
  - an increase in the cost of cooling operations and the cost of water softening, and a decrease in equipment service life in the commercial sector;
  - an increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;
  - a decrease in the life of treatment facilities and pipelines in the utility sector;
- and

—difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins.

The Colorado River Basin Salinity Control Forum (Forum) is composed of gubernatorial appointees from Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming. The Forum is charged with reviewing the Colorado River's water quality standards for salinity every 3 years. In so doing, it adopts a Plan of Implementation consistent with these standards. The level of appropriation requested in this testimony is in keeping with the adopted Plan of Implementation. If adequate funds are not appropriated, significant damages from the higher salinity concentrations in the water will be more widespread in the United States and Mexico.

In summary, implementation of salinity control practices through BLM has proven to be a cost effective method of controlling the salinity of the Colorado River and is an essential component to the overall Colorado River Basin Salinity Control Program. Continuation of adequate funding levels for salinity control within the Soil, Water and Air Program will assist in preventing the water quality of the Colorado River from further degradation and significant increases in economic damages to municipal, industrial and irrigation users. A modest investment in source control pays huge dividends in improved drinking water quality to nearly 40 million Americans.

DON A. BARNETT,  
*Executive Director.*

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PREPARED STATEMENT OF THE COLORADO RIVER DISTRICT—COLORADO RIVER WATER  
CONSERVATION DISTRICT

APRIL 2, 2014.

Hon. JACK REED, *Chairman,*  
Hon. LISA MURKOWSKI, *Ranking Member,*  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in "Conservation and Restoration" funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled "Conservation and Restoration") to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS "Conservation and Restoration" funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

ERIC KUHN,  
*General Manager.*

## PREPARED STATEMENT OF THE COLORADO SPRINGS UTILITIES

APRIL 14, 2014.

Hon. JACK REED, *Chairman*,  
 Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in “Conservation and Restoration” funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled “Conservation and Restoration”) to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS “Conservation and Restoration” funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled “National Fish Hatchery System Operations”) for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

BRETT W. GRACELY.

## PREPARED STATEMENT OF THE COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

Mr. Chairman and members of the subcommittee, the Columbia River Inter-Tribal Fish Commission (CRITFC) is pleased to share its view on the Department of Interior, Bureau of Indian Affairs' (BIA) fiscal year 2015 budget. We have specifically identified the following funding needs and one request for review:

- \$7.7 million for Columbia River Fisheries Management under Rights Protection Implementation, (\$3.1 million above the request), to meet the base program funding needs of the Commission and the fisheries programs of our member tribes;
- \$4.8 million for U.S./Canada Pacific Salmon Treaty, (\$500k above the request), to implement obligations under the recent agreements adopted by the U.S. and Canada;
- \$500 thousand for Youth Program Initiatives (supports the request);
- \$352.5 million for Public Safety and Justice, of which \$716,00 supports enforcement of Federal laws at In-Lieu and Treaty Fishing Access Sites on the Columbia River;
- \$3.1 million in Rights Protection Implementation and \$10 million for Cooperative Landscape Conservation to assist tribes in climate change adaptation and planning; and
- \$1.25 million to the Office of the Secretary of Interior's Leadership and Administration Activity for Federal/Tribal collaborative analytical work and consultations during domestic reconsideration of the Columbia River Treaty.

## HISTORY AND BACKGROUND

CRITFC was founded in 1977 by the four Columbia River Treaty tribes: Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Confederated Tribes and Bands of the Yakama Nation, and the Nez Perce Tribe. CRITFC provides coordination and technical assist-

ance to these tribes in regional, national and international efforts to protect and restore our shared salmon resource and the habitat upon which it depends. Our collective ancestral homeland covers nearly one-third of the entire Columbia River Basin in the United States, an area the size of the State of Georgia.

In 1855, the U.S. entered into treaties with the four tribes<sup>1</sup> whereupon we ceded millions of acres of our homelands to the United States. In return, the United States pledged to honor our ancestral rights, including the right to fish. Unfortunately, a perilous history brought the salmon resource to the edge of extinction with 12 salmon and steelhead populations in the Columbia Basin listed under the Endangered Species Act (ESA).

The CRITFC tribes are leaders in fisheries restoration and management working in collaboration with State, Federal and private entities. We are principals in the region's efforts to halt the decline of salmon, lamprey and sturgeon populations and rebuild them to levels that support ceremonial, subsistence and commercial harvests. To achieve these objectives, our actions emphasize "gravel-to-gravel" management including supplementation of natural stocks, healthy watersheds and collaborative efforts.

The programs in this testimony are carried out pursuant to the Indian Self-Determination and Assistance Act. Our programs are integrated as much as possible with State and Federal salmon management and restoration efforts.

#### COLUMBIA RIVER FISHERIES MANAGEMENT WITHIN RIGHTS PROTECTION IMPLEMENTATION

We are succeeding. The salmon, returning in greater numbers, tell us so. But along with success, management issues increase the complexity, requiring greater data collection and more enforcement burden. Funding shortfalls prohibit the achievement of tribal self-determination goals for fisheries management, ESA recovery effort, protecting non-listed species, conservation enforcement and treaty fishing access site maintenance. We request an increase of \$3.1million over fiscal year 2014 for a new program base of \$7.7 million for Columbia River Fisheries Management.

The BIA's Columbia River Fisheries Management line item is the base funding that supports the fishery program efforts of CRITFC and the four member tribes. Unlike State fish and game agencies, the tribes do not have access to Dingell-Johnson/Pittman-Robertson or Wallop-Breaux funding. The increase will be directed to support the core functions of the fisheries management programs of the Commission's member tribes, namely enforcement and harvest monitoring.

In 2008, CRITFC and its member tribes struck three landmark agreements: (1) the Columbia Basin Fish Accords with Federal action agencies overseeing the Federal hydro system in the Columbia Basin,<sup>2</sup> (2) a 10-Year Fisheries Management Plan with Federal, tribal and State parties under U.S. v. Oregon, and (3) a new Chinook Chapter of the Pacific Salmon Treaty.<sup>3</sup> These agreements establish regional and international commitments on harvest and fish production efforts, commitments to critical investments in habitat restoration, and resolving contentious issues by seeking balance of the many demands within the Columbia River basin. While through these agreements the tribes have committed to substantial on-the-ground projects with some additional resources from the Bonneville Power Administration, the overall management responsibilities of the tribal programs have grown exponentially without commensurate increases in BIA base funding capacity. For example, the tribes' leadership in addressing Pacific Lamprey declines is this species' best hope for survival and recovery. The tribes' are also addressing unmet mitigation obligations, such as fish losses associated with the John Day and The Dalles dams.

The funding provided through the BIA to support tribal fishery programs is crucial to the tribes' and CRITFC's ability to successfully carry out tribal rights protection, including these agreements, by providing sound technical, scientific and policy products to diverse legal, public and private forums.

#### U.S./CANADA PACIFIC SALMON TREATY UNDER RIGHTS PROTECTION IMPLEMENTATION

The U.S. and Canada entered into the Pacific Salmon Treaty in 1985 to conserve and rebuild salmon stocks, provide for optimum production, and control salmon interceptions. The treaty established the Pacific Salmon Commission (PSC) as a forum to collaborate on intermingled salmon stocks. The U.S. Section of the PSC

<sup>1</sup> Treaty with the Yakama Tribe, June 9, 1855, 12 Stat. 951; Treaty with the Tribes of Middle Oregon, June 25, 1855, 12 Stat. 963; Treaty with the Umatilla Tribe, June 9, 1855, 12 Stat. 945; Treaty with the Nez Perce Tribe, June 11, 1855, 12 Stat. 957.

<sup>2</sup> The Nez Perce Tribe is not a Columbia Basin Fish Accord signatory.

<sup>3</sup> See "Salmon Win A Triple Crown" at [http://www.critfc.org/text/wana\\_\\_109.pdf](http://www.critfc.org/text/wana__109.pdf).

annually develops a coordinated budget for tribal, State and Federal programs to ensure cost and program efficiencies. Congress increased funding in 2000 in order to implement the 1999 Agreement, but funding has significantly eroded since then. In 2008, the U.S. and Canada adopted a new long term treaty agreement after nearly 3 years of negotiations. Both parties agreed to significant new management research and monitoring activities to ensure the conservation and rebuilding of the shared salmon resource.

For tribal participants in the Pacific Salmon Treaty, the U.S. Section has identified a program need of \$4,800,000 for participating tribes. These funds provide for direct tribal participation with the Commission, panels and technical committees. The funding enables the tribes to assist in treaty implementation and facilitates management protecting trust resources. This funding maintains tribal resource assessment and research programs structured to fulfill required treaty implementation activities. The fiscal year 2015 recommended level for this program is an increase of \$520,000 above the fiscal year 2014 enacted level. Our request correlates to the U.S. Section's recommendation.

#### YOUTH PROGRAM INITIATIVES

The Columbia River Treaty tribes place an emphasis on preparing our youth for careers in Natural Resources Management. However, our tribes, like tribes nationwide, struggle to overcome barriers to Science, Technology, Engineering, and Mathematics achievement, high drop-out rates, and low percentages of students pursuing natural resources majors. Our Place-Based Workforce Development Initiative seeks to address these barriers through a blend of technical assistance, inter and externship opportunities and a summer Salmon Camp.

#### PUBLIC SAFETY AND JUSTICE, CRIMINAL INVESTIGATIONS AND POLICE SERVICES

Public safety continues to be a high priority for CRITFC and our tribes. Our conservation and criminal enforcement officers are the cornerstone of public safety in the popular and heavily used Columbia Gorge area patrolling 150 miles of the Columbia River, including its shorelines in Oregon and Washington. In this area we are the primary provider of enforcement services at 31 fishing access sites developed pursuant to Public Law 87-14 and Public Law 100-581 for use by treaty fishers. CRITFC's officers have obtained BIA Special Law Enforcement Commissions to aid our efforts protecting and serving tribal members and Federal trust properties along the Columbia River. We are also very pleased that the BIA has created Office of Justice Services (OJS) District 8 and housed it in Portland. CRITFC entered into a Public Law 93-638 contract with BIA in February 2011 for enforcement services along the Columbia River. That contract currently provides funding for two enforcement positions.

It's important that CRITFC build its enforcement capacity above the level of the two officers currently funded by the BIA Office of Justice Services. Our immediate priority is to add two officers. Funding for two additional officers would cost \$313,560 plus indirect. Full funding for this project would be a total budget of \$716,053 plus indirect which would support four officers, a sergeant and a dispatcher.

#### COOPERATIVE LANDSCAPE CONSERVATION

The Treaty Right is feeling the effects of Climate Change. Shifts are occurring in salmon run timing, and berry and root ripening cycles. We support the President's request of \$10 million to implement the Department of the Interior (DOI) Climate Change Policy for Indian Tribes, Alaska Natives and Native Hawaiians. Specifically, these funds support the BIA Tribal Climate Change Program which will integrate climate change adaptation strategies into its policies and planning for support for the tribes, Alaska Natives and Native Hawaiians. The BIA needs these resources to support active engagement of tribes, Alaska Natives and Native Hawaiians in the Landscape Conservation Cooperatives and the Climate Science Centers and to ensure adequate Government-to-Government consultation on all issues with climate effects.

#### COLUMBIA RIVER TREATY MODERNIZATION

The Columbia Basin tribes are a coalition of 15 tribes whose rights, as well as management authorities and responsibilities, are substantially affected by the implementation of the Columbia River Treaty. In order for treaty modernization to succeed, the Columbia Basin tribes need to continue to coordinate internally and with other regional and national entities, as well as continue their analytical eval-

uation of the treaty including the impacts of climate change, while the State Department evaluates the Regional Recommendation and completes their national interests review.

A REQUEST FOR REVIEW OF SALMON MASS-MARKING PROGRAMS

CRITFC endeavors to secure a unified hatchery strategy among tribal, Federal and State co-managers. To that end, we seek to build hatchery programs using the best available science and supported by adequate, efficient budgets. A congressional requirement, delivered through prior appropriations language, to visibly mark all salmon produced in federally funded hatcheries should be reconsidered. We have requested that Federal mass-marking requirements, and correlated funding, be reviewed for compatibility with our overall objective of ESA delisting and with prevailing laws and agreements: U.S. v. Oregon, Pacific Salmon Treaty and the Columbia Basin Fish Accords.<sup>4</sup> Salmon managers should be provided the latitude to make case-by-case decisions whether to mark fish and, if so, in the appropriate percentages.

In summary, through combined efforts of the four tribes supported by a staff of experts, we are proven natural resource managers. Our activities benefit the region while also essential to the U.S. obligation under treaties, Federal trust responsibility, Federal statutes, and court orders. We ask for your continued support of our efforts. We are prepared to provide additional information you may require on the Department of Interior's BIA budget.

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PREPARED STATEMENT OF THE CONGRESSIONAL FIRE SERVICES INSTITUTE, THE INTERNATIONAL ASSOCIATION OF FIRE CHIEFS, AND THE NATIONAL VOLUNTEER FIRE COUNCIL

Hon. BARBARA MIKULSKI, *Chairwoman*,  
*Committee on Appropriations*,  
*U.S. Senate, Capitol Building, Washington, DC.*

Hon. RICHARD SHELBY, *Ranking Member*,  
*Committee on Appropriations*,  
*U.S. Senate, Capitol Building, Washington, DC.*

Hon. JACK REED, *Chairman*,  
*Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Hon. LISA MURKOWSKI, *Ranking Member*,  
*Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairwoman Mikulski, Ranking Member Shelby, Chairman Reed and Ranking Member Murkowski: Our organizations request that you include a minimum of \$16 million in funding for the Volunteer Fire Assistance (VFA) grant program in fiscal year 2015 appropriations. VFA provides matching funds to volunteer fire departments protecting communities with 10,000 or fewer residents to purchase equipment and training for wildland fire suppression.

According to the President's fiscal year 2015 budget justification for the U.S. Forest Service, volunteer fire departments provide nearly 80 percent of initial attack on wildland fires in the United States. Unfortunately, these departments frequently lack the financial resources to adequately equip and train their firefighters to engage in wildland fire suppression. For example, the Third Needs Assessment of the U.S. Fire Service report published in 2011 by the National Fire Protection Association found that 68 percent of all fire departments that are responsible for wildland firefighting have not formally trained all their personnel to the recommended national standard.

When local fire departments are unable to suppress wildland fires during the initial phase, the fires spread and State and Federal firefighters are deployed. This is an extremely expensive process that can cost the Federal Government anywhere from hundreds of millions of dollars to more than \$1 billion in fire suppression costs alone in a single year depending on the severity of the fire season.

The costs of wildland fire suppression have been increasing steadily as commercial and residential development pushes further into the wildland/urban interface

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<sup>4</sup>Letter from Bruce Jim, Chairman, Columbia River Inter-Tribal Fish Commission to U.S. House of Representatives Chairmen Frank Wolf, Mike Simpson and Doc Hastings, July 11, 2011.

(WUI). The National Interagency Fire Center reports that in 2012, increased building in the WUI led to an above average number of structures burning in wildland fires. Throughout the year, a total of 4,244 structures were lost—2,200 of which were residential structures. With suppression costs rising, all stakeholders must increase efforts to prevent wildland fires, respond to wildland fires quickly before they become uncontrollable, and educate communities in the wildland/urban interface so that they can take precautions to minimize losses due to wildland fire.

In recent years, Federal funding for volunteer fire departments to prepare for wildland fire suppression has been dwindling. VFA has seen funding reduced from \$16 million in fiscal year 2010 to \$15.662 million in fiscal year 2011 and approximately \$13 million in fiscal year 2012, fiscal year 2013 and fiscal year 2014. Additionally, the Rural Fire Assistance (RFA) program, which had historically been funded at \$7 million to \$10 million per year and provided matching grants to fire departments that agreed to assist in responding to wildland fires on Federal lands, hasn't been funded since fiscal year 2010.

Federal support is critical to ensure volunteer fire departments are able to safely and effectively respond to wildland fires. Our organizations recognize the challenges that Congress faces in trying to adequately fund a range of important programs in today's difficult budget environment. At the same time, we believe that reducing the funding for programs like RFA and VFA from a combined \$23 million in fiscal year 2010 to \$13.025 million in fiscal year 2014 leaves volunteer fire departments with fewer resources to prepare to respond to wildland fires and will lead to higher Federal spending on fire suppression in the long run. We urge you to provide a minimum of \$16 million for VFA in fiscal year 2015.

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#### PREPARED STATEMENT OF THE CONSERVATION FUND

Chairman Reed, Ranking Member Murkowski, and Members of the Appropriations Subcommittee on Interior, Environment, and Related Agencies, thank you for this opportunity to submit outside witness testimony on behalf of The Conservation Fund (TCF). The Conservation Fund supports full funding of the President's budget request of \$900 million in fiscal year 2015 for the Land and Water Conservation Fund (LWCF) discretionary and mandatory proposals, which includes the Federal land acquisition programs of the Bureau of Land Management (\$89.397 million), National Park Service (\$171.041 million), U.S. Fish and Wildlife Service (\$168.772 million), U.S. Forest Service (\$127.673 million), as well as three State grant programs: the U.S. Fish and Wildlife Service's Cooperative Endangered Species Conservation Fund (\$100 million); National Park Service's State Conservation Grants (\$100 million); and the U.S. Forest Service's Forest Legacy Program (\$100 million). TCF also supports full funding of the President's request for the U.S. Fish and Wildlife Service-North American Wetlands Conservation Fund (\$34.145 million); the U.S. Forest Service—Community Forest and Open Space Conservation Program (\$1.683 million); the Department of Interior—Natural Resource Damage Assessment and Restoration Program (\$7.676 million); and the Bureau of Indian Affairs—Operations of Indian Programs: Trust—Real Estate Services (\$127.002 million). Additionally, TCF supports the proposals for the Federal Land Transaction Facilitation Act reauthorization, the National Park Service Centennial Initiative, and the U.S. Forest Service Wildland Disaster Fund Act.

The Conservation Fund (TCF) is a national, non-profit conservation organization dedicated to conserving America's land and water legacy for future generations. Established in 1985, TCF works with landowners; Federal, State and local agencies; and other partners to conserve our Nation's important lands for people, wildlife and communities. To date, TCF has helped our partners to conserve over 7.4 million acres. These accomplishments are due, in large measure, to the leadership of this subcommittee over many years to appropriate funds to acquire lands for future generations, working forests, recreational opportunities, wildlife habitat, and many other benefits.

Below are highlights of some benefits of the LWCF and land acquisition programs. While these projects show the tremendous diversity of benefits of land acquisition for the public, they have one thing in common—each of these projects is driven by landowners. Many farmers, ranchers and forestland owners have significant financial equity in their land. By enabling a landowner to sell a conservation easement or fee title, the LWCF program provides landowners with funds to stay in business, reinvest in businesses, or meet other financial goals.

As the subcommittee crafts its Interior, Environment and Related Agencies Appropriations bill, there are several key points we respectfully request you to con-

sider, listed below. Each of the funding amounts below reflects the fiscal year 2015 President's budget request.

1. *Land and Water Conservation Fund (LWCF) at \$900 million.*—Funding at the recommended \$900 million is critical for the Nation's premier conservation program, a bipartisan agreement from almost 50 years ago. As the lists of ready LWCF projects below show, there are many opportunities that will be lost without this funding. LWCF represents a promise to the Nation that proceeds from offshore oil and gas development will help protect the public trust and these projects will fulfill that mission.

The LWCF budget includes Collaborative Landscape Planning (CLP) areas that we ask you to support: National Trails System, Florida-Georgia Longleaf Pine Initiative, South Carolina Longleaf Pine, High Divide, Greater Yellowstone, Grasslands/Prairie Potholes, California Southwest Desert, and Upper Rio Grande. In each CLP, several Federal land agencies are partnering with States, local groups, nonprofits and private interests to support conservation and make a lasting impact.

2. *Bureau of Land Management (BLM) Land Acquisition at \$89.397 million.*—The BLM and its National Conservation Lands provide some of our Nation's best recreation and historic areas. From fishing at the North Platte River in Wyoming to exploring Pueblo ruins at Canyons of the Ancients in Colorado, we request funding for the following projects:

- Upper Snake South Fork, Idaho: \$1 million (#2); and \$1.9 million (#14)
- North Platte River Special Recreation Management Area (SRMA), Wyoming: \$1.2 million (#5)
- Canyons of the Ancients National Monument, Colorado: \$1.2 million (#6)
- CLP National Trails-Lewis and Clark National Historic Trail (NHT), Montana: \$1.032 mil. (#7); and \$1.148 mil. (#17)
- McInnis Canyon National Conservation Area (NCA), Colorado: \$210,000 (#8), and \$1.625 million (#18)
- Cascade-Siskiyou National Monument, Oregon: \$906,000 (#12); and \$5 million (#21)
- Upper Missouri River National Wild and Scenic River, Montana: \$3.408 million (#23)
- Aqua Fria National Monument, Arizona: \$3.3 million (#24)
- Colorado River Special Recreation Management Area (SRMA), Colorado: \$2 million (#27)
- CLP High Divide—Oregon National Historic Trail (NHT), Idaho: \$440,000 (#28)
- CLP High Divide—Upper Madison, Montana: \$868,000 (#28)

3. *National Park Service (NPS) Federal Land Acquisition at \$171.041 million.*—Hosting more than 275 million visitors every year, the over 400 National Park units provide an economic boost to their local communities and those employed directly and indirectly. Funding for NPS LWCF will help protect key access points for recreation, historic areas, trails and more, including along the Captain John Smith National Historic Trail and the Appalachian National Scenic Trail. We respectfully request funding for the following projects:

- CLP National Trails—Captain John Smith National Historic Trail (NHT), Virginia: \$4 million (#4), and \$2 million, (#13)
- CLP National Trails—Appalachian National Scenic Trail (NST), New Hampshire, \$200,000 (#13)
- Olympic National Park, Washington: \$5.22 million (#14)
- CLP High Divide—Big Hole National Battlefield, Montana: \$150,000 (#21)

4. *U.S. Fish and Wildlife Service (FWS) Land Acquisition at \$168.772 million.*—National Wildlife Refuges (NWR) are our Nation's protectors of clean water, clean air, abundant wildlife and world-class recreation. Funding for fiscal year 2015 FWS LWCF will help preserve grizzly bear territory of the Rocky Mountain Front in Montana and protect key longleaf pine at Okefenokee National Wildlife Refuge in Georgia. We respectfully request funding for the following projects:

- Dakota Tallgrass Prairie Wildlife Management Area (WMA), North Dakota/South Dakota: \$3.887 million (#2), and \$3.887 million (#11)
- Dakota Grassland Conservation Area, North Dakota/South Dakota: \$7 million (#3) and \$7 million (#12)
- Rocky Mountain Front Conservation Area, Montana: \$2 million (#5)
- Everglades Headwaters National Wildlife Refuge (NWR) and Conservation Area, Florida: \$3 million (#6) and \$5 million (#14)
- CLP Florida-Georgia Longleaf Pine—Okefenokee National Wildlife Refuge (NWR), Georgia: \$4 million (#9)
- Flint Hills Legacy Conservation Area, Kansas: \$1 million (#22)
- Lower Rio Grande Valley National Wildlife Refuge (NWR), Texas: \$2 million (#23)

- CLP Grasslands/Prairie Potholes—Dakota Tallgrass Prairie Wildlife Management Area (WMA): \$3 million (#27)
  - CLP Grasslands/Prairie Potholes—Dakota Grasslands Conservation Area: \$7.5 million (#27)
5. *U.S. Forest Service (USFS) Land Acquisition at \$127.673 million.*—USFS LWCF funds help with forest management by protecting key inholdings and reducing fire threats. From the longleaf pine in the southeast to the North Carolina Threatened Treasures to the Missouri Ozarks, we are working with willing landowners at the following project areas and respectfully request funding:
- CLP National Trails—Appalachian National Scenic Trail (NST), Tennessee: \$330,000 (#4); and \$2.72 million (#32)
  - North Carolina Threatened Treasures, North Carolina: \$2.1 million (#5), and \$3.5 million (#30)
  - CLP Florida-Georgia Longleaf Pine Initiative—Osceola, Florida: \$5 million (#7); and \$3.677 million (#34)
  - Missouri Ozarks Current River, Mark Twain National Forest, Missouri: \$1 million (#16)
  - Tennessee Mountains Trails and Waters, Tennessee: \$3.7 million (#21)
  - Greater Yellowstone Area, Bridger-Teton National Forest, Wyoming: \$3 million (#25)
  - Georgia-Disappearing Wildlands of Georgia Mountains and Rivers, Georgia: \$2.7 million (#27)
  - Great Lakes Northwoods, Superior National Forest, Minnesota: \$3 million (#33)
  - Cube Cove, Tongass National Forest, Alaska: \$3 million (#38)
6. *LWCF State Grant Programs: FWS-Section 6 Cooperative Endangered Species Fund, NPS-State Conservation Grants, and USFS-Forest Legacy.*—We encourage the subcommittee to fully fund fiscal year 2015 President’s Budget request for:
- FWS-Section 6 Cooperative Endangered Species Conservation Fund: \$100 million
  - NPS-State Conservation Grants: \$100 million
  - USFS-Forest Legacy Program: \$100 million. Project highlights include:
    - Bobcat Ridge, Texas, \$2.37 million (#3 ranking)
    - East Fork of the French Broad Headwater II, North Carolina, \$3.5 million (#9)
    - Liberty Hill, South Carolina, \$2 million (#21)
    - Sherwood Forest, Tennessee, \$3 million (#24)
    - Windham Region Working Forest, Vermont, \$1.5 million (#34)
7. *Priority Land Acquisition Programs.*—TCF encourages the Committee to fund:
- FWS-North American Wetlands Conservation Fund: \$34.145 million
  - USFS-Community Forest and Open Space Conservation Program: \$1.683 million
8. *Department of Interior—Natural Resource Damage Assessment and Restoration Program at \$7.676 million.*—The Restoration Program leads the national response for recovery of natural resources that have been injured or destroyed as a result of oil spills or releases of other hazardous substances. Recoveries from responsible parties can only be spent to implement restoration plans developed by the Trustee Council for each incident. These funds are 100 percent private and represent the amount needed to restore environmental resources or compensate for lost public use since the damage in question. The fiscal year 2015 funds would allow the Program to add carefully targeted staff allocated to Interior bureaus and offices through its Restoration Support Unit in order to accelerate restoration activities.
9. *Bureau of Indian Affairs (BIA)—Operations of Indian Programs: Trust-Real Estate Services at \$127.002 million.*—We support the BIA Trust-Real Estate Services program, including funding to support the Klamath Basin Restoration Agreement.
10. *Reauthorization of the Federal Land Transaction Facilitation Act (H.R. 2068) (S. 368).*—We support the fiscal year 2015 President’s budget request to reauthorize the Federal Land Transaction Facilitation Act (FLTFA) an important program that provides conservation funding for the West, at no cost to the taxpayer. Through FLTFA’s “land for land” program, BLM sells land identified for disposal to ranchers, farmers, businesses and others to consolidate land ownership, create jobs, support economic development and increase revenues to counties by putting land on the tax rolls. These sales generate funding for BLM, USFS, NPS and USFWS to acquire critical inholdings from willing sellers in certain designated areas, which often complements LWCF, North American Wetlands Conservation Act (NAWCA) and other public and private funding. The sales provide revenue for Federal agencies to acquire high-priority lands with important recreational access for hunting, fishing, hiking, boating, other activities, as well as properties with historic, scenic and cul-

tural resources. Over 150 groups are working together to support Congress' efforts to reauthorize FLTFA.

11. *Wildlife Disaster Funding Act (H.R. 3992)/(S. 1875) and Avoiding Transfers to Wildland Fire Suppression.*—We support the proposal in the President's budget that would avoid transferring funds Congress appropriates to other priority programs to fund wildland fire suppression. We support language mirroring the bipartisan Wildfire Disaster Funding Act (S. 1875 & H.R. 3992). This important change to fire funding at the Federal level is needed to prevent future transfers and ensure that the USFS and Department of the Interior can achieve their land management objectives by implementing activities needed to address the growing buildup of hazardous fuels on Federal lands.

The Conservation Fund stands ready to work with you to secure full and consistent funding for the LWCF, Forest Legacy, and the other critically important programs that help protect the environment, economies, forests, and community values across our Nation. Thank you for the opportunity to provide this testimony and your consideration of our request.

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PREPARED STATEMENT OF THE COOPERATIVE ALLIANCE FOR REFUGE ENHANCEMENT

Chairman Reed, Ranking Member Murkowski, and members of the subcommittee: Thank you for the opportunity to submit comments on the fiscal year 2015 (fiscal year 2015) Interior Appropriations bill. We sincerely thank you for the desperately needed funding increase for fiscal year 2014 and respectfully request a funding level of \$476.4 million for the Operations and Maintenance accounts of the National Wildlife Refuge System for fiscal year 2015. The National Wildlife Refuge System stands alone as the only land and water conservation system with a mission that prioritizes wildlife and habitat conservation alongside human, wildlife-dependent recreation. Since 1995, the Cooperative Alliance for Refuge Enhancement (CARE) has worked to showcase the value of the Refuge System and to secure a strong congressional commitment for conserving these special landscapes. Found in every U.S. State and territory, national wildlife refuges conserve a diversity of America's environmentally sensitive and economically vital ecosystems, including oceans, coasts, wetlands, deserts, tundra, prairie, and forests.

This testimony is submitted on behalf of CARE's 23 member organizations, which represent over 16 million American hunters, anglers, bird and wildlife watchers, scientists and concerned citizens passionate about wildlife conservation and related recreational opportunities.

American Birding Association	National Wildlife Refuge Association
American Fisheries Society	Safari Club International
American Sportfishing Association	The Corps Network
Association of Fish and Wildlife Agencies	The Nature Conservancy
Congressional Sportsmen's Foundation	The Wilderness Society
Defenders of Wildlife	The Wildlife Society
Ducks Unlimited, Inc.	Theodore Roosevelt Conservation
Izaak Walton League of America	Partnership
Marine Conservation Institute	Trout Unlimited
National Audubon Society	U.S. Sportsmen's Alliance
National Rifle Association	Wildlife Forever
National Wildlife Federation	Wildlife Management Institute

The National Wildlife Refuge System, established by President Theodore Roosevelt in 1903, protects approximately 150 million acres on 562 national wildlife refuges and 38 wetland management districts across the U.S. From the Virgin Islands to Guam and the Pacific marine national monuments, the Refuge System spans 12 time zones and protects America's natural heritage in habitats ranging from arctic tundra to arid desert, boreal forest to sagebrush grassland, and prairie wetlands to coral reefs. With a refuge within an hour's drive from most metropolitan areas, the Refuge System attracts a growing number of visitors each year (46.5 million in fiscal year 2013) with opportunities for hunting, fishing, wildlife observation, photography, kayaking, and outdoor education. In fact, from 2006–2011, during our Nation's greatest economic recession since the Great Depression, visitation to our national wildlife refuges increased by 30 percent.

According to a report issued by the U.S. Fish and Wildlife Service in late 2013, "Banking On Nature", these visitors generated \$2.4 billion annually to local and regional economies—on average returning \$4.87 in economic activity for every \$1 appropriated—and support 35,000 U.S. jobs. In addition, refuges provide major environmental and health benefits, such as filtering storm water before it is carried

downstream and fills municipal aquifers; reducing flooding by capturing excess rainwater; and minimizing the damage to coastal communities from storm surges. According to a 2011 report by Southwick Associates, refuges generate more than \$32.3 billion in these ecosystem services each year, a return of over \$65 for every \$1 appropriated by Congress.

At minimum, CARE estimates that the Refuge System needs at least \$900 million in annual operations and maintenance funding to meet conservation targets, including wildlife management and habitat restoration and opportunities for the public to recreate. Unfortunately, inadequate funding threatens the System's ability to carry out its mission, mandated by the National Wildlife Refuge System Improvement Act of 1997. Between fiscal year 2010 and fiscal year 2013, Refuge System funding was reduced by \$50 million—a 10 percent cut. As a result, System performance levels dropped substantially.

The fiscal year 2013 Refuge Annual Performance Plan (RAPP) reports revealed falling performance rates in several important System categories, including habitat condition, habitat restoration, recreation opportunities, volunteerism, and scientific research. The following data shows the systemic impact of budget cuts from fiscal year 2010–fiscal year 2013.

*Measures for which performance declined more than 50 percent from fiscal year 2010 to fiscal year 2013*

- Acres of forest/shrubland improvement (–51 percent)
- Wetland acres restored (–77 percent)
- Open water acres restored (84 percent)
- Acres of non-native, invasive plants controlled (–60 percent)

*Measures for which performance declined 25–50 percent from fiscal year 2010 to fiscal year 2013*

- Number of invasive animal populations controlled during the year (–46 percent)
- Acres treated for non-native, invasive plants (–37 percent)

*Measures for which performance declined 15–25 percent from fiscal year 2010 to fiscal year 2013*

- Acres of moist soil managed (–21 percent)
- Number of population management actions (–23 percent)
- Acres of mowed/hayed grasslands (–20 percent)
- Acres managed by “other” techniques (–15 percent)
- Riparian miles restored (–19 percent)
- Number of research studies (–15.5 percent)
- Number of surface water acres impaired according to State 303d listings

*Measures for which performance declined 3–15 percent from fiscal year 2010 to fiscal year 2013*

- Uplands receiving needed management (–9 percent)
- Number of Inventory & Monitoring Surveys accomplished (–14 percent)
- Open water receiving needed management (–5 percent)
- Total refuge acres receiving needed management (–6 percent)
- Restoration deferred on upland acres (–4.5 percent)
- Restoration deferred on wetland acres (–12.5 percent)
- Acres of water-level manipulation (–8 percent)
- Upland game hunt visits (–6 percent)
- Big game hunt visits (down 3.1 percent from fiscal year 2011 to fiscal year 2013)
- Total hunt visits (down 3 percent from fiscal year 2011 to fiscal year 2013)
- Fishing visits (–3 percent)
- Number of volunteers (–8.7 percent)
- Volunteer hours (down 3 percent from fiscal year 2011 to fiscal year 2013)
- Total “other” recreational participants (–7 percent)

As habitat management declines, the System's fragile ecosystems are subject to opportunistic invasive species. And the foothold they gain in refuge lands can quickly transfer to adjacent private and State lands; an issue of great concern in places like southeastern Idaho where the CARE group visited in 2012. Between fiscal year 2010 and fiscal year 2013, the System treated 37 percent less acreage for invasive plants and, sadly, saw a 60 percent drop in acreage where invasive plants were successfully controlled. One step forward and several steps back is an inefficient way to manage the Refuge System and threatens years of cooperative efforts with partners and landowners.

Of particular concern to CARE is the drop in hunting, fishing and other recreational visits, which include bird and wildlife watching, photography, hiking and kayaking. Due to staffing cuts, refuges are unable to sustain visitor hours and public use programs. This in turn leads to fewer visitors and could have serious impacts on the economic return these refuges have in local communities. Further, investments made at the urging of CARE regarding the System's Inventory and Monitoring program are threatened. The System must have current, accurate data to make informed management decisions, yet the System had a 15.5 percent decline in research studies, and a 14 percent decline in essential Inventory and Monitoring Surveys conducted.

CARE thanks the subcommittee and Congress for the much needed, 4 percent increase (\$18.5 m) in funding for fiscal year 2014. It was hoped that the budget increase could reverse the systemic declines in performance but because the System needs at least \$15 million annually to maintain management capabilities, there is in reality, only \$3.5 million was left to address these declines. And unfortunately, emergencies nationwide such as natural disasters and looming endangered species listing could force the System to deal with these crises instead, further exacerbating the issues. Because of the constraints of the budget agreement reached in December 2013, CARE is supporting the President's request of \$476.4 million for fiscal year 2015, although it is substantially less than what the System needs. Albeit roughly half the optimal funding amount, \$476.4 million may steady falling, System performance levels. If the requested funding level is satisfied, the Refuge System can better address the following tasks:

- Conduct management and restoration activities to provide healthy habitats that attract wildlife and, in turn, draw visitors and increase economic return to communities;
- Keep refuges open and staffed so that quality recreational opportunities continue to be offered to the public;
- Maintain facilities and equipment used to serve the public and manage habitat;
- Provide law enforcement officers needed to keep refuge resources and the people who come to appreciate them safe.

Refuge visitation is growing and is expected to continue. In fact, from fiscal year 2010 to fiscal year 2013, the Refuge System welcomed 6.7 percent more visitors. Wildlife observation visits, too, increased by 12 percent, and photography visits increased by 33 percent. However, refuges are losing valuable staff committed to visitors and volunteers. The number of volunteers dropped by 8.6 percent, particularly troubling considering this work force is a 20 percent boost to existing Refuge System staff. Refuges rely on volunteers for welcoming and greeting visitors, staffing refuge nature stores, maintenance, interpretation, and much more. Volunteer service, however, is only possible if the System is reasonably staffed and thus able to extend requisite volunteer training and oversight. Arguably, the System's mission cannot be fully achieved without refuge volunteers and Friends groups.

If the Refuge System is forced to sustain further reductions, future RAPP reports will likely show continued decline in the System's conservation work and public use opportunities. Funding cuts are already impacting America's refuges. If annual operations and maintenance funding does not rise, CARE anticipates further impacts both within and outside of refuge boundaries, including:

- A reduction in the treatment of invasive plants, reducing habitat quality needed to support wildlife (both game and non-game) and put private lands at higher risk of infestations;
- A decrease in the use of prescribed fire, which is used on refuges both to improve habitat for wildlife and to reduce hazardous fuels that pose a wildfire risk to nearby communities;
- A decline in the number and quality of visitor programs, with visitor centers operating at reduced hours, and plans to add or expand hunting programs at refuges being postponed;
- Lost revenue for local communities as visitor numbers drop; according to the U.S. Fish and Wildlife Service (FWS) fiscal year 2013 budget justification, "Each 1 percent increase or decrease in visitation impacts \$16.9 million in total economic activity, 268 jobs, \$5.4 million in job-related income, and \$608,000 in tax revenue."
- Elimination of ancillary functions like FWS's operation of Henderson Field at Midway Atoll National Wildlife Refuge, which serves as a critical emergency landing site for trans-pacific flights, as well as the public's main window to the vast marine national monuments.

We urge Congress to fund the Refuge System at \$476.4 m in fiscal year 2015—to bridge the growing gap between what the System needs and what it receives, enabling refuges to continue moving America forward. On behalf of our more than 16

million members and supporters, CARE thanks the subcommittee for the opportunity to submit comments on the fiscal year 2015 Interior Appropriations bill, and we look forward to meeting with you to discuss our request.

#### PREPARED STATEMENT OF THE CORPS NETWORK

Chairman Reed, Ranking Member Chocran, and members of the subcommittee: My name is Mary Ellen Sprenkel and I am the president and CEO of The Corps Network. The Corps Network is the national association of service and conservation corps with over 100 member organizations operating in all 50 States, and enrolling nearly 26,000 young people between the ages of 16 and 25 each year. It is The Corps Network's mission to provide critical leadership to the Corps movement and to our Nation's Service and Conservation Corps as they harness the power of youth and young adults to tackle some of America's greatest challenges and transform their own lives.

The Corps Network requests the subcommittee's support for fiscal year 2015 programs that will allow public land and water management agencies to engage young adults and veterans to meet our Nation's backlogged maintenance needs, address record youth unemployment, and prepare a diverse group of youth to be the next generation of natural resource employees and stewards.

Corps are comprehensive youth development programs that provide their participants with job training, academic programming, leadership skills, and additional support through a strategy of service that improves communities and the environment. They are a direct descendant of the Depression-era Civilian Conservation Corps, which mobilized about three million young men who dramatically improved the Nation's public lands while receiving food, shelter, education, and a precious \$30-a-month stipend.

#### THE IMPACT IN NUMBERS

In 2013 alone, the 100-plus members of The Corps Network collectively:

- Restored and improved 240,000 acres of ecological habitat;
- Maintained and improved 2,900 parks, gardens, and urban greenspaces;
- Built and maintained 8,000 miles of trails; and
- Removed over 300,000 acres of invasive and exotic plant species.

#### CORPS ENROLL PARTICIPANTS REFLECTIVE OF AMERICA'S DIVERSITY

At present, our member Corps enroll nearly 26,000 Corpsmembers a year, the majority of whom come from diverse and disadvantaged backgrounds, and are looking for a second chance to succeed in life. Many Corpsmembers are "opportunity youth," meaning that they have either dropped out of school or are unemployed at the time that they enter a Corps program.

In addition to the normal work week, Corpsmembers receive a wide range of personal and professional development opportunities and services including, but not limited to: guidance from adult leaders who serve as mentors and role models, academic programming designed to lead to a high school diploma or GED, opportunities to pursue certificates and credentials with demonstrated value, and a modest stipend—all to prepare them for postsecondary education and labor market success.

In 2012, 65 percent of all Corpsmembers were unemployed at the time of entry, 31 percent were not in school and did not have a GED, 61 percent came from families below the poverty line, and 20 percent were formerly incarcerated or court-involved. After completing their programs, 54 percent of alumni said that they were employed or enrolled in further service. Sixty-eight percent reported that they were in college or a high school diploma/GED program.

#### QUALITY WORK

Each year, Corps complete hundreds of high-quality and often technical projects on public lands and waters. Project sponsors consistently express a high degree of satisfaction with the quality of work and productivity of the Corps. Virtually all Federal project partners (99.6 percent) say they would work with Corps again.

Types of work include, but are not limited to:

- Protecting wildlife and improving access to public land and waters;
- Preparing communities for disasters and responding when needed;
- Enhancing recreation on public lands;
- Protecting communities and public lands from the devastating effects of wild-fire;
- Preserving historic structures; and

—Enhancing neighborhoods and community public spaces.

#### COST SAVINGS

By partnering with Conservation Corps, Federal land and water management agencies achieve more with their operating budgets. Research conducted by the National Park Service's Park Facility Management Division indicates that hiring Conservation Corps to complete maintenance and trail projects resulted in significant savings.

The analysis considered 15 diverse trail and maintenance projects throughout the country in places including Mesa Verde National Park, Glacier National Park, Point Reyes National Seashore, and Voyageurs National Park. The research found that using Conservation Corps to complete maintenance and trail projects provided a cost savings of over 50 percent.

#### FISCAL YEAR 2015 REQUEST

The Corps Network requests the subcommittee's support for fiscal year 2015 programs that will allow public land and water management agencies to engage young adults and veterans to meet our Nation's backlogged maintenance needs, address record youth unemployment, and prepare a diverse group of youth to be the next generation of natural resource employees.

We respectfully request that in fiscal year 2015 the subcommittee fund the following accounts:

- \$2,283,852,000 for "Operation of the National Parks."
- \$10,000,000 for the "Centennial Challenge" for the National Park Service.
- \$50,600,000 for Department of Interior Youth Programs.
- Increased funding for operational accounts of the Department of the Interior (DOI) Bureaus and United States Forest Service (USFS).

The first two accounts fall under National Park Service and the third is under the Department of Interior. National Park "Operations" is a preexisting account governing operation of our national parks and the "Centennial Challenge" is a new program and was also proposed under the most recent Bush administration. These funds will allow thousands of veterans, youth, and others to work upgrading the National Park System for its 100th anniversary in 2016. The Department's Youth Program funding would also provide work and training opportunities for young people and veterans during 2014 and 2015. A key component of the Department's efforts will be partnering with youth organizations through the 21st Century Conservation Corps. We also support increased funding for all operational accounts at the other Bureaus (Bureau of Land Management (BLM), Bureau of Reclamation (BOR), and Fish and Wildlife Service (FWS)) and at the U.S. Forest Service that could fund partnerships with Conservation Corps.

As the National Park Service prepares for its 100th Anniversary, Congress has an opportunity to invest in the popular and economically important National Park Service. An investment this year will help parks recover from years of underfunding and restore parks for the Centennial. Every dollar invested in the National Park Service generates \$10 in economic activity. The operations investment would provide for park rangers to maintain facilities and provide services to park visitors. The Centennial Challenge investment would allow for the park service to leverage private matching funds through a 1:1 match for specific projects.

Beginning with the creation of the Civilian Conservation Corps during the Great Depression, and continuing to the recent launch of the 21st Century Conservation Service Corps Initiative, organizations like Vermont Youth Conservation Corps, Southeast Youth Corps, and California Conservation Corps have helped millions of young Americans gain job training, further their education, and contribute to America's communities through service and the conservation of national and State parks, forests, and other treasured places.

The future of our Nation's public lands depend upon the next generation becoming active resource stewards. I hope that you will provide the funding to put thousands of youth and returning veterans to work restoring some of America's greatest historical, cultural, and natural treasures. With the approaching National Park Service centennial, billions in backlogged maintenance across all of the land management agencies, record youth unemployment, and the cost savings nature of public private partnerships, this funding is an absolute win-win for our country.

## PREPARED STATEMENT OF THE COUNCIL OF ATHABASCAN TRIBAL GOVERNMENTS

I am pleased to submit this testimony to the subcommittee on behalf of the Council of Athabascan Tribal Governments (CATG). We are a consortium of 10 tribal governments located along the Yukon River and its tributaries in northeastern Alaska. We provide a variety of services to our tribal members, including full healthcare services at the Yukon Flats Health Center and village-based clinics in four of our villages. We request that you implement the following measures in the fiscal year 2015 appropriations cycle:

- Make full Contract Support Costs funding mandatory spending.
- Increase funding for Village Built Clinics at least \$8.5 million.
- Fund the Indian Health Service (IHS) budget with advanced appropriations.
- Reauthorize the Special Diabetes Program for Indians.
- Allocate \$50 million to the IHS from the Prevention and Public Health Fund for tribal behavioral health grants.
- Support Tribal jurisdiction to protect Alaska communities.

## MANDATORY FUNDING FOR CONTRACT SUPPORT COSTS

We are pleased that the Administration has sought to fully fund contract support costs (CSC) under the Indian Self-Determination and Education Assistance Act (ISDEAA) in fiscal year 2015, and we urge Congress to support that goal. We also acknowledge that the administration's request is a direct response to Congress' actions with regard to fiscal year 2014 appropriations, which removed historical caps on CSC funding and rejected the administration's proposal—put forward without consultation and vehemently opposed by tribes—to individually cap contract support cost recovery at the contractor level. Contract support costs fund vital administrative functions that allow us to operate programs that provide critical services to our members. If contract support costs are not fully funded, however, our programs and services are directly impacted because we are forced to divert limited program funding to cover fixed overhead expenses instead. We therefore appreciate Congress' support in fiscal year 2014 and hope that it carries through to fiscal year 2015 and beyond.

However, the CSC funding problem is not yet solved. Full funding for CSC must not come with a penalty—namely, a reduction in program funding or effective permanent sequestration of Indian program funds. That result would have the same devastating effect on our service delivery as the failure to fully fund CSC. Yet Congress, in the Joint Explanatory Statement accompanying the fiscal year 2014 Consolidated Appropriations Act, noted that “since [contract support costs] fall under discretionary spending, they have the potential to impact all other programs funded under the Interior and Environment Appropriations bill, including other equally important tribal programs.” Moreover, without any permanent measure to ensure full funding, payment of CSC remains subject to agency “discretion” from year to year, even though tribes are legally entitled to payment under the ISDEAA. Noting these ongoing conflicts of law, Congress directed the agencies to consult with tribes on a permanent solution.

In our view, there is a logical permanent solution which Congress is empowered to implement: CSC should be appropriated as a mandatory entitlement. Under the Indian Self-Determination and Education Assistance Act, the full payment of CSC is not discretionary; it is a legal obligation, affirmed by the U.S. Supreme Court. Yet the budget authority for CSC is currently provided and controlled through appropriation acts—as if it were a discretionary program. The fiscal year 2014 Joint Explanatory Statement recognized that the current fundamental mismatch between the mandatory nature of CSC and the current appropriation approach leaves both the House and Senate Committees on Appropriations in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.” As the Joint Explanatory Statement also noted, “Typically obligations of this nature are addressed through mandatory spending.” The obvious solution then is to bring the appropriations process in line with the statutory requirements and to recognize CSC for what it is: a mandatory entitlement, not a discretionary program. We therefore strongly urge the Congress to move to appropriate funding for CSC on a mandatory basis.

## FUNDING FOR VILLAGE BUILT CLINICS IN ALASKA

For the last several years, Alaska organizations have submitted testimony to this subcommittee on the need to address chronic underfunding of Village Built Clinics (VBCs) in Alaska. VBCs, which are clinic facilities leased by the IHS from other entities, are a vital component of the provision of basic healthcare services in rural

Alaska, as they serve as the clinic space for the Community Health Aide Program (CHAP) under the Indian Health Care Improvement Act (IHCIA). The CHAP, which IHS is directed by the IHCIA to carry out, utilizes a network of community health aides and practitioners to provide primary healthcare services in rural and isolated areas where access to those services might not otherwise exist.

In 1989, Congress specifically authorized the operation of 170 VBCs in Alaska and provided approximately \$3 million in funding for the program for that year. Since then, Congress has not provided amounts specifically for VBCs in the IHS appropriation, and IHS has had discretion to fund VBCs from its lump sum appropriation. But even though the 1989 appropriation was not a cap restricting IHS allocation of funds in later years, IHS has treated it as such and has refused to increase funding for VBC leases. Funding therefore has not kept pace with inflation or the rising costs of healthcare in rural and isolated areas. In fact, the chronic underfunding over decades has resulted in deterioration and in some cases closure of VBC facilities, threatening the CHAP itself and access to basic healthcare services for rural Alaskans that hinges on the continued availability of properly maintained VBC space.

According to an estimate calculated several years ago by the Alaska Native Health Board and adjusted for inflation, at least \$8.3 million is needed to fully fund the VBC leasing program. However, that estimate is outdated and likely falls significantly short of the actual need. CATG therefore urges that Congress appropriate at least an additional \$8.5 million to fully fund VBC leases and that IHS be directed to use its existing appropriations to fully fund such leases.

This subcommittee should also be aware that, having attempted without success for many years to convince IHS to accept its responsibilities for the VBCs as part of the mandated CHAP program, some tribal organizations in Alaska are taking a new approach. The Maniilaq Association recently requested that the IHS enter into a mandatory lease under § 105(l) of the Indian Self-Determination and Education Assistance Act for one of the VBCs that Maniilaq owns. Implementing regulations require payment under the lease to fully compensate for the costs of adequately operating and maintaining the facilities. However, the IHS refused to enter into the lease, and the matter is now being litigated. If Maniilaq prevails, the case could establish legal precedent that will allow tribal contractors in Alaska to negotiate for full funding for VBCs as part of their funding agreements under the IHS's ISDEAA leasing authority. Though funding should be provided in full through the VBC program directly, the option to enter into a § 105(l) lease must also be preserved as an alternative funding mechanism.

#### FUND THE IHS THROUGH ADVANCED APPROPRIATIONS

An important goal for CATG—and for all of Indian Country—is the reliable, advance appropriation of the IHS budget 1 year in advance. The goal is for IHS and tribal healthcare providers to have adequate notice of the amount of Federal appropriations to expect and thus not be subjected to the uncertainties of late funding and short-term Continuing Resolutions. Congress provides advance appropriations for the Veterans Administration medical accounts, and the request is for parity in the appropriations schedule for the IHS. Legislation to authorize IHS advance appropriations has been introduced—H.R. 3229 by Representative Young and S. 1570 by Senators Murkowski and Begich. We request that you support such efforts to authorize and then appropriate the funds for IHS advance appropriations.

#### REAUTHORIZE THE SPECIAL DIABETES PROGRAM

While the entitlement funding for the Special Diabetes Program for Indians (SDPI) is not part of the IHS appropriations process, those funds are administered through the IHS. With the very recent passage by the House and Senate of a 1 year extension of the SDPI as part of the Medicare “doc fix” bill, it is funded through fiscal year 2015 at \$150 million, minus a 2 percent reduction (\$3 million) due to the sequestration of non-exempt mandatory programs (Public Law 112–240). This funding level has not increased since 2004. The SDPI has proven highly effective in Indian Country, and has produced excellent results. For example, in the 4 years preceding the last report on the SDPI in 2011, the average blood sugar level dropped nearly a percentage point overall, corresponding to a 40 percent decline in the risk of eye, kidney, and nerve complications due to diabetes. We ask that you support ongoing efforts to reauthorize this program for a 5-year period at increased funding levels.

INCREASE FUNDING FOR BEHAVIORAL HEALTH, SUICIDE PREVENTION, AND ALCOHOL & SUBSTANCE ABUSE TREATMENT

Alaska faces particular hardships in providing for our communities' behavioral and mental health services. There is a dire need for more prevention funding for suicide intervention as well as alcohol and substance abuse prevention, particularly for our youth. These efforts go hand in hand, as the problems often overlap. Alaska has twice the national rate of suicide, and ranks second in the Nation in suicide attempts requiring hospitalization. Alaska Native teens commit suicide at a rate nearly six times that of non-Native teenagers. The suicide rate among all Alaskans increased by 33 percent between 2005–2008—a period when the national rate remained steady. Compounding and complicating the suicide epidemic is alcohol and substance abuse or a mental health disorder. The overwhelming majority of the people we lose to suicide suffer from diagnosable, treatable mental health or substance abuse problems. However, the waiting list for treatment averages nearly 9 months, and due to lack of funding there is often no place to refer people, particularly young people.

Alcohol and substance abuse contributes to myriad other problems as well, including crime, domestic violence, child abuse or neglect. Oftentimes, tribes in Alaska have a difficult time working through the State of Alaska to provide these services, which adds layers of guidelines, regulations, and reduced funding. We have found that tribes and tribal organizations should receive behavioral funds directly, because programs that implement traditional cultural values are more successful than those that don't. Included in the Affordable Care Act (ACA) is mandatory funding (\$17.7 billion over 10 years) for a Prevention and Public Health (PPH) Fund from which Congress may allocate funding to various programs. In fiscal year 2012 the administration requested that \$50 million of it be allocated to a new tribal behavioral health grant program; unfortunately Congress did not provide that allocation. We urge that Congress allocate \$50 million from the PPH to the IHS in fiscal year 2015 for this purpose and that it be recurring.

SUPPORT TRIBAL JURISDICTION TO PROTECT ALASKA COMMUNITIES

We support the ongoing efforts to amend S. 1474, the Alaska Safe Families and Villages Act, in a manner that would recognize Alaska tribes' jurisdiction to protect their communities by dealing locally with domestic violence, sexual assault and drug and alcohol abuse. At the same time, we greatly appreciate the provision that is already in S. 1474 which would repeal section 910 of the Violence Against Women Act Reauthorization that left Alaska tribes out of the expanded tribal jurisdiction over domestic violence affirmed in that law. These changes will require additional Bureau of Indian Affairs resources regarding law enforcement and courts. We look forward to continued work with our congressional delegation and others on this legislation of such crucial importance to Alaska Native communities.

Thank you for your consideration of our concerns and requests. We are happy to respond to questions or provide any additional information you may request.

PREPARED STATEMENT OF THE COWLITZ INDIAN TRIBE

Chairman Reed, Ranking Member Murkowski, distinguished members of the subcommittee; I want to thank you for the opportunity to testify in support of funding for certain programs for American Indians and Alaska Natives. They include programs under the Bureau of Indian Affairs, Indian Health Service, Environmental Protection Agency, U.S. Fish and Wildlife Service, Secretary of Interior's Office, and the National Park Service.

BACKGROUND

Since the Cowlitz Indian Tribe was restored to Federal recognition in 2002, we have strived to develop services to protect and promote the well-being of our people. We have approximately 3,800 tribal members with the majority residing within or close to our traditional homelands in southwestern Washington State. Although we still have no reservation, our leadership continues to move forward the vision to provide for our people. We have established several Departments and Programs since 2002. The work of this subcommittee is critical in our ability to continue our obligation to serve our people.

Federal grant programs are particularly critical to our well-being because without a reservation, we have no trust land on which to conduct economic development to fund governmental services. Making our situation even more difficult, we are ineligible for the wide variety of Federal grant programs that are tied to reservation

lands. As a result, the Federal grant programs discussed in this testimony are of even more critical importance to the Cowlitz Indian Tribe.

Despite the fact that we are landless, we do what we can to provide essential services to our people, and in so doing we believe we also directly and indirectly benefit surrounding communities. We also participate extensively at the local, State, and Federal level through established and emerging partnerships across a broad range of programs and initiatives. We believe that it is important to not only provide for our memberships' well-being, but work to be a positive and contributing influence with our neighbors. Planning, supporting, and implementing activities that restore and protect our economies, natural surroundings, and future stability is important to us. The Cowlitz Tribal leadership is very much appreciative and dependent on the programs under this subcommittee's jurisdiction. It would be impossible for us to be a contributing partner without your support.

#### THE COWLITZ TRIBE'S SEVEN PRIORITIES

The Cowlitz Indian Tribe respectfully requests that the subcommittee:

1. *Bureau of Indian Affairs (BIA) "Aid to Tribal Government" Program.*—Increase program funding from the \$24.614 million proposed in the President's fiscal year 2015 budget to \$30 million.
2. *Indian Health Service (IHS) fiscal year 2015 Appropriations Report Congress.*—Ensure IHS makes revisions to the Health Facilities Construction Priority System as directed in the fiscal year 2000 Interior Appropriations Bill.
3. *Environmental Protection Agency's (EPA's) "Indian General Assistance Program" (GAP).*—Support the President's fiscal year 2015 budget request of \$96.4 million.
4. *U.S. Fish and Wildlife Agency's (USFWS) "Tribal Wildlife Grant Program".*—Increase proposed fiscal year 2015 budget from \$4 million to \$10 million.
5. Support \$1.25 million to be directed to the Office of the Secretary of Interior's Leadership and Administration Activity for fiscal year 2015 for Federal/Tribal collaborative analytical work and consultations during domestic reconsideration of the Columbia River Treaty.
6. *BIA administered tribal transportation programs.*—Support the Tribal Transportation Unity Caucus's (TTUC) proposed increase for fiscal year 2015.
7. *National Park Service (NPS) proposed fiscal year 2015 for "National Native American Graves Protection and Repatriation Act Grants".*—Increase funding from the President's \$1.657 million request to \$2 million.

1. *BIA "Aid to Tribal Government" Funding Increase.*—The primary backbone of support for our tribe's general operations is funded through BIA's Aid to Tribal Government program. It is an essential source of funds that supports the general operations of our administration, Natural & Cultural Resources Department, and provides many other services critical to our people and governance. With this core funding, we have been able to provide essential government services, employment opportunity, regional partnerships, grant programs, and to provide increased security for our tribe and employees. For a tribe that continues to struggle in obtaining our own economic base, this funding source remains critical to keep governmental operations functioning. Funding under this program does not meet all the needs of our tribe, but as we try and obtain our own economic base, it improves our tribe's ability to oversee program implementation and allows us to deliver essential services to our members. In sum, funding for tribal administration of programs is a key element towards our ability to support tribal self-governance.

2. *IHS Facilities Construction Priority System.*—The IHS system is significantly underfunded and an imbalance of resources has developed within the system. An example of this is the frozen facilities construction list. We respectfully request the subcommittee to address this underfunding and also the delivery system imbalance and require the IHS to report to Congress its revisions to the Health Facilities Construction Priority System as directed in the fiscal year 2000 Interior Appropriations Bill. The current system was developed over 23 years ago and prioritizes construction projects on antiquated data in a completely changed healthcare delivery environment. Most projects would not score high enough to be funded today relative to the needs of other tribes nationally. The system is broken and unfairly prohibits tribes from accessing important facilities construction funding on an equal basis as the tribes on the current priority list. The subcommittee should direct IHS to develop a facility construction priority system to address the unmet facility construction needs of all tribes and not just those on the current priority list. A new priority system should also incorporate the staffing needs for those tribes that have built their own health facilities without IHS resources. The Cowlitz Tribe received its ap-

propriation for funding its Health Systems in 2000. In November 2002 we received funding for Contract Health Services only and no funding for direct services.

3. *EPA Indian General Assistance Program (GAP).*—GAP has been a vital program for our tribe since Federal acknowledgement. It has allowed for our ability to build capacity for the many natural resource programs and tends to the needs of our memberships health and well-being. It gave us the ability to deal with very important resources issues of the tribe such as representation on key resource management concerns in the region. It has allowed our ability (and maintain) to forge positive relationships and work with local communities to protect and restore resources. EPA heard from the tribes in past years that funding under this program was well short to meet the needs to build capacity for addressing environmental issues within their homelands. We believe that this is a key program that needs to be maintained adequately well into the future in order to protect and restore the quality of life and culture for Indian Country.

4. *USFWS Tribal Wildlife Grant Program Increase.*—Our tribe has been fortunate to receive two Tribal Wildlife Grants (TWG) administered by USFWS. With these grants we continue to contribute toward positive partnerships with State and Federal managers over recovery efforts of endangered Columbian White-tailed deer (CWTD) of the Lower Columbia River region. This species was one of the first to be listed under the Endangered Species Act (ESA) in the 1970s. Since we received our TWG, our involvement has heightened awareness to the issue of recovery of this long-standing recovery concern. We brought fresh new skills and thoughtfulness as to what was needed to create a path to recovery and eventual de-listing under ESA. We are proud to be one of the primary participants that are leading CWTD towards recovery and eventual de-listing. We believe it is important that collaborative partnerships with Tribal, Federal, and State resource managers are the key to achieve success towards species recovery efforts. The TWG program provides tribes capacity and opportunity to contribute to efforts that is deeply tied to traditional and cultural life-ways. We request that funding be restored to this program so other tribes can experience the great work that can be accomplished under this program.

5. *Columbia River Treaty Coordination and Technical Capacity Funding.*—There are 15 Columbia Basin tribes, supported by three tribal organizations of the Columbia Inter-Tribal Fish Commission, Upper Columbia United Tribes, and the Upper Snake River Tribes, who have participated in the development of a regional consensus based recommendation on the modernization of the Columbia River Treaty between the U.S. and Canada. The Columbia Basin tribes have been key participants in the development and adoption of the U.S. Entity's regional recommendation (coordinated by the Bonneville Power Administration and the U.S. Army Corps of Engineers). The Cowlitz Tribe along with other tribes participated extensively in this effort and continues to be committed towards future improvements on how the Columbia Basin water resources are managed. The recommendation is currently being considered by the U.S. Department of State to determine next steps in working with Canada to modernize the treaty. During this time there is a need for ongoing evaluation and coordination by the Columbia Basin tribes. The tribes have very limited availability of time and funds to conduct this vital work. The Columbia Basin tribes need approximately \$1.25 million to continue to collaborate on necessary technical evaluations and assessments, as well as to consult with the U.S. Department of State, the U.S. Entity, other sovereigns, and stakeholders for fiscal year 2015.

6. *BIA Administered Tribal Transportation Programs.*—Transportation infrastructure serving tribal communities is the most unsafe, rudimentary and under-maintained transportation network in the Country. Approximately 1,069 of 4,400 Indian Reservation Roads (IRR) Program bridges are currently rated as deficient. Cost of rehabilitating or replacing the 1,069 IRR bridges is likely to exceed \$595 million. Consistent with TTUC recommendations, we support and request for an increase in funding levels for fiscal year 2015 to \$1,050,000,000 for Federal Lands Highway (FLH) Program: (A) Indian Reservation Roads under section 204 of title 23; increase funding levels for fiscal year 2015 to \$100 million for FLH program: (XX) Indian Reservation Road Bridge Program under Section 202(d)(4); and increase Highway Trust Fund funding for Tribal High Priority Projects Program for fiscal year 2015 with \$35 million including \$5 million annual increases until fiscal year 2020.

7. *National Native American Graves Protection and Repatriation Act Grants.*—The Cowlitz Tribe has in the past received a NAGPRA grant which helped fund a successful multi-tribe consortium to allow the re-interment of multiple ancestors at Fort Vancouver, Washington. The success of this project has created great opportunity for future multi-tribal projects to deal with long-standing concerns about repatriation issues. We would like to see continued funding of such projects, because there are still Native people and materials needing to be returned to their rightful

places, as well as other projects the Cowlitz Tribe would like to undertake so we can continue to address these or similar situations as they arise.

#### CONCLUSION

The Cowlitz Tribe would like to re-iterate our thanks and appreciation for the opportunity to testify on the development of appropriations under this subcommittee's jurisdiction. We look forward to working with members of Congress to continue to build upon our successes and address future needs. We urge Congress to uphold its solemn promises to tribes, even as policymakers seek to reduce the deficit through spending reductions and revenue generation. The Federal Government's obligations to Indian tribes reflect the Federal Government's general trust responsibility for tribes and are based on numerous long-standing agreements made between tribes and the United States.

The Cowlitz Indian Tribe is happy to answer any questions Congress may have about the testimony we have provided here or about the programs we implement. Thank you again for your time to consider our testimony.

#### PREPARED STATEMENT OF DANCE/USA

##### THE IMPORTANCE OF FUNDING FOR THE NATIONAL ENDOWMENT FOR THE ARTS (NEA)

Mr. Chairman and distinguished members of the subcommittee, Dance/USA is grateful for the opportunity to submit testimony on behalf of Dance/USA, its board of directors and its 500 members. We strongly urge the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations to designate a total of \$155 million to the National Endowment for the Arts (NEA) for fiscal year 2015. This testimony and the funding examples described below are intended to highlight the importance of Federal investment in the arts, so critical to sustaining a vibrant cultural community throughout the country.

The NEA makes it possible for everyone to enjoy and benefit from the performing arts. Before the establishment of the NEA in 1965, the arts were limited mostly to a few big cities. The NEA has helped to strengthen regional dance, opera, theater and other artistic disciplines that Americans now enjoy. NEA funding provides access to the arts in regions with histories of inaccessibility due to economic or geographic limitations. The Endowment embodies the ideal that no one should be deprived of the opportunity to have art in their lives. The Arts Endowment has helped the arts become accessible to more Americans, which in turn has increased public participation in the arts.

##### THE NEA IS A GREAT INVESTMENT IN THE ECONOMIC GROWTH OF EVERY COMMUNITY

Despite diminished resources, including a budget that has decreased by over \$20 million since 2010, the NEA awarded more than 2,100 grants in 2013, totaling more than \$112 million in appropriated funds, and reaching more than 38 million people who attended live arts events through NEA-supported programs. These grants help nurture the growth and artistic excellence of thousands of arts organizations and artists in every corner of the country. NEA grants also preserve and enhance our Nation's diverse cultural heritage. The modest public investment in the Nation's cultural life results in both new and classic works of art, reaching the residents of all 50 States and in every congressional district.

The return of the Federal Government's small investment in the arts is striking. In 2013, the American creative sector was measured by the Federal Bureau of Economic Analysis (BEA). The BEA and the NEA developed an "Arts and Cultural Production Satellite Account" which calculated the arts and culture sector's contributions to the gross domestic product (GDP) at 3.2 percent (or \$504 billion) of current-dollar GDP in 2011. Additionally, the nonprofit arts industry generates \$135.2 billion annually in economic activity, supporting 4.13 million full-time equivalent jobs in the arts and related industries.

On average each NEA grant leverages at least \$9 from other State, local, and private sources, generating roughly \$600 million in matching support. Few other Federal investments realize such economic benefits, not to mention the intangible benefits that only the arts make possible. Even in the face of cutbacks in the recent years, the NEA continues to be a beacon for arts organizations across the country.

The return on investments is not only found in dollar matches. The average city and county reports that nonprofit arts and culture organizations had 5,215 volunteers who donated 201,719 hours. These volunteer hours have a value of approximately \$4.5 million—a demonstration that citizens value the arts in their communities.

## NEA GRANTS AT WORK

Past NEA funding has directly supported projects in which arts organizations, artists, schools and teachers collaborated to provide opportunities for adults and children to create, perform, and respond to artistic works. NEA funding has also made the art form more widely available in all States, including isolated rural areas and inner cities; indeed, NEA funded projects cross all racial, geographic, and socio-economic lines.

NEA grants are awarded to dance organizations through its core programs: Art Works; Challenge America Fast Track Grants; and Federal/State Partnerships. In fiscal year 2013, the NEA awarded 164 grants to the dance field through Art Works, totaling \$3,972,000.

## AXIS DANCE COMPANY—\$20,000; OAKLAND, CALIFORNIA

To support Dance Access and Dance Access/Kids! educational and outreach programs in the Bay Area and on a national tour. These activities will offer a variety of events for youth and adults with and without disabilities who are based locally and nationally.

## DIAVOLO DANCE THEATRE—\$20,000; LOS ANGELES, CALIFORNIA

To support educational and outreach programs during the company's national tour. The project will include a Young People's Concert, community workshops, master classes, and residencies. The Young People's Concert is an interactive student matinee show that includes choreography excerpts, discussion of teamwork, interactive exercises about movement and fitness, and active audience participation. Diavolo will work with presenters to tailor an educational and outreach program for each community on its tour.

## EUGENE BALLET—\$30,000; EUGENE, OREGON

To support regional dance touring and outreach activities. The company will present a repertory program featuring Artistic Director Toni Pimble's "Silk and Steel," "Concerto Gross," a full-length "Cinderella," and Gerald Arpino's "Light Rain." The repertory program will also include school presentations of "Pulcinella," with accompanying study guides for students.

## KANSAS CITY BALLET—\$20,000; KANSAS CITY, MISSOURI

To support New Moves, a showcase for new dance works by emerging local and national choreographers. The program will afford Kansas City Ballet members the opportunity to create, produce, and perform works while learning from nationally recognized choreographers. Performances will take place at the Michael and Ginger Frost Studio and Theater at Kansas City Ballet's Todd Bolender Center for Dance Creativity.

## NASHVILLE BALLET—\$20,000; NASHVILLE, TENNESSEE

To support the staging and presentation of choreographer Jiri Kylian's "Petite Mort" with live accompaniment by The Nashville Symphony. The work will be presented on the same bill as George Balanchine's "Serenade," along with a new dance production by Artistic Director Paul Vasterling, choreographed to an original composition by Ben Folds.

## THE NON-PROFIT PROFESSIONAL DANCE COMMUNITY

America's dance companies perform a wide range of styles and genres. These include both classical and contemporary ballet, classical and contemporary modern, as well as jazz, tap, cross-disciplinary fusions and traditional to modern work rooted in other cultures. Over two-thirds of America's professional dance companies are less than 45 years old; as an established art form with national identity and presence, dance has burst onto the scene almost entirely within living memory. And yet, America can boast some of the greatest dance companies of the world and can take credit for birthing two indigenous dance styles—tap and modern dance.

One key to this spectacular achievement has been the creation of a national marketplace for dance. When the National Endowment for the Arts instituted its Dance Touring Program in the 1970s, great dance became accessible to every community in America. What used to be a handful of professional companies and a scattering of "regional" dance has become a national treasure spread across cities and through communities, schools and theaters in all 50 States. Based on data from almost 300

nonprofit dance companies from across the United States, Dance/USA estimates that dance companies:

- Employed over 14,800 people in a mix of full-time and part-time positions;
- Paid approximately \$345.7 million, or 53 percent of expenses, in wages and benefits;
- Earned \$200 million, or 29 percent of their income, from performances;
- Received \$326.6 million, or 48 percent of their income in contributions (including public support, corporate contributions, foundation support, and individual donations);
- Generated more than \$661.5 million in economic activity across the United States.

Dance/USA, the national service organization for the professional dance field, believes that dance is essential to a healthy society, demonstrating the infinite possibilities for human expression and potential, and facilitating communication within and across cultures. Dance/USA sustains and advances professional dance by addressing the needs, concerns, and interests of artists, administrators, and organizations. Dance/USA's membership currently consists of nearly 500 aerial, ballet, modern, culturally specific, jazz, and tap companies, dance service and presenting organizations, individuals, and related organizations. Dance/USA's member companies range in size from operating budgets of under \$100,000 to over \$50 million.

#### CONCLUSION

Despite overwhelming support by the American public for spending Federal tax dollars in support of the arts, the NEA has never recovered from a 40 percent budget cut in the mid-nineties and found its budget further decreased by \$22 million since 2010, leaving its programs seriously underfunded. We urge you to continue toward restoration and increase the NEA funding allocation to \$155 million for fiscal year 2015.

On behalf of Dance/USA, thank you for considering this request.

#### PREPARED STATEMENT OF DEFENDERS OF WILDLIFE

Mister Chairman, Ranking Member and members of the subcommittee, thank you for the opportunity to submit testimony for the record. Founded in 1947, Defenders has more than one million members and supporters and is dedicated to the conservation of wild animals and plants in their natural communities.

North America is fortunate to have some of the most abundant and diverse wildlife on Earth, more than 200,000 known species in the U.S. alone. This unique and irreplaceable heritage is treasured by all Americans both for its aesthetic value as well as for the very tangible benefits it brings as a resource. For example, a third of our food is pollinated by birds, bats, and insects; wildlife associated recreation generated \$145 billion in economic benefits in 2011;<sup>1</sup> bats provide at least \$3.7 billion to the agricultural industry in pest control services each year;<sup>2</sup> and the value of ecosystem services from habitat in the contiguous 48 States is estimated at \$1.6 trillion annually.<sup>3</sup> Cuts since fiscal year 2010 to Federal programs that conserve wildlife and habitat have severely undermined sound management. Funding decreases in the U.S. Fish and Wildlife Endangered Species program delayed the recovery of endangered Florida manatees by preventing crucial habitat restoration work. Continued cuts will likely lead to irreversible harm to vulnerable species and habitat. Our Nation's wildlife is a treasure and well worth the investment to properly care for it.

#### FISH AND WILDLIFE SERVICE

The U.S. Fish and Wildlife Service (FWS) is our Nation's premier wildlife conservation agency. We were deeply disappointed that the agency received a 27 percent cut in the fiscal year 2014 House Interior, Environment, and Related Agencies appropriations bill. FWS needs robust funding, not cuts, if it is to recover threatened and endangered species and protect migratory birds and fish, species of global conservation concern and other trust species, and stop or prevent wildlife crimes.

<sup>1</sup>The 2011 National Survey of Fishing, Hunting, and Wildlife Associated Recreation, USFWS, 12/12.

<sup>2</sup><http://www.sciencemag.org/content/332/6025/41.summary?sid=853248fd-6760-4341-93d0-2aeeab9ea450>.

<sup>3</sup>The Economics Associated with Outdoor Recreation, Natural Resources Conservation and Historic Preservation in the United States, Southwick Associates, 9/29/11.

*Cooperative Recovery.*—Defenders supports the President’s requested increases of \$1.5 million in Conservation and Restoration under Ecological Services and \$300,000 under Migratory Bird Management. This initiative is supporting more efficient and strategic efforts across landscapes to recover threatened and endangered species on National Wildlife Refuges and surrounding lands.

*Renewable Energy.*—Defenders supports the President’s requested increases of \$1.1 million in Planning and Consultation under Ecological Services to support approvals of renewable energy projects while ensuring they do not significantly harm wildlife, and \$1.4 million under Service Science to assess potential impacts of energy transmission corridors on sensitive lands and wildlife in the West and to identify mitigation strategies.

*Endangered Species.*—The President’s request proposes a major restructuring of the Ecological Services Activity which includes the Endangered Species program. Defenders is concerned about whether the new structure will allow for adequate transparency and accountability, particularly in the large “General Program Activities” program elements. Before any such restructuring is permitted, the agency must show that it has adequate controls in place to ensure the strategic use of this funding and a transparent process for developing priorities and reporting how funds are allocated. Absent this information, Defenders supports maintaining the current budget structure and requests increases for the endangered species portion of Ecological Services, \$21.7 million, which includes:

- A \$4 million increase to support the unprecedented effort to conserve the greater sage-grouse and its sagebrush habitat.
- A \$2.3 million increase for listing species. This funding will support progress in listing approximately 145 candidate species, many of which have awaited Endangered Species Act (ESA) protection for years.
- An \$11.1 million increase to support the recovery of the more than 1,500 listed U.S. species so that ESA protection is no longer necessary.
- Defenders opposes a \$1 million reduction for the Wolf Livestock Loss Demonstration Program that assists livestock owners co-existing with wolves, and we urge its restoration.

*National Wildlife Refuge System (NWRS).*—Our National Wildlife Refuge System is the largest land and water system in the world dedicated to wildlife conservation. Refuges provide enormous benefits to the American people, generating \$2.4 billion each year for local economies. A September 2013 memorandum from the System’s Chief detailed significant damage from budget cuts since fiscal year 2010 with conservation effectiveness in numerous areas declining dangerously. The request includes a \$4.2 million increase which includes funding for Challenge Cost share projects with partners and volunteer groups and for law enforcement but it is not sufficient. Instead, Defenders supports an \$8 million increase over fiscal year 2014 which is the minimal amount needed each year to keep up with operating costs such as fuel, utilities and rent. We also support legislative language proposed by the administration that would provide authority to recover compensation from responsible parties who injure or destroy Refuge System or Hatchery System resources similar to that of the National Park Service and the National Oceanic and Atmospheric Administration and allows compensation to be applied directly to repair the injury without further appropriation by Congress.

*Cooperative Landscape Conservation.*—Defenders supports the President’s requested increase of \$3.3 million that will support the continued development and work of the Landscape Conservation Cooperatives that are working to solve complex problems across large landscapes.

*Science Support.*—The requested \$14.4 million increase will help to answer pressing questions about climate adaptation and other landscape level ecological changes as well as about energy development, White-Nose Syndrome that is devastating bat populations, and other agency management challenges.

*Migratory Bird Management.*—U.S. bird populations have experienced precipitous declines in recent years. Full funding of the program’s \$46.922 million request will support the program’s work to survey and monitor, reduce hazards, manage permits, and restore habitat for migratory birds.

*Environmental Contaminants.*—Under Ecological Services, a \$1.2 million increase in Planning and Consultation will help to support the process for national consultations related to pesticide registrations and a \$2 million increase in Conservation and Restoration will help increase capacity to respond to impacts of contaminant releases.

*Office of Law Enforcement.*—A \$2.5 million increase requested by the President will support wildlife science forensics and efforts to combat an unprecedented level of illegal trade in wildlife.

*International Affairs.*—A \$1.1 million increase in the request will support local communities in reducing poaching of flagship species such as tigers, rhinoceros, and elephants.

*Other key grant programs.*—Defenders supports the requested funding amounts for the Multinational Species Conservation Fund, the Neotropical Migratory Bird Fund, and the Cooperative Endangered Species Fund (CESF). We are opposed to the \$8.695 million cut for State and Tribal Wildlife grants and urge that the program be funded at no less than the fiscal year 2014 level. In addition, we are opposed to the request to fund non-land acquisition planning and conservation grants from the Land and Water Conservation Fund under the CESF.

#### FOREST SERVICE AND BUREAU OF LAND MANAGEMENT

The Bureau of Land Management (BLM) and the U.S. Forest Service (FS) are essential to the conservation of wildlife and habitat in the United States, yet their resources are not adequate to meet significant challenges. A top priority for Defenders is ensuring that renewable energy development on these lands proceeds in a balanced way that maintains the ecological integrity of our public lands and waters, conserves wildlife habitat and populations, and contributes to agency efforts to successfully recover our most imperiled wildlife. We urge strong oversight to ensure that any energy development is done in an environmentally sensitive fashion. Given their large land ownerships it is imperative that both participate fully in landscape level conservation and management efforts.

*FS Integrated Resource Restoration (IRR)/Wildlife and Fisheries Habitat Management.*—The administration has again proposed merging a number of accounts, including Wildlife and Fisheries Habitat Management, into an integrated budget. Instead, Defenders supports maintaining funding for Wildlife and Fisheries Habitat Management at no less than the fiscal year 2014 level and continuing IRR as a pilot so that the agency can demonstrate its ability to adequately protect habitat for fish and wildlife under the consolidated program. “Evaluating the Integrated Resource Restoration Line Item: Results from Phase 1,” a recent independent study of the pilot program through the University of Oregon and Colorado State University, indicated that a combination of hard targets, including hard timber targets, coupled with declining budgets, may reduce investment in wildlife conservation.

*FS Land Management Planning/Inventory and Monitoring.*—The request again proposes merging these two programs into a single line item. As with IRR, we are concerned about such a consolidation unless the agency can demonstrate its ability to carry out its responsibilities under these two programs and urge continued discrete funding for each at no less than the fiscal year 2014 level.

*FS Collaborative Forest Landscape Restoration Program.*—We support the requested increase of \$20 million for this proven cost-effective program established specifically to create job stability, achieve reliable wood supply, restore forest and watershed health, improve wildlife habitat, and reduce both the costs of fire suppression in overgrown forests and the risk of uncharacteristic wildfires.

*FS Forest and Rangeland Research (FS R&D).*—We are opposed to the \$17.490 million cut in the request for FS R&D and we urge funding at no less than the fiscal year 2014 level. Adequate funding for this program is crucial in providing relevant tools and information to support sustainable management of National Forest System lands as well as non-Federal forest lands. Generally, we are concerned that the Forest Service may lack adequate applied scientific capacity to implement critical planning and management actions, including the 2012 planning rule.

*BLM National Greater Sage-Grouse Planning Strategy.*—Defenders supports continued full funding of the \$65.2 million request for the Wildlife and Fisheries Management program, a \$347,000 increase, which includes support for the greater sage-grouse planning initiative, on-the-ground habitat restoration, and monitoring. We recently released an analysis of all draft plans developed under the Planning Strategy, “In the Red: How Proposed Conservation Plans Fail to Protect Greater Sage-Grouse,” which found that the plans in their current form recommend inconsistent and inadequate conservation measures. We urge the subcommittee to work with the agency to ensure that the plans are improved so that the final plans will be adequate to conserve and restore this iconic bird.

*BLM Threatened and Endangered Species Management.*—According to agency reports, the BLM has funding to implement only about 10 percent of the work it is required to do in recovery plans for ESA listed species on BLM lands, but the request includes just a \$178,000 increase. Instead, Defenders supports an increase of \$1 million over the request which simply restores the budget to the fiscal year 2010 level and will better help move listed species to recovery.

*BLM Renewable Energy.*—Full funding of the \$29.2 million request, a \$171,000 increase, will help BLM to move forward with renewable energy development on public lands while avoiding areas with natural resource conflicts, including conflicts with sensitive wildlife species.

*BLM Resource Management Planning.*—The \$5.2 million increase in the President's request is crucial to support priority planning efforts for vast areas of BLM lands, including maintaining the currency of resource management plans.

U.S. GEOLOGICAL SURVEY

The U.S. Geological Survey provides the basic science necessary for conservation of fish, wildlife and habitat. We urge support for the following increases:

*National Climate Change and Wildlife Science Center/Climate Science Centers.*—An \$11.6 million increase in the request will support scientific needs in planning for climate change adaptation and building resiliency of ecosystems.

*Ecosystems.*—A \$9.2 million increase in the request will help to support development of crucial scientific information for sound management of our Nation's biological resources including research into declines of native pollinators and measures needed to avoid harming sensitive wildlife, especially bats and birds, from renewable energy development.

LAND AND WATER CONSERVATION FUND (LWCF)

Defenders supports the proposal in the request for full and permanent funding of LWCF that will help to save some of the 6,000 acres of open space, including wildlife habitat, that are lost each day in the United States.<sup>4</sup> Thank you for the opportunity to testify.

PREPARED STATEMENT OF DENVER WATER

APRIL 7, 2014.

Hon. JACK REED, *Chairman*,  
Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: On behalf of Denver Water, I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in "Conservation and Restoration" funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled "Conservation and Restoration") to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS "Conservation and Restoration" funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

JAMES S. LOCHHEAD,  
*CEO/Manager.*

<sup>4</sup>[http://www.fs.fed.us/openspace/coop\\_across\\_boudaries.html](http://www.fs.fed.us/openspace/coop_across_boudaries.html).

## PREPARED STATEMENT OF THE EDISON ELECTRIC INSTITUTE

The Edison Electric Institute (EEI) respectfully submits this written testimony for the record to the Senate Appropriations Subcommittee on Interior, Environment, and Related Agencies. We appreciate this opportunity to share our views on some of the fiscal year 2015 programs for the Environmental Protection Agency (EPA).

The U.S. electric generation fleet is facing numerous challenges. Among these are EPA regulations, including pending rulemakings on Clean Water Act section 316(b) cooling water intake structures, coal ash disposal, “waters of the U.S.,” steam-electric effluent limitation guidelines, and greenhouse gas new source performance standards, as well as other significant pending Clean Air Act regulations. These requirements will dramatically affect individual utility decisions regarding construction of new generation and the retrofitting and retirement of existing plants. Therefore, I am sharing with you our views on a number of these proposals that could significantly impact the ability of electric utilities to ensure an adequate, reliable and affordable supply of electricity for consumers.

## WATERS OF THE UNITED STATES

On March 25, 2014, EPA released a draft proposed rule to revise the regulatory definition of “waters of the United States” (WOTUS) for purposes of the Clean Water Act (CWA). The draft would have the effect of expanding the scope of Federal CWA jurisdiction at the expense of State jurisdiction to virtually all waters and every program under the CWA.

The draft rule, if implemented, would vastly expand the triggering of CWA regulatory and permitting requirements for electric utility land-use activities, including generation construction and operations, as well as transmission construction and maintenance. Decommissioning operations would also be negatively impacted.

EPA asserts it is not changing the existing exemption from WOTUS for waste treatment systems; however, that is not clear from the proposed rule text. Modifying the current exclusion by regulatory fiat could require electric facilities to comply with CWA limitations prior to discharge into impoundments. Often, this is not even technically or economically feasible.

Under EPA’s proposal, the energy industry would face significant challenges in its effort to expand and upgrade infrastructure, primarily in the form of major project permitting delays, costly resource outlays for new permit applications, and an unprecedented level of regulatory uncertainty and inconsistency in the administration of CWA permitting programs. Such an outcome disregards the administration’s commitment to streamline permitting timelines and promote early Federal, State and local coordination for Federal permitting processes applicable to domestic energy infrastructure programs.

In light of the significant and numerous legal, economic and scientific deficiencies with this proposal, EEI respectfully urges the subcommittee to adopt a legislative amendment to its fiscal year 2015 legislation that would bar EPA from implementing a final rule. In the alternative, we request that the subcommittee require the agency to contract with the National Academy of Sciences for a study to establish a scientific basis for defining a “significant nexus” to guide development of a more scientifically grounded regulatory standard.

## CLEAN WATERS ACT SECTION 316(B) COOLING WATER INTAKE STRUCTURES RULE

In 2011, EPA issued a proposed rule under Section 316(b) of the Clean Water Act. The proposal, which is now expected to be finalized by April 17, 2014, will require changes in “cooling water intake structures,” physical constructions through which water is withdrawn for cooling purposes, for the vast majority of America’s existing steam-electric generating plants and a wide range of manufacturing and industrial facilities. The proposed rule focuses on reducing fish and shellfish mortality attributed to “impingement” on intake structure screens and “entrainment” into cooling water systems.

The proposed 316(b) rule would apply to facilities whose construction began before January 18, 2002, and where the total design intake flow of the cooling water intake structure(s) is greater than 2 million gallons of water per day. It would apply to all existing steam-electric facilities, including ones that have closed-cycle cooling and those that have once-through cooling. Importantly, the rule does not distinguish between nuclear, coal and gas units.

EEI continues to believe that a science-based rule, one that is fair and flexible, should include reasonable compliance requirements and deadlines. In order to protect the environment and avoid unnecessary burdens on electricity consumers, such a rule should only impose technically justifiable mandates when costs—commensu-

rate with benefits—are part of the appropriate course of action. We remain concerned that an overly prescriptive, rigid rule would encourage unnecessary retrofits and result in significant negative environmental, energy, cost, and local reliability impacts on hundreds of electric generation facilities across the country.

With several unresolved implementation issues undergoing final interagency review, EEI urges the subcommittee to ensure that a final 316(b) rule addresses electric system reliability and encourages the use of flexible compliance mechanisms in a cost-effective manner.

#### COAL COMBUSTION PRODUCT REGULATION

EPA's Coal Combustion Residuals (CCR) rule is currently in proposed form. The proposal offers two options—regulating coal ash as either hazardous waste or as non-hazardous waste. EEI continues to advocate for the non-hazardous regulatory framework that provides a workable timeline for implementation and protects safety, human health and the environment.

In addition, we continue to advocate for legislation that would establish a Federal non-hazardous, State-implemented waste regulatory program for coal ash disposal. In July 2013, the House of Representatives passed such legislation, H.R. 2218, the Coal Residuals Reuse and Management Act. Later this year the Senate is expected to introduce a companion bill.

EEI urges subcommittee support for a non-hazardous regulatory program for CCRs similar to the provisions outlined in H.R. 2218. Such an approach would build on existing State regulatory programs and ensure proper disposal of CCRs in a manner that is cost-effective and without unintended consequences. This approach enjoys bipartisan support in Congress and has been endorsed by the States, ash recyclers and our industry.

#### EFFLUENT LIMITATION GUIDELINES RULEMAKING

In June 2013, EPA proposed the first significant revision of the Clean Water Act steam effluent limitation guidelines (ELGs) in more than 30 years. The proposal sets strict technology-based effluent limitations that will force technological and operational changes at existing coal-based facilities, many gas-based combined-cycle facilities, and some nuclear generation facilities. The impact to industry on the effluent guidelines rule could be in the hundreds of billions of dollars.

In September 2013, EEI filed extensive agency comments, noting that most of the proposed compliance options would impose substantial costs on the electric generation fleet without providing corresponding benefits. We have requested the agency to provide adequate time for utilities to implement any new requirements in the final ELG rule, as well as coordinate compliance with other rulemakings that affect the power industry. EPA must also revise its technical approaches with more current and reliable data.

We look forward to working with the subcommittee to ensure EPA fully considers the economic challenges and obligations of the power sector as a whole, and that criteria for the final rule is based on credible and sound data to achieve maximum, cost-effective reductions.

#### GREENHOUSE GAS NEW SOURCE PERFORMANCE STANDARDS (NSPS) FOR NEW AND EXISTING SOURCES

The electric power sector has made impressive reductions in its greenhouse gas (GHG) emissions, including a 15 percent reduction from 2005 levels as of 2012. Nevertheless, major steps in the development of GHG emissions regulations will occur this year as EPA moves forward with Clean Air Act performance standards for both new and existing sources.

##### *New Sources*

In September 2013, EPA issued re-proposed New Source Performance Standards (NSPS) for new units. These re-proposed standards, which replaced a proposal in April 2012, were published in the Federal Register on January 8, 2014.

EEI is developing industry comments that will largely track those filed on the original 2012 proposal. We remain concerned about the ability of natural gas units to comply with the standards under normal operating conditions, especially as more variable renewable resources are deployed, causing natural gas units to cycle more to support the integration of such resources into the grid.

We also are concerned about the lack of an explicit exemption for simple-cycle combustion turbines, and continue to object to EPA's determination that carbon capture and storage (CCS) is a commercially demonstrated technology for coal-based electric generating units at this time. While EPA has proposed a separate standard

for coal, it has not created a workable pathway for coal going forward given the costs and other regulatory barriers to CCS.

EPA is not compelled to finalize the new source standards by any particular date. At this time, the agency is not expected to finalize these standards until mid-2015, when existing source guidelines are expected to be promulgated.

*Existing Sources*

EPA has begun its initial, pre-proposal efforts to develop State guidelines for existing plants under CAA section 111(d). EPA, separately, will be addressing modified and reconstructed plants. The timeline includes proposing State emissions guidelines for existing sources by June 2014 and the finalization of guidelines by June 2015. Theoretically, States would have 1 year to develop and submit to EPA a plan to implement the guidelines, though expectations are that this process will take longer.

We believe EPA should provide States with maximum flexibility when creating compliance plans and should give credit for a wide range of actions taken to date that have resulted in GHG emission reductions. It is also important that any rule-making minimize the impact on existing electric generating units that are already making significant investments to comply with the Mercury and Air Toxics (MATs) rule.

In conclusion, Mr. Chairman, EEL truly values the partnership that we share with your subcommittee, and we look forward to continuing our dialogue with you throughout the year.

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PREPARED STATEMENT OF THE ENTOMOLOGICAL SOCIETY OF AMERICA

The Entomological Society of America (ESA) respectfully submits this statement for the official record in support of funding for entomology-related activities at the U.S. Department of Agriculture Forest Service and the U.S. Environmental Protection Agency (EPA). ESA requests a robust fiscal year 2015 appropriation for the Forest Service and requests that the Forest and Rangeland Research budget is maintained at a level at least equal to the fiscal year 2014 enacted amount of \$292.8 million to preserve valuable invasive species research and development. The Society also supports continued investment in Forest Health Management programs across the Forest Service in fiscal year 2015. In addition, ESA recommends strong funding for EPA, including Pesticides Licensing Program Area activities within its Science & Technology and Environmental Program & Management budgets, as well as continued support for State & Tribal Assistance Grants for Pesticide Program Implementation. Finally, ESA supports a proposal in the President's fiscal year 2015 budget request to establish a \$45 million multi-agency initiative addressing pollinator health, including involvement by EPA to examine the potential impact of pesticides and ensure that pesticides represent acceptable risks to pollinator health.

Advances in forestry and environmental sciences, including the field of entomology, help to protect our ecosystems and communities from threats impacting our Nation's economy, public health, and agricultural productivity and safety. Through improved understanding of invasive insect pests and the development of biological approaches to pest management, entomology plays a critical role in reducing and preventing the spread of infestation and diseases harmful to national forests and grasslands. The study of entomology also contributes to the development of Integrated Pest Management (IPM) techniques, which use science-based, environmentally friendly, comprehensive methods to take preventative action against pests, often resulting in lower costs and a more targeted use of pesticides. In addition, entomology improves our knowledge of pollinator biology and the factors affecting pollinator health and populations, helping to ensure safe, reliable crop production that meets the needs of a growing world population.

The U.S. Forest Service sustains the health, diversity, and productivity of 193 million acres of public lands in national forests and grasslands across 44 States and territories. Serving as the largest supporter of forestry research in the world, the agency employs approximately 35,000 scientists, administrators, and land managers. In addition to activities at the Federal level, the Forest Service provides technical expertise and financial assistance to State and private forestry agency partners.

The Forest Service's Forest and Rangeland Research budget supports the development and delivery of scientific data and innovative technological tools to improve the health, use, and management of the Nation's forests and rangelands. Within Forest and Rangeland Research, the Invasive Species Strategic Program Area provides scientifically based approaches to reduce and prevent the introduction, spread,

and impact of non-native invasive species, including destructive insects, plants, and diseases that can have serious economic and environmental consequences for our Nation. For example, Forest Service scientists are working to prevent the devastation of ash trees across North America by the emerald ash borer, an invasive beetle that was accidentally introduced from Asia. Emerald ash borer was first detected in 2002 and, since then, has killed countless millions of ash trees. This biological invasion threatens to eliminate all ash trees from North America, and is the most costly invasion from a forest insect to date. To attempt to address the problem, researchers have developed a multi-tiered program that includes removal of infested trees, new insecticides, and introduction of several species of parasitic wasps into ash borer-infested U.S. forests. The scientists found that the wasps, known to parasitize and kill emerald ash borer eggs and larvae, have helped to slow the spread of the ash borer invasion in recent years.<sup>1</sup> Emerald ash borer is just one of the exponentially growing list of invasive insects and diseases that cause harm to our Nation's forests and to our Nation's economy. Forest health is also affected by invasive weeds, and those weeds are often best controlled by beneficial insects used as biological control agents, resulting in permanent and often spectacular control. ESA strongly opposes the proposed cuts to Forest and Rangeland Research included in the President's fiscal year 2015 budget request, especially the 8.0 percent reduction directed at invasive species research and development.

Also under the purview of the Forest Service is the Forest Health Management program, which conducts mapping and surveys on public and private lands to monitor and assess risks from potentially harmful insects, diseases, and invasive plants. The program also provides assistance to State and local partners to help prevent and control outbreaks that endanger forest health. According to a 2011 study, invasive forest insects cost local governments alone an average of over \$2 billion per year; direct costs to homeowners from property loss, tree removal, and treatment exceed an additional \$2.5 billion per year.<sup>2</sup> The program's "Slow the Spread" activities, for example, have led to a 60 percent reduction in the rate of the spread of an invasive species known as gypsy moth, resulting in an estimated benefit-to-cost ratio of 3:1. Without the program, it is estimated that 50 million additional acres would have been infested by the moth.<sup>3</sup> To support these important functions, ESA requests that the subcommittee maintain strong funding for the Forest Health Management Program in fiscal year 2015.

EPA carries out its mission of protecting human health and the environment by developing and enforcing regulations, awarding grants for research and other projects, conducting studies on environmental issues, facilitating partnerships, and providing information through public outreach. Through these efforts, EPA strives to ensure that our Nation enjoys clean water, clean air, a safe food supply, and communities free from pollution and harmful chemicals.

EPA's Pesticides Licensing Program Area, supported by EPA's Science & Technology and Environmental Program & Management budgets, serves to evaluate and regulate new pesticides to ensure safe and proper usage by consumers. Through the mandate of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA utilizes scientific expertise and data, including knowledge gained from entomological sciences, to set maximum tolerated residue levels and to register pesticide products as effective and safe. By controlling insects that act as vectors of diseases of humans and domesticated animals, and invasive insect species that endanger our environment, pesticides registered by EPA help protect public health and the Nation's food supply. EPA's activities in this area also include the development of educational information and outreach to encourage the use of IPM and other reduced-risk methods of controlling pests. For example, EPA recently awarded three grants to universities to help facilitate the use of IPM practices in schools in multiple States, helping to promote cost-effective strategies that reduce student exposure to pesticides and pests. Due to previous work in this area, 18 Indiana schools have reduced pest control costs by 90 percent by employing new IPM techniques.<sup>4</sup> The President's fiscal year 2015 budget request includes plans to reduce funding for IPM efforts in schools in favor of other priority activities. However, IPM strategies used in schools reduce

<sup>1</sup> Forest Service fiscal year 2015 Budget Justification: <http://www.fs.fed.us/aboutus/budget/2015/FS15-FS-Budget-Justification.pdf>.

<sup>2</sup> Aukema, J.E.; Leung, B.; Kovacs, K.; [et al.]. 2011. Economic impacts of non-native forest insects in the continental United States. *PLoS ONE* 6(9): e24587.

<sup>3</sup> Forest Service fiscal year 2015 Budget Overview: <http://www.fs.fed.us/aboutus/budget/2015/FY15-FS-Budget-Overview.pdf>.

<sup>4</sup> March 12, 2014 EPA press release: <http://yosemite.epa.gov/opa/admpress.nsf/596e17d7cac720848525781f0043629e/ebef2aed5d69e01585257c99006af60d!OpenDocument>.

student exposure to pesticides as well as allergens from pests themselves. Therefore, ESA supports continuing the modest funding that EPA has invested in school IPM.

Among EPA's State & Tribal Assistance Grants, categorical grants in the area of Pesticides Program Implementation help to facilitate the translation of national pesticide regulatory information into real-world approaches that work for local communities. For example, these grants fund efforts to reduce health and environmental risks associated with pesticide use by promoting, facilitating, and evaluating IPM techniques and other potentially safer alternatives to conventional pest control methods. ESA requests that the subcommittee maintain support for Pesticides Program Implementation grants.

ESA is in favor of increased funding for scientifically based studies of pollinator populations and health. Pollinators play a vital role in our Nation's agriculture industry; for example, bees pollinate more than 90 crops in the United States and are essential for the production of an estimated 70 percent of all the food we eat or export. To ensure a healthy bee population, more research is needed to fully understand the complexities of Colony Collapse Disorder (CCD) and to examine the diverse factors that endanger bee health. Pesticides represent just one potential risk to bees, but both the risks and benefits must be balanced, and those risks and benefits will vary among different crops and different crop-producing regions of the United States. EPA is well-positioned to help identify methods for protecting bee health; the agency recently awarded agricultural grants to three universities to aid in the development of IPM practices that lower pesticide risks to bees while protecting valuable crops from pests. For this reason, ESA supports EPA's participation in a proposed multi-agency initiative to investigate pollinator health and develop implementation plans to prevent pollinator population decline.

ESA, headquartered in Annapolis, Maryland, is the largest organization in the world serving the professional and scientific needs of entomologists and individuals in related disciplines. Founded in 1889, ESA has nearly 7,000 members affiliated with educational institutions, health agencies, private industry, and government. Members are researchers, teachers, extension service personnel, administrators, marketing representatives, research technicians, consultants, students, pest management professionals, and hobbyists.

Thank you for the opportunity to offer the Entomological Society of America's support for Forest Service and EPA programs. For more information about the Entomological Society of America, please see <http://www.entsoc.org/>.

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#### PREPARED STATEMENT OF THE FEDERAL FOREST RESOURCE COALITION

The following testimony is submitted on behalf of the Federal Forest Resource which represents purchasers of Federal timber in 32 States, with over 650 member companies and affiliated associations, collectively representing over 390,000 employees.

We make the following specific programmatic recommendations for fiscal year 2015:

Enact the budget cap exception recommended in the President's request and in H.R. 3992, the Wildfire Disaster Funding Act; Focus increased investments (15 percent increases) on *National Forest Timber Management*, *Wildland Hazardous Fuels Reduction*, and *Capital Improvement & Maintenance*; Continue CFLR projects to demonstrate collaborative forest management. We strongly applaud the administration's budget for proposing to increase timber outputs by almost 16 percent, and we endorse the bi-partisan approach to wildfire funding in the Wildfire Disaster Funding Act.

*Our Mills Rely on Predictable, and Growing Supplies of Timber.*—The forest products industry is extremely capital intensive. Our member companies have significant investments in logging and mill infrastructure, which can help offset the costs of managing the National Forests and return money to the Treasury. After weathering the worst recession our industry has seen in almost a century, forest products companies are seeing the benefits of a rebounding economy and international markets, providing us an opportunity to modernize and remain competitive. Several issues at the Forest Service inhibit our ability to grow and compete. Unpredictable timber supplies caused by erratic appropriations, fire borrowing, and obstructionist tactics by a minority of radical groups make it difficult to commit to the investments needed to keep our companies viable.

*Eliminating Fire Borrowing, Provide Stable Appropriations.*—Last year was the second in a row in which the Forest Service redirected significant funds (over \$600 million) from other programs to pay for wildfire suppression activities. Programs which directly support improved forest health are among those penalized the most

by this process. The pattern of borrowing disrupts forest management and delays timber sale projects unnecessarily, while doing nothing to help ensure honest budgeting or reduced costs. Suppression borrowing concerns cause the Forest Service to freeze accounts early in the summer, stopping vital timber sale projects and Stewardship contract negotiations. The Wildfire Disaster Funding Act holds tremendous promise and we urge the Committee to move forward with it this year.

We also stress that the Forest Service has had to manage through a long series of continuing resolutions, some lasting as little as a few days. This culminated with the disruptive Government shutdown, which halted 1,200 active timber sales. Contractors were given very little time to close up operations and remove machinery from the woods. The working men and women on our logging crews and in our mills should not be the unintended collateral damage in high stakes political fights. Disruptions in the timber sale program make it harder to manage the National Forests, harder to reduce fuel loads, and harder for our member companies to justify making the capital investments needed to remain competitive. We urge Congress to use the appropriations process to minimize these disruptions to the greatest extent possible.

*The Need for Management.*—As you know, the National Forest System is experiencing significant forest health challenges. The Chief has testified that the National Forests have between 65 and 82 million acres in need of active management, with 45 million acres decimated by bark beetles in the Rocky Mountains alone. Further, the Forest Service has a \$5.6 billion capital facilities maintenance backlog. This backlog does not just affect the roads my members depend on to access timber, but the trails, campgrounds, and visitor centers millions of Americans use. Faced with deteriorating forest health and crumbling facilities, we urge Congress to prioritize management and maintenance over expansion of an overtaxed National Forest System.

*The Need to Increase the Pace and Scale of Forest Management.*—In early 2012, the administration publicly committed to increasing the pace and scale of managing the National Forest System, arguing that by expanding forest restoration programs, forest health would improve, fire danger would decrease, and timber outputs would climb to over 3 billion board feet. We applaud their 2015 budget request for attempting to translate that commitment into action. However, we urge the subcommittee to take a more direct route than that proposed by the administration.

The administration has once again proposed a consolidated line item, “Integrated Resource Restoration”, funded at \$820 million for fiscal year 2015. As you know, this program has been implemented as a pilot program in Regions 1, 3, and 4 since 2010. We have not seen any indication that the pilot regions are experiencing a reduction in unit costs, whether the metric is acres treated or units of wood produced. Region 1, in particular, remains extraordinarily dysfunctional, with timber output plummeting by more than 58 percent in Montana since the pilot program began. There is no indication that an integrated or collaborative approach has reduced the appetite for obstruction among extremist groups who oppose all management.

Further, each of these Regions relies heavily on personal use fire wood to meet their timber harvest goals and to artificially reduce their unit costs. The three pilot Regions’ timber programs included 31 percent, 21 percent, and 43 percent firewood, respectively. When firewood is factored out, Region 1 and Region 4 had unit costs of over \$224 and \$137 per thousand board feet each, making them the least efficient Regions in the lower 48. IRR has made use of funds more difficult to track and budget comparisons item to item or year to year almost impossible.

Fiscal Year 2015 would be the 5th full fiscal year of IRR at the pilot level. Ultimately, we aren’t getting restoration or treatments achieved through this program. We urge you to end the pilot program and we oppose expansion to the rest of the country.

The administration has also recommended expanding the Collaborative Forest Landscape Restoration Program (CFLR) by 50 percent, increasing the funding from the currently authorized level of \$40 million per year to \$60 million per year. We have similar concerns about CFLR as we do the IRR program. The Federal Forest Resource Coalition (FFRC) members are actively engaged in CFLR projects across the country. In many cases, our members are among the leaders in these collaborative efforts. However, as of today, we have yet to see significant results from these projects, and drastically increasing the allocation of funds to CFLR is not justified at this time.

We recently surveyed our members on the successes and failures of the CFLR projects they are involved in. Just 60 percent said that the program had led to increased timber outputs and increased acres thinned. Only 53 percent said the program had reduced controversy around managing the National Forests. In many cases, our members reported that CFLR projects had completed no new National Environmental Policy Act (NEPA) documents, and in fact were reporting accom-

plishments from projects whose NEPA was completed prior to the designation of the CFLR projects.

We are extremely concerned about the lack of concrete matching funds for already selected CFLR projects. We support continued funding for CFLR at the authorized level. Congress should take steps to ensure that CFLR funds are truly supplemental to, not displacing, regular funds for the National Forest System (NFS) units with projects. Stricter matching requirements to ensure concrete financial matches should also be implemented. We urge the Committee to direct the Forest Service to expand management across the country, and not simply focus on CFLR project areas. There are many opportunities, and many authorities, for expanded management.

*The Need to Increase Efficiency in NFS Management.*—As an industry, we have learned how to economize, reduce costs, and do more with less. We recognize that the Nation's fiscal situation demands austerity, and we dialogue constantly with Federal land managers to find ways to reduce costs and increase efficiency. Congress has been at the forefront of these efforts. In recent years, the Congress has: Replaced cumbersome administrative appeals with a streamlined objection process; exempted projects that use a Categorical Exclusion from administrative appeal or objection; expanded the use of designation by description to all timber sales; and expanded forest health authorities beyond the Wildland-Urban Interface.

We strongly urge you to continue these efforts by directing the Forest Service to; meet their forest products output targets using only commercial products such as sawlogs, pulpwood, and commercial biomass, not personal use firewood; focus higher yielding forest management projects on lands designated as suitable for timber production; and meet a goal of 3.5 billion board feet in fiscal year 2015.

The current annual harvest from the National Forests represents less than 10 percent of annual forest growth, and less than half the allowable sale quantity in existing forest plans. In many Regions, the Forest Service is falling short of its own management goals; including response to the bark beetle outbreak in the Rockies and in managing aspen habitat in the Lake States. Stepping up management, through collaboratives where they exist and normal timber programs elsewhere, will address pressing forest health concerns while bolstering employment in economically distressed rural communities. Investing in the Forest Service timber program is a very effective job creator, generating 16.5 new direct and indirect jobs per million board feet harvested.

We appreciate the efforts of the subcommittee to remove the arbitrary requirements for hazardous fuels reduction work in the Wildland Urban Interface (WUI). A greater percentage of lands in need of fuels reduction are outside of the WUI, and mechanical thinning allows the Forest Service to take advantage of the wood products infrastructure to reduce treatment costs. Extensive Forest Service research shows that mechanical thinning which includes removing useable wood fiber, followed by prescribed fire, significantly reduce threats from wildfire and forest pests.

*BLM Forest Management.*—The President's fiscal year 2015 budget includes a 9.1 percent reduction in funding for the Bureau of Land Management Oregon and California (BLM O&C) Land Management Program. FFRC strongly supports reforming these critically important and productive timberlands. We urge the Committee to reject the proposed reduction and fund the O&C program at least at the 2014 enacted level. Aggressive action is needed to offer regeneration harvests from these lands that meet the needs of local mills and communities. We strongly support the Presidential Decree (PD) Forest Management Program at no less than the President's recommended level of \$9.9 million.

*Alaska.*—The timber industry in Alaska faces several challenges stemming from years of controversy over the management of the Tongass National Forest. FFRC members depend upon supplies of timber from this forest, and have been hard pressed as the Forest Service has placed complete restrictions on harvest in roadless areas. Current efforts to transition to second growth timber will not meet the local industries needs for decades. Steps must be taken to offer a timber sale program that complies with the National Forest Management Act and can sustain the local value added industry in order to save the capacity to manage the very small percent of the Tongass that is open to any harvest (almost 90 percent of the Tongass is roadless). Local mills and loggers, along with Governor Sean Parnell, have concluded that some portion of the Tongass should be converted into State ownership in order to meet the needs of the local economy. FFRC strongly supports this effort. FFRC also strongly urges the subcommittee to make permanent the Red Cedar language which it has included in previous Interior bills for more than a decade. This language is absolutely necessary to insure that USFS sales are not offered as deficit sales.

*Conclusion.*—Wood product demand remains strong, providing an opportunity to expand management on the National Forests. More forest management work needs to be done on the National Forests. Only Congress can decide whether we will help meet that domestic and international demand using timber from our National Forests, which must be milled domestically before it can be exported. Only Congress can create American jobs by using this market upswing to pay for badly needed forest management work. To paraphrase our favorite bear, only you can decide to act now, or you can allow the negative trends in forest health and rural economic distress to continue.

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PREPARED STATEMENT OF THE FEDERATION OF STATE HUMANITIES COUNCILS

The Federation of State Humanities Councils respectfully requests that the Senate Appropriations Subcommittee on the Interior allocate \$154.5 million for the National Endowment for the Humanities (NEH) and \$46 million for the Federal/State Partnership for fiscal year 2015.

We would like to thank the members of this subcommittee for your past support. The funding included in the fiscal year 2014 omnibus bill for State Humanities Councils was extremely helpful to these organizations, particularly following the severe cuts of the previous year. Councils are careful stewards of these funds, which they administer strategically to achieve the maximum benefit for the communities in their States. As full partners of the NEH, councils receive their core funding through the Federal/State Partnership line of the NEH budget, which they use to leverage additional support from foundations, corporations, private individuals, and State governments. In 2013, every Federal dollar the councils awarded through grants to local institutions leveraged, on average, \$5.00 in local contributions. Councils further extended their resources by forming partnerships with more than 9,000 organizations throughout their States.

These numbers tell part of the story—but not the most important part. Council programs improve not just individual lives but also the civic and cultural lives of the communities in your States. The benefits of the Federal funds invested in the State Humanities Councils are realized through programs that (1) preserve local history and culture, (2) support veterans, (3) serve rural communities, (4) reach diverse audiences, (5) boost local economies, (6) enhance national security, and (7) promote lifelong learning.

*Council programs preserve local history and culture.*—Programs that help communities understand and appreciate their history have been a staple of council work from the beginning, illuminating the events and conditions that have shaped these unique places. Consider, for example, the Idaho Humanities Council’s “Wilderness Considered” reading and discussion series, developed to commemorate the 50th anniversary of the 1964 Wilderness Act. This program is designed not only to look at the idea of wilderness in the American imagination but also to explore the particular relationship that Idahoans ranging from ranchers to snowmobilers to hunters and hikers have to wild places and the impact this relationship has had on the State’s character. Humanities Washington, in partnership with the State Historical Society, is travelling an exhibit entitled “Hope in Hard Times” to eight communities. The exhibit and related activities will allow participants to reflect on the ways Washingtonians during the Great Depression coped with their struggles and sustained hope for a better future. It will also invite them to share family and community stories as a means of looking at the impact of that history on their own lives, reminding themselves to look for their own opportunities to create change.

Though councils have been supporting such programs throughout their history, they have continually explored fresh approaches, involving scholars in new ways, engaging audiences more interactively, and employing the many electronic tools at hand. The online State encyclopedias developed by councils have given residents, visitors, and educators unprecedented and constantly evolving access to the history of the State. The Virginia encyclopedia, to cite an outstanding example, allows visitors to scroll through an alphabetical index of State figures and events, browse an interactive map, or bore more deeply into topics covered by the blog. The encyclopedia also provides resources for teachers and researchers.

In addition, council programs bring to light stories long hidden but crucial to the State’s or a community’s understanding of its culture and identity. The Minnesota Humanities Center, in partnership with the Minnesota Indian Affairs Council and the National Museum of the American Indian, developed an exhibit, “Why Treaties Matter: Self-Government in the Dakota and Ojibwe Nations,” that has given more than 50,000 Minnesotans in 39 communities a deeper understanding of the circumstances surrounding Minnesota land, its use, and the treatment of the land’s in-

digenous people, historically and today. The exhibit has also been used in schools, prompting Kevin Gover, Director of the National Museum of the American Indian to observe, "Together, we can work to educate a new generation of Minnesotans who understand basic important facts about Minnesota's tribal nations."

Finally, the Rhode Island Council for the Humanities is collaborating with Brown University on Rhode Tour, a new statewide digital history project. Rhode Tour features a smartphone app with GPS that uses oral histories, pictures, and sound to tell Rhode Island's story. The Rhode Island Council is partnering with organizations throughout the State to provide the content for this digital history tour, including stories on environmental, economic, and social issues.

*Councils serve veterans.*—A number of agencies and groups provide services and programs for veterans, but the humanities have a special role to play. Humanities scholars and facilitators have proven skill at drawing out stories and exploring their meaning. Council programs look at larger and deeper questions of what it means to individuals to be in violent circumstances and what it means to a society to place their men and women in such conditions. Over the past few years, councils have developed a rich array of programs for and about veterans. These include, among others, the Missouri Humanities Council's "Proud to Be" volumes of veterans writings, the council-sponsored Literature and Medicine reading and discussion programs for veterans' caregivers throughout the country, and the Veterans' Voices programs sponsored by the Minnesota Humanities Center and Humanities Texas that explore the veteran experience through plays and discussion groups.

Cal Humanities recently announced a statewide multi-year program, "War Comes Home," that will launch hundreds of events involving dozens of partners throughout the State. Through speakers, reading and discussion groups, public forums, oral histories, and teacher resources, the program will help veterans and their families and communities explore how Californians are welcoming their returning veterans. All these council-sponsored programs have the potential not only to allow veterans to tell their stories and to begin to re-integrate into their communities, but also to compel the public to listen, to wrestle with the consequences of sending people to war and bringing them home, and to claim their own role and responsibility in this process.

*Councils serve rural communities.*—A recent Federation survey revealed that council programs reached more than 6,000 communities last year, many in rural, even remote areas, where they are often the only programs of this sort that small towns have access to. Whether they involve individual speakers who stimulate a discussion well into the evening, a reading and discussion program at the local library, or a facilitated community conversation about an issue of concern, these programs strengthen and revitalize communities. They unite and enlighten residents. They encourage habits of dialogue.

The highly successful Museum on Main Street program, the product of a partnership between State councils and the Smithsonian and designed specifically for rural communities, shows the lasting benefits of a relatively modest investment. Last year Frederick, Oklahoma, with a population just under 4,000, hosted the exhibit "New Harmonies: Celebrating American Roots Music," which explored music, history, and cultural movements such as desegregation and gender equality. The Center's exhibit and program attendance grew by 50 percent and donations increased by 150 percent. The Alaska Humanities Forum's "Take Wing Alaska" program helps rural Native Alaska students adjust to urban college settings, with the ultimate aim of their gaining knowledge to strengthen their communities once they return. The Forum sponsors Urban and Campus Immersions in Anchorage that focus not only on academic skills, but also on cultural strengths the students can use to transition from a rural to an urban environment.

*Council programs reach citizens of all ages, incomes, and levels of education.*—Increasingly, council programs engage young adults as well as seniors, a variety of ethnic communities, immigrants, low-income families, prison populations, and Native Americans. These groups are not just passive recipients of council programs but partners and active participants.

As our future leaders, teens and young adults are especially important participants in humanities programs. Several councils support or coordinate their State's National History Day, which offers students intellectual, practical, and even emotional benefits. The Pennsylvania council offers vibrant interactive programming for students with the library-based Teen Reading Lounge. These programs supplement formal education for young people and help instill habits of communication and critical thinking that will serve them well into adulthood.

Councils also conduct programs that help immigrants and refugees adjust to their new homes and enable long-time residents to learn about the cultures of these new citizens. The New York Council for the Humanities, in collaboration with the Citi-

zens Committee for New York City and several other groups, provided grants to faith-based or neighborhood-based immigrant and cultural groups to encourage unity through active engagement between new immigrant groups and their longer-term neighbors as well as residents of different faiths. Projects funded in 2013 through this first-of-its-kind program included an interfaith celebration of Eid hosted by Afghans United, a cross-cultural mural project with students from different ethnic and racial backgrounds, and a film series sponsored by the National Council of Negro Women that encouraged members of diverse communities to view and discuss films about a variety of immigrant experiences.

*Council programs boost local economies.*—Council programs help improve and revitalize such institutions as libraries, museums, and schools, which gives communities a vibrancy that draws both new residents and potential investors. Many councils conduct book festivals that bring dollars to local economies. Many use the Museum on Main Street exhibits to draw tourists. Still others are steadily building cultural tourism programs that leverage local dollars. In Ohio, where tourism is the fourth largest economic drive in the State, Ohio Humanities offers grants and technical assistance to communities seeking to engage in heritage tourism, offering authentic place-based experiences for travelers. The council has also produced driving tours drawing from “The Ohio Guide,” the 1940 publication of the Federal Writers Project. Communities along the 11 selected routes report that the tours have increased visitation.

The many book festivals that councils conduct in States including Tennessee, Montana, Colorado, Virginia, South Carolina, and South Dakota serve as another economic boost for host communities, drawing readers and tourists from all regions of the State and beyond. A recent economic impact study by the Charlottesville Albemarle Convention and Visitors Bureau estimated the Virginia Festival of the Book’s total impact at \$3.9M. Over 600 hotel rooms are booked each year for the South Carolina Book Festival, which generates more than \$100,000 in book sales. The Utah Humanities Council’s statewide Book Festival has for 16 years brought Utah readers and writers together with authors from around the world to talk about books and ideas. Throughout the month of October (National Book Month) historians, journalists, biographers, politicians, and members of the public mingle with poets, novelists, and children’s writers in communities in every corner of the State, both enriching the intellectual and cultural lives and contributing to the economies of those communities.

*The humanities and the humanities councils increase national security.*—Clearly councils do not directly affect national security policy-making, but council programs contribute to the citizen understanding of global issues that is the necessary prerequisite to citizen involvement with the decisionmaking process and the elected officials who do make these decisions. The Maine Humanities Council offers evidence of the validity of this assumption with “The World in Your Library: A Foreign Policy Speakers Series,” a speaker series through which local libraries host three one-hour presentations, with discussion, on foreign policy issues of their choice, providing a rare opportunity for residents to explore these issues with experts in foreign policy.

Finally, *council programs promote lifelong learning.*—This learning extends to citizens who participate in the many community conversations conducted by councils, to teachers who benefit from the council-sponsored institutes and seminars that enrich and re-energize them, to the parents and children who improve their reading skills and engage with ideas through councils’ family literacy programs.

The Virginia Foundation for the Humanities recently offered a program, “Segregation, Desegregation and Civil Rights in Virginia,” that provided learning opportunities for several audiences. First, it offered a day-long seminar that used events surrounding the 1959 school closings in Arlington and Prince Edward county to help teachers “consider new ways to understand and teach this multi-layered history; the ways our collective understanding of citizenship and community was challenged during the desegregation era; and why this history still matters—and the issues remain current—in the present day.” The workshop was followed by a community conversation inviting residents to recall their own experience of those years and discuss why these issues still matter.

We have offered only a small sampling of the programs that enrich and enliven communities throughout the Nation. We hope these examples have demonstrated the significant difference that this modest investment in Federal funds makes. And we hope you will look with favor on our request for \$46 million for the councils and \$154.5 million for NEH.

## PREPARED STATEMENT OF THE FIRE SUPPRESSION FUNDING SOLUTIONS PARTNER CAUCUS

The undersigned organizations, members of the Fire Suppression Funding Solutions Partner Caucus, urge the subcommittee to address the vexing issue of wildfire suppression funding in fiscal year 2015 appropriations. We respectfully request that the subcommittee correct this wildfire suppression funding issue by including language from the bipartisan Wildfire Disaster Funding Act (WDFDA—H.R. 3992; S. 1875) in the fiscal year 2015 Interior, Environment, and Related Agencies appropriations bill. This language provides the structure to fund a portion of the USDA Forest Service (USFS) and Department of the Interior (DOI) wildfire suppression costs through a budget cap adjustment under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. This would provide the USFS and DOI with a funding structure similar to that used by other agencies who respond to natural disaster emergencies.

The Partner Caucus is a diverse coalition of organizations brought together in January of 2009 to find a solution to the impacts of increasing suppression costs on land management agencies. Our coalition includes national and local organizations, State forestry, environmentalists, outdoor and recreation industry, sportsmen, timber industry, local governments and many other groups interested in Federal lands.

Our organizations are concerned current spending levels for the suppression and FLAME accounts will not be sufficient for fiscal year 2015 and certainly not sustainable over the long term. The current wildfire suppression funding model and cycle of transfers and repayments has negatively impacted the ability to implement forest management activities. The agencies and first responders need a predictable, stable, and efficient budget structure to deliver their congressionally directed land management missions.

Numerous fire seasons over the past decade have required fire funding transfers from non-suppression accounts, clearly demonstrating the urgent need to change the suppression funding model at the USFS and DOI. The last few fiscal years have increasingly reflected the need for a new funding approach:

*Fiscal Year 2012 and Fiscal Year 2013*

Carry-over levels in the FLAME accounts were rescinded in fiscal year 2012, suppression was funded below the forecast, and the fire season was very costly, particularly at the end of the fiscal year. Suppression was also funded below the ten-year average in fiscal year 2013 and the fire season was once again very costly. Over \$1 billion were transferred from USFS and DOI programs at the end of fiscal year 2012 and fiscal year 2013 combined.

In the past, repayments of transfers occurred through emergency supplemental appropriations, which would occur well after the USFS and DOI Bureaus had been severely impacted by the transfers. However, fiscal year 2012 and fiscal year 2013 suppression transfers were “repaid” from the entire Interior bill for the following fiscal year. The result is that all Interior Agencies and their programs are now impacted by suppression funding. Additionally, the transfers have had long lasting effects on the USFS’ and DOI’s implementation of impacted programs that continue to this day.

*Fiscal Year 2014*

Suppression is funded at the full ten-year average. However, with the increasing drought conditions across the Nation, the fiscal year 2014 fire season is expected to be particularly active and costly. There is every indication that the USFS and DOI will run out of suppression funds and be forced to transfer before the end of the season.

This pattern of funding is neither efficient nor sustainable. The Wildfire Disaster Funding bill would provide the USFS and DOI with a funding structure similar to that used by other agencies that respond to natural disaster emergencies, which have budget cap exemptions for a portion of disaster funding. This important change would free the agencies to reinvest in core activities which have been reduced in recent years due to a continued shift of limited resources to fund wildfire suppression, including the very programs that would help to decrease wildfire costs over time. Further, this change would end the highly disruptive process of canceling and/or significantly delaying ongoing project work, most often at the time such work is being executed on the ground.

We appreciate this subcommittee’s attention to this increasing and unsustainable natural resource challenge. The fiscal year 2015 appropriations bill can provide for both necessary wildfire suppression and also fire risk reduction activities that create

jobs and reduce firefighting costs in the long run. We are prepared to help and look forward to assisting Congress in developing a sustainable and long-term solution to fund emergency wildfire suppression.

The following are 226 groups supporting the Wildfire Disaster Funding Act:

3 Legs Collaboration Services	Elliotsville Plantation, Inc
4FRI: Four Forest Restoration Initiative	Endangered Species Coalition
Collaborative Stakeholder Group	Environment America
ACA   Canoe—Kayak—SUP—Raft—Rescue	Environmental Stewards
Alamo Navajo School Board, Inc.	Estrada Collaborative Resource Management, LLC
Allegheny Hardwood Utilization Group	Federal Forest Resource Coalition
Alliance for Community Trees	Flagstaff Fire Department
American Bird Conservancy	Flathead Economic Policy Center
American Farm Bureau Federation	Foothill Conservancy
American Forest & Paper Association	Foothills Conservancy of North Carolina
American Forest Foundation	Forest Business Network
American Forest Resource Council	Forest County Economic Development Partnership
American Forests	Forest Energy Corporation
American Hiking Society	Forest Guild
American Loggers Council	Forest Health Task Force
American YouthWorks	Fourth Sector Strategies
Appalachian Mountain Club	Framing Our Community, Inc.
Applegate Partnership and Watershed Council	Friends of the Columbia Gorge
Arid Land Innovation	Friends of the Urban Forest
Arizona Conservation Corps	Front Range Roundtable
Arizona Fire Chiefs Association	Firefighters United for Safety, Ethics, and Ecology (FUSEE)
Arizona Prescribed Fire Council	Future Forest, LLC
Arizona Wildlife Federation	Gila Tree Thinners
Association of Fish and Wildlife Agencies	Gila WoodNet
Association of National Grasslands	Global Parks
Backcountry Hunters & Anglers	Grassroots Outdoor Alliance
Black Hills Forest Resource Association	Great Lakes Timber Professionals Association
Black Hills Regional Multiple Use Coalition	Great Old Broads for Wilderness
Black Hills Resource, Conservation, and Development	Greater Yellowstone Coalition
Blue Goose Alliance	Hawks Aloft, Inc.
Blue Mountains Forest Partners	International Association of Fire Fighters
Boulder County, CO	Idaho Conservation League
BRL Services Inc./BRL Logging	Idaho Forest Owners Association
Bull Moose Sportsmen's Alliance	Indiana Forestry & Woodland Owners Association
California Deer Association	Intermountain Forest Association
California Fire Safe Council	Intermountain Roundwood Association
California Forestry Association	International Association of Fire Chiefs
California Ski Industry Association	International Association of Wildland Fire
California Waterfowl	International Mountain Bicycling Association
Center for Heirs' Property Preservation	Intertribal Timber Council
Center for Sustainable Communities	Jara Landworks
Central Oregon Intergovernmental Council	KHII Radio
Choose Outdoors	Lake County Resources Initiative
City of Ashland, OR	Lemhi County
Civil War Trust	Little Colorado River Plateau RC&D
Clearwater Resource Council	Lomakatsi Restoration Project
Colorado Timber Industry Association	Louisiana Forestry Association
Congressional Sportsmen's Foundation	Maine Audubon
Conservation Legacy	Mainland Planning, Inc
Conservation Northwest	Mass Audubon
ConservationCorps, MN & IA	Massachusetts Association of Conservation Commissions
Criley Consulting	Massachusetts Land Trust Coalition
Defenders of Wildlife	Massachusetts Resident
Ducks Unlimited	
Eastern Arizona Counties Organization	
Ecosystem Workforce Program	
El Tesoro Retreat Center	

Masters of Foxhounds Association  
 McCutchanville Volunteer Fire  
 Department  
 Mid Klamath Watershed Council  
 Montana Conservation Corps  
 Montana Wilderness Association  
 Montana Wood Products Association  
 Mottek Consulting  
 Mountain States Lumber and Building  
 Material Dealers Association  
 Mt. Adams Resource Stewards  
 Mt. Taylor Machine, LLC  
 Mule Deer Foundation  
 National Association of Conservation  
 Districts  
 National Association of Forest Owners  
 National Association of Forest Service  
 Retirees  
 National Association of State Foresters  
 National Association of University Forest  
 Resources Programs  
 National Cattlemen's Beef Association  
 National Network of Forest Practitioners  
 National Parks Conservation Association  
 National Rifle Association  
 National Trust for Historic Preservation  
 National Volunteer Fire Council  
 National Wild Turkey Federation  
 National Wildfire Institute  
 National Wildlife Federation  
 National Wildlife Refuge Association  
 National Woodland Owners  
 Nevada Conservation Corps  
 New Mexico Forest Industry Association  
 New Mexico Prescribed Fire Council  
 New Mexico State Land Office  
 Northbrook Public Works  
 Northern Arizona Wood Products  
 Association  
 Northern Forest Center  
 Northwest Connections  
 Northwest Forest Worker Center  
 Northwest Youth Corps  
 National Ski Areas Association  
 Outdoor Alliance  
 Outdoor Industry Association  
 Partnership for Rural America  
 Partnership for the National Trails  
 System  
 Pheasants Forever/Quails Forever  
 Pinchot Institute for Conservation  
 Public Lands Council  
 Public Lands Foundation  
 Public Lands Service Coalition  
 Quality Deer Management Association  
 Quail and Upland Wildlife Federation  
 Restoration Technologies  
 Rocky Mountain Elk Foundation  
 Rocky Mountain Tree-Ring Research  
 Ruffed Grouse Society  
 Rural County Representatives of  
 California  
 Safari Club International  
 Salmon Valley Stewardship  
 San Juan Forest Health Partnership  
 Sierra Club  
 Sierra Forest Legacy  
 Siuslaw Institute  
 San Juan Woody-Invasives Initiative  
 Society of American Foresters  
 South Carolina Wildlife Federation  
 South Dakota Campground Owners  
 Association  
 South Dakota ATV/UTV Association  
 Southeast Youth Corps  
 Southern Environmental Law Center  
 Southern Oregon Climate Action Now  
 Southern Oregon Forest Restoration  
 Collaborative  
 Southern Oregon Timber Industries  
 Assn.  
 Southwest Conservation Corps  
 Southwest Forests Sustainable  
 Partnership  
 Spatial Interest, LLC  
 Sustainable Northwest  
 Swan Ecosystem Center  
 Taos County Economic Development  
 Corporation  
 Teller County Home Builders Association  
 Texas Forestry Association  
 The Conservation Fund  
 The Corps Network  
 The Forest Guild  
 The National Association of RV Parks  
 and Campgrounds  
 The Nature Conservancy  
 The Trust for Public Land  
 The Watershed Center  
 The Wilderness Society  
 The Wildlife Society  
 Theodore Roosevelt Conservation  
 Partnership  
 Tierra y Montes SWCD  
 Town of Laona, Forest County,  
 Wisconsin  
 Tree Musketeers  
 Tribal Environmental Policy Center  
 Trout Unlimited  
 Twin Willows Ranch  
 Upstate Forever  
 Ute Mountaineer  
 Vail Resorts  
 Village of Taos Ski Valley  
 Village Reconstruction and Development  
 Project  
 Wallowa Resources  
 Washington State Fire Fighters'  
 Association  
 Washington Wildlife and Recreation  
 Coalition  
 Watershed Research & Training Center  
 West Range Reclamation, LLC  
 Western Environmental Law Center  
 Wild South  
 WildEarth Guardians  
 Wildlife Forever  
 Winter Wildlands Alliance  
 Wisconsin Off-Road Vehicle Park, Inc.  
 Wisconsin Woodland Owners Association  
 Inc.

Wyoming Mining Association  
Wyoming Stock Growers Association

York Land Trust  
Zuni Mountain Forest Collaborative

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PREPARED STATEMENT OF THE FRIENDS OF BON SECOUR NATIONAL WILDLIFE  
REFUGE

Mr. Chairman and members of the subcommittee: On behalf of the Friends of Bon Secour National Wildlife Refuge (FBSNWR), thank you for this opportunity to submit comments in support of the National Wildlife Refuge System, which is administered by the U.S. Fish and Wildlife Service. FBSNWR is a nonprofit volunteer organization formed in 1996 and represents citizens from throughout the United States who cherish and support the Bon Secour National Wildlife Refuge. Moreover, our members are concerned about its future and the role it plays in preserving vital habitat types.

The Bon Secour National Wildlife Refuge (NWR) provides vital habitat for neotropical migratory birds and nesting habitat for endangered sea turtles. In addition, the refuge is a component of a thriving nature-based tourism along coastal Alabama. The coastal economy is dependent upon sound stewardship of natural resources of the Gulf of Mexico, so we believe the development and sustainment of a strong Bon Secour NWR and National Wildlife Refuge System is critical to creating a resilient economy in southern Alabama and the Gulf Coast.

Our organization is an active partner with the National Wildlife Refuge Association, who has focused on several key areas where support of the National Wildlife Refuge System is sorely needed. Within this context, we urge your action on the following:

1. Move towards fully funding the National Wildlife Refuge System at \$900 million annually for operations and maintenance, beginning with \$476 million in fiscal year 2015.

The present emphasis on budget austerity is especially troubling for refuges on the Gulf Coast, for we may lose opportunities to leverage funds generated by criminal and civil penalties associated with the 2010 oil spill into long-term investments for these refuges. The U.S. Fish and Wildlife Service may be reluctant to expand or improve facilities with these funds if the agency does not have operational funds to staff and maintain facilities.

Bon Secour NWR needs a functional visitor and education center. The Act that established the refuge in 1980 directed that the refuge “serve as a living laboratory for scientists and students”. Bon Secour is a natural wonder that contains all aspects of the marine environment, so the refuge could demonstrate the importance of the marine environment to coastal culture and economy as well as the very survival of the planet.

2. Appropriate \$168.8 million in fiscal year 2015 from the Land and Water Conservation Fund (LWCF) to acquire conservation easements on working lands and to purchase in-holdings and vital habitat for the National Wildlife Refuge System and reauthorize LWCF at \$900 million annually.

Again, Gulf Coast wildlife refuges may lose opportunities to leverage oil spill funds into acquisition of in-holdings and sensitive habitats if LWCF funds are not available. Coastal properties are expensive, so it will be difficult to rely solely on spill funds to acquire land. However, combining LWCF funds with other sources would likely enhance our chances to acquire key properties.

3. Appropriate \$35 million in fiscal year 2015 for the North American Wetlands Conservation Act (NAWCA) and reauthorize the Act at \$75 million.

The Bon Secour NWR is one of three refuges within the Gulf Coast National Wildlife Refuge Complex. The Grand Bay NWR (located in Jackson County, Mississippi and Mobile County, Alabama) is also within the complex and has relied heavily on NAWCA funds to acquire lands within the currently approved acquisition boundary. The U.S. Fish and Wildlife Service proposed in 2011 to expand the acquisition boundary by approximately 8,000 acres.

4. Increase appropriations for essential conservation programs including State Wildlife Grants, the Neotropical Migratory Bird Conservation Fund, Coastal Grants, and the Department of the Interior’s Fire Management Program.

The Mississippi Sandhill Crane NWR is also one of the three refuges within the Gulf Coast NWR Complex and supports one of the elite fire management operations with the National Wildlife Refuge System. Their program represents over three decades of public investment in the restoration of fire-dependent habitats that include critical habitat for the endangered Mississippi sandhill crane and vital habitat for numerous species of neotropical migratory birds. Managing fire-dependent habitats that are bisected by an interstate highway and surrounded by commercial and residential development has not been easy. Moreover, these areas will burn by managed fires or wildfires, so it is not a matter of choosing to exclude fire from these areas. Therefore, supporting the continued investment of using prescribed fire becomes a public safety and economic impact in southern Mississippi, for wildfires present far more potential to create hazardous smoke conditions along the busy I-10 corridor.

I will conclude with a reminder that the citizens of the Gulf Coast were faced with a dire threat to their economy and culture when the spill began 4 years ago, for our lives are directly connected to the natural resources of the Gulf of Mexico. These National Wildlife Refuges represent a vital component for the stewardship of these natural resources and represent decades of public investment. They directly support the environment and economy through the science-based management of the lands and waters for the benefit of wildlife, and they connect citizens to these resources through opportunities to enjoy the fish and wildlife.

The spill no longer dominates the headlines, but the Gulf Coast is still hurting. While the nature-based tourism has rebounded well since the spill, sustaining the natural features and resources that attract customers cannot be certain. Assessing the long-term environmental impacts of the spill will take time. Commercial fishing continues to struggle, as water quality degradation and other impacts tied to various types of coastal development hamper fishery productivity. Development is resuming despite the recession. The hurricanes, oil spill, and failure to meet the challenges now may leave a gap that will be even more costly to fill in the future. Families who have been tied to the fishing industry for generations question whether not they are witnessing the end of their livelihood.

We need to support these refuges so that they can be engaged partners in the coastal recovery. Our culture and economy depend on active and sustainable stewardship of these natural resources, and the Gulf Coast is a major component of the national economy.

Thank you for your consideration. Please do not hesitate to call upon the Friends of Bon Secour National Wildlife Refuge if we can be of any assistance.

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PREPARED STATEMENT OF THE FRIENDS OF MAINE'S SEABIRD ISLANDS (FOMSI)

Mr. Chairman and members of the subcommittee: On behalf of the 250 members of the Friends of Maine's Seabird Islands from across the country, thank you for the opportunity to submit written testimony on the fiscal year 2015 Interior Appropriations bill. Thank you for your past support of the National Wildlife Refuge System, the world's premier system of public lands and waters set aside to conserve America's fish, wildlife and plants.

FOMSI is an all-volunteer group whose mission is to support the Maine Coastal Islands National Wildlife Refuge. The Refuge manages 59 islands on our 250-mile long coast, and several thousand acres of mainland wildlife habitat. First, let me emphasize that we are grateful that we have a National Wildlife Refuge on the coast of Maine. Why? For many reasons, all of which lead back to the positive economic and social benefits that are produced by the conservation of wild lands and wise use of our natural resources. The 2006 National Survey of Hunting, Fishing and Wildlife-Associated Recreation, found that, in Maine alone, hunters, anglers, and wildlife watchers generated nearly \$1.5 billion in revenue for Maine. Clearly, wild lands and healthy fish and wildlife populations are important to this State's economy, and the National Wildlife Refuges in Maine are a significant part of that!

Although we understand and take very seriously the economic challenges that our Nation faces, it is important to point out the positive economic impact that this Refuge has on local economies. In Maine, according to studies conducted by Dr. Charles Colgan from the University of Southern Maine, 120 companies provide services involving seabird viewing as a recreational activity. These include small kayak guides and outfitters all the way to large ships that go on seabird watching cruises several times each day. An estimated 5,000 to 7,500 trips are made by people annually primarily for seabird viewing and 350,000 to 450,000 trips with seabird viewing as a secondary activity. The total estimate for seabird-related spending was \$5 million to \$10 million in 2001. This does not count the number of birders and others who have their own boats and do not take the organized trips, yet come to this area spe-

cifically to see seabirds; accordingly, they have a significant, but uncalculated impact on the economy, too. Nor does it count the revenues from stores that sell merchandise from t-shirts to binoculars that go along with birding.

Thousands of people come to the Maine coast each year to see the charismatic Atlantic puffin, a bird that nests in the United States only in Maine. Currently, over 90 percent of the Atlantic puffins nesting in Maine nest on Refuge islands, where they are actively protected by Refuge staff and partners, such as the National Audubon Society and Maine Division of Inland Fisheries and Wildlife. If funding for this management is not maintained, these nesting birds will abandon their colonies and Maine will return to the pre-Refuge situation in the 1970's and early 1980's when only gulls nested on many of the islands. Seabird viewing and birder expenditures will fall, and our already fragile economy will suffer further.

The economic impact described above is only a part of the positive impact that the Refuge has on the State's economy. Others visit the Refuge units to hunt, hike, fish, and learn about conservation. The Fish and Wildlife Service's "Banking on Nature" report showed that the local economic effects of recreational visits to this refuge totaled \$7.9 million in 2011, with associated employment of 71 jobs, \$2.2 million in employment income and \$930,700 in total tax revenue.

That is a brief summary of the economic impacts that one refuge has in our part of the country. There are five other refuges in Maine that are also important to Maine's economy. Multiply that by the 556 National Wildlife Refuges in the System, and it is clear that Congress' investment in the System pays off many-fold to our Nation's economy. Our National Wildlife Refuges are often economic powerhouses, especially in rural areas. In fact, "Banking on Nature," found that for every \$1 that is appropriated for the National Wildlife Refuge System (NWRS), \$5 is returned to our Nation's economy.

Therefore, we respectfully ask you to:

1. Maintain management capabilities for the National Wildlife Refuge System by approving a \$4 million increase over fiscal year 2014 levels. The System actually needs \$900 million annually to adequately manage its 150 million acres; a funding allocation of \$476 million in fiscal year 2012 will simply maintain the status quo.

2. Appropriate \$168.8 million in fiscal year 2015 from the Land and Water Conservation Fund (LWCF) to acquire conservation easements on working lands and to purchase in-holdings and vital habitat for the National Wildlife Refuge System, and reauthorize LWCF at \$900 million annually. Created in 1965 and authorized at \$900 million per year (more than \$3 billion today), the LWCF is Refuges' most important land acquisition tool. More than 8 million acres are unprotected within existing refuge boundaries and there is an increasing need to establish key wildlife corridors and connections between protected areas making the LWCF more important than ever.

There are four significant inholdings for sale at the Maine Coastal Islands National Wildlife Refuge, and more are expected to come on the market soon. Funding of the LWCF at the authorized level will allow the Refuge to acquire these important inholdings to further protect its integrity.

3. Appropriate \$35 million in fiscal year 2015 for the North American Wetlands Conservation Act (NAWCA) and reauthorize the Act at \$75 million. This Act helps the U.S. Fish and Wildlife Service leverage Federal conservation efforts through partnerships that enable the acquisition and restoration of critical wetlands to deliver multiple benefits including habitat restoration and improved water quality.

The Refuge received partial funding from NAWCA this year to help acquire Mahoney Island in Brooklin, Maine, a critical seabird nesting island. We are grateful for that, and hope to receive more funding from this important Act in the future.

4. Increase appropriations for essential conservation programs including State Wildlife Grants (\$58.7 million), the Neotropical Migratory Bird Conservation Fund (\$4 million), Coastal Grants (\$13 million), and the Department of Interior's Fire Management Program (\$60 million).

The State Wildlife Grant program is a very successful Federal-State program that helps keep our Nation's wildlife from becoming endangered.

Neotropical Migratory Bird Conservation Act (NMBCA) grants conserve the habitats that neotropical birds use along their migration north and south and in their wintering range throughout the Caribbean, Central, and South America. This Act fortifies investments on national wildlife refuges by conserving "our" birds during critical periods of their lifecycles spent outside of refuges and often outside the United States.

The Coastal Program provides technical and financial assistance for voluntary efforts to protect and restore coastal habitats for wildlife. This program is critical to implementing recovery projects such as restoring and enhancing estuarine habitats,

removing invasive species and derelict fishing gear, and stabilizing shoreline. This program has been a very important partner with the coastal refuges in Maine.

Fire is one of the Service's most important tools for managing wildlife habitat; however, due to the catastrophic western wildfires made worse by climate change and fuel loading, funds for refuge fire management have been consistently diverted to fighting wildfires and protecting the forest-urban interface. Resources are needed to allow refuges to manage dangerous fuel loads in fire-dependent systems and to use fire management to improve habitat for many threatened and endangered species. The refuges in Maine actively use fire to protect and enhance habitats for many species such as arctic terns and woodcock.

We are proud of our National Wildlife Refuges, one of our country's greatest conservation achievements. We are but one of 230 "friends" groups who support National Wildlife Refuges throughout the country. Friends groups provide assistance to our National Wildlife Refuges through monetary and equipment donations and volunteer labor. Last year over 40,000 friends and volunteers provided services for the NWRS equal to over 600 positions, saving taxpayers millions of dollars. Volunteers throughout the country provide an astonishing 20 percent of the work done of Refuges each year! This is a further indication of how many Americans support the National Wildlife Refuge System.

The interest in our National Wildlife Refuge System is significant and we are showing our support with our donated time and funds. However, we need proper funding of the System so we can leverage our taxpayer dollars to provide even more economic and social benefits to our country.

Finally, let me also add that with all the negative stories in the press today about Government appropriations and politics, the National Wildlife Refuge System remains a positive success story since the first Refuge was created by President Theodore Roosevelt over 100 years ago. It has always enjoyed support from Congress and we thank you for that, and for your continued support!

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PREPARED STATEMENT OF THE FRIENDS OF RACHEL CARSON NWR

Mr. Chairman and honorable members of the subcommittee: I am Bill Durkin, President of the Friends of RCNWR in Maine.

I have been a member of the Friends of Rachel Carson NWR for the past 23 years. The group was founded in 1987; we are a small group of about 200 members. This time of the year all of the letters go out to Congress asking for support of the refuge. I have given numerous written statements over the years and we really appreciate your support in the past. This year, our refuge is not requesting any appropriations directly for Rachel Carson National Wildlife Refuge; this is a request for general funding of the System. I thank you all for your consideration.

1. We are requesting an overall funding level of \$476 million in fiscal year 2015 for the operations and maintenance budget of the National Wildlife Refuge System, managed by the U.S. Fish and Wildlife Service. All of the refuges are in dire need of staffing and upkeep. Refuges provide unparalleled opportunities to hunt, fish, watch wildlife and educate children about the environment; last year there were over 46 million visitors to all of the Refuges combined. An investment in the Nation's Refuge System is an excellent investment in the American economy. Without increased funding for refuges, wildlife conservation and public recreation opportunities will be jeopardized. We fully supported the U.S. Fish and Wildlife's request of \$476 million for O&M for the NWRS.

2. The Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, LWCF needs to be funded at the \$168.8 million level. Created by Congress in 1964 and authorized at \$900 million per year (more than \$3 billion in today's dollars), the LWCF is our most important land and easement acquisition tool. The President has included meaningful increases to the program in his fiscal year 2015 budget, and I support the administration's commitment to fully funding the program in the near future. I urge a minimal commitment of \$168.8 million to the National Wildlife Refuge System. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage. The Land and Water Conservation Fund should be fully funded at \$900 million annually—the congressionally authorized level. LWCF is good for the economy, it

is good for America's communities and their recreational access; it is critical for our public lands and wildlife habitat.

3. Appropriate \$35 million in fiscal year 2015 for the North American Wetlands Conservation Act (NAWCA) and reauthorize the Act at \$75 million. NAWCA supports habitat restoration, water quality improvements and carbon sequestration.

The Rachel Carson National Wildlife Refuge is named in honor of one of the Nation's foremost and forward-thinking biologists. After arriving in Maine in 1946 as an aquatic biologist for the U.S. Fish and Wildlife Service, Rachel Carson became entranced with Maine's coastal habitat, leading her to write the international best seller "The Sea Around Us". This landmark study, led Rachel Carson to become an advocate on behalf of this Nation's vast coastal habitat and the wildlife that depends on it, the refuge that bears her name is dedicated to the permanent protection of the salt marshes and estuaries of the southern Maine coast. Last year, we celebrated the 50th anniversary of Rachel Carson's publication of her historic book, "Silent Spring" and look forward in continuing her message through various programs at the refuge here in Maine.

I again extend our appreciation to the subcommittee for its ongoing commitment to our National Wildlife Refuge System and respectfully request the Interior Appropriations Subcommittee allocate \$476 million for the Refuge System's fiscal year 2015 Operations & Maintenance (O&M) budget, and fund the LWCF at the \$168.8 million level for fiscal year 2015. The LWCF request is constant every year, we need Congress to standby their commitment that was made in 1964: stabilize the fund at the \$900 million level.

Thank you again, Mr. Chairman, for the opportunity to present this testimony in support of protecting wildlife and it's habitat. Enjoy your next walk out on a National Wildlife Refuge.

PREPARED STATEMENT OF THE FRIENDS OF THE FLORIDA PANTHER REFUGE

Mr. Chairman and members of the subcommittee: The Friends of the Florida Panther Refuge recommends the following funding for fiscal year 2015:

National Wildlife Refuge System .....	\$476.4 million
Land and Water Conservation Fund .....	\$168.8 million
Neotropical Migratory Bird Conservation Act .....	\$3.7 million
State Wildlife Grants .....	\$58.7 million
Coastal Program .....	\$13.0 million

We also support funding changes within the fiscal year 2015 U.S. Department of the Interior Wildlands Fire Budget to include:

- Preparedness*.—A program increase of \$34.1 million, including \$15.0 million for tribal resource management;
- Resilient Landscape*.—Program established at \$30.0 million;
- Burned Area Rehabilitation (BAR)*.—A program increase of \$2.0 million; and
- Fixed Costs Increases*.—Fixed cost increases of \$4.2 million.

Thank you for the opportunity to offer testimony concerning the funding of the National Wildlife Refuge System and the Department of the Interior's Wildlands Fire Management Budget. The 26,400 acre Florida Panther National Wildlife Refuge (FPNWR) was established in southwest Florida to protect the critically endangered Florida panther and its habitat. The FPNWR is also populated with many other species that are listed as threatened or endangered by Federal and State agencies. The Friends of the Florida Panther Refuge is a non-profit volunteer organization with a mission to support the FPNWR and protect the Florida panther in the wild. Our members are concerned for the future of the habitat and wildlife on our refuge and Florida panther habitat in general.

We are also concerned about maintaining Florida's unique environment on public and private lands. Southwest Florida supports a large tourist industry that is dependent on maintaining a healthy environment. Funds spent on protecting species and water quality have a significant economic impact on the region.

FUNDING THE NATIONAL WILDLIFE REFUGE SYSTEM

Our National Wildlife Refuge system needs to be fully funded to protect America's natural heritage. The Friends of the Florida Panther Refuge urges the Senate to appropriate \$476 million in fiscal year 2015. A budget of \$900 million every year, with a minimum of \$476 million for fiscal year 2015, is required to fully fund the operations and maintenance of the National Wildlife Refuge System. Funding less than these amounts threatens permanent damage to the system.

Refuge managers at the FPNWR are challenged by a variety of funding shortfalls to fully carry out habitat restoration, invasive species control, prescribed burning, baseline and updated wildlife inventories, education/interpretation, law enforcement, visitor services as well as technical assistance and collaborative efforts across boundaries with private land holders. The staff at the FPNWR has been reduced by six full time employees over the last 3 years representing a 32 percent decrease in staff and is hard pressed to meet their goals.

THE LAND AND WATER CONSERVATION FUND (LWCF)

The Land and Water Conservation Fund (LWCF) should be appropriated \$168.8 million in fiscal year 2015 to acquire conservation easements on working lands and to purchase outright the vital habitats to support the National Wildlife Refuge System.

The Land and Water Conservation Fund (LWCF) is an essential tool for protecting the integrity of Florida panther habitat. Funds of this program along with funds from the State of Florida are critical to the survival of the Florida panther and other Federal listed species. There is an opportunity with private land easements to not only protect Florida panther habitat but also the ranching heritage of central and south Florida for future generations. This is a critical time through easements and acquisition to provide wildlife corridors through central and south Florida that will protect our life style, traditions, and natural resources for future generations. Time will run out on this opportunity with lasting negative effects. The window of to secure a place for Florida panthers, conservation and compatible agriculture in Florida is rapidly closing.

Increase appropriations for essential conservation programs including State Wildlife Grants, the Neotropical Migratory Bird Conservation Fund, Coastal Grants, and the Department of Interior's Fire Management Program.

*State Wildlife Grants.*—The Fish and Wildlife Service works with Florida to keep common species common and restore declining species before they warrant listing under the Endangered Species Act. We ask the Senate to fund the State Wildlife Grants Program at \$58.7 million for fiscal year 2015 to fulfill the shared Federal-State responsibility for keeping our Nation's wildlife from becoming endangered.

*Neotropical Migratory Bird Conservation Act (NMBCA).*—Populations of Neotropical birds are high on the Florida Panther National Wildlife Refuge and our sister Refuge, the Ten Thousand Islands National Wildlife Refuge. NMBCA grants conserve the habitats that neotropical birds use along their migration north and south and in their wintering range throughout the Caribbean, Central, and South America. This Act fortifies investments on national wildlife refuges by conserving "our" birds during critical periods of their lifecycles spent outside of refuges and often outside the United States. We request that the Senate reauthorize the NMBCA and provide \$3.7 million for fiscal year 2015.

*Coastal Program.*—Water birds, sea turtles, game fish and other flora and fauna attract many visitors to our sister Refuge, Ten Thousand National Wildlife Refuge. The Coastal Program provides technical and financial assistance for voluntary efforts to protect and restore coastal habitats for wildlife. The coastal program is critical to implementing recovery projects such as restoring and enhancing estuarine habitats, removing invasive species and derelict fishing gear, and stabilizing shoreline. We ask Senate to fund the Coastal Program at \$13 million for fiscal year 2015.

*U.S. Department of the Interior Wildlands Fire Management Budget.*—The Florida Panther National Wildlife Refuge is highly dependent on the use of prescribed burns to manage the habitat for the Florida panther and its prey. Reduced funding of the fire operation budget has forced the Refuge to reduce positions over the last several years. This situation has left critical habitat unburned and increased dangerous fuel loads in this highly fire-dependent system. The State and the Federal governments have invested billions of dollars to restore the Everglades, making a more resilient ecosystem. Fire management in this region is needed complement the restoration. We urge the Senate to include in fiscal year 2015 U.S. Department of the Interior Wildlands Fire Budget:

—*Preparedness.*—A program increase of \$34.1 million, including \$15.0 million for tribal resource management;

—*Resilient Landscape.*—Program established at \$30.0 million;

—*Burned Area Rehabilitation (BAR).*—A program increase of \$2.0 million; and

—*Fixed Costs Increases.*—Fixed cost increases of \$4.2 million.

Thank you for consideration of our comments.

## PREPARED STATEMENT OF THE FRIENDS OF THE SILVIO O. CONTE FISH AND WILDLIFE REFUGE

Thank you for the opportunity to submit written testimony on behalf of the Friends of the Silvio O. Conte Fish and Wildlife Refuge (Friends of Conte). The Friends of Conte respectfully request \$5 million (\$2 million in discretionary funding; \$3 million in mandatory funding) for land acquisition projects in the Connecticut River Watershed as well as full funding, \$900 million, for the Land and Water Conservation Fund.

The Friends of Conte represent organizations big and small, from all corners of our four-State watershed. Our diverse membership includes groups that focus on educating urban constituencies in Hartford, Connecticut and Springfield, Massachusetts, groups that focus on providing recreational access to the river, business interests and local and regional watershed groups that focus on protecting the water that we drink and swim and fish in, and national non-profits whose work includes the Connecticut River watershed. We have been dedicated to recreation, education and conservation in the Connecticut River Watershed for the past 7 years and represent more than 65 organizations with more than 100,000 members.

The Connecticut River, New England's main artery for commerce and transportation throughout the region's early development, gained additional notoriety in 1991 when President George H. W. Bush signed legislation establishing the Silvio O. Conte Fish and Wildlife Refuge (Conte Refuge). Uniquely legislated among other refuges in the U.S. Fish and Wildlife Service system, the Conte Refuge was founded on three pillars: land protection, cooperative management and environmental education. The Conte Refuge is also unique as it attempts to conserve an entire watershed in which 2.3 million individuals co-exist with nature. Additionally, the Conte Refuge calls for only a small acreage in public ownership, with the vast majority of the watershed in privately-held lands. The refuge also works with those land-owners to help them achieve their personal conservation goals for their properties.

The 4,840 acres and 35 tracts (1,274 acres and 14 tracts with discretionary funding and an additional 3,566 acres and 21 tracts with mandatory funding) in our funding request spans the entire four-State Connecticut River watershed, protecting critical forests, wetland and rivers. These acquisitions from willing sellers represent a key opportunity to protect critical habitats and to provide recreational access to the more than 2 million citizens of the watershed, as well as to the 70 million individuals who are within a day's drive of the Conte Refuge.

Providing these recreational opportunities not only makes conservation sense, it makes good economic sense. In 2013, the Outdoor Industry Association documented an economic impact of \$23.6 billion in consumer spending on outdoor recreation and more than 200,000 in direct jobs in the four watershed States of Vermont, New Hampshire, Massachusetts and Connecticut.

More specifically, New England's healthy fish and wildlife populations are also a backbone of the region's economy. New England's fish and wildlife support a \$5.31 billion-dollar wildlife-related economy. This includes a \$2.57 billion-dollar hunting and angling economy and a \$2.74 billion-dollar wildlife watching economy. In addition to outdoor recreation, the nature services these lands provide include water quality and streamflow protection, as water filters through our forests prior to entering our rivers and streams, and flood protection as floodplain forests absorb and slow flood waters.

As you know, the Land and Water Conservation Fund (LWCF) was established by Congress nearly 50 years ago and will expire next year. We are at an important juncture. If we miss this opportunity to celebrate and commemorate the 50th Anniversary of LWCF in all 50 States at the full funding level and continue the conservation legacy of LWCF for another 50 years; the quality of the natural environment will impact the human environment. These impacts will be exacerbated by changes in climate and land use. Actions made possible by the LWCF Act of 1965 allow agency and elected leaders the opportunity to invest in monumental ways to create another chapter in our Nation's conservation legacy for future generations.

In closing, we thank you again for the opportunity to comment. The Friends of Conte is a diverse association of organizations and individuals from conservation, education, and recreation communities, who are avid supporters of the Conte Refuge and the Connecticut River watershed. We believe the investment of funds from the LWCF will enhance recreation and conservation, protect clean water, and support jobs and economic vitality across the entire four-State watershed.

PREPARED STATEMENT OF THE FRIENDS OF THE TAMPA BAY NATIONAL WILDLIFE  
REFUGES, INC.

Mr. Chairman and members of the subcommittee: On behalf of the 192 members of the Friends of the Tampa Bay National Wildlife Refuges (FTBNWR), including Egmont Key National Wildlife Refuge (NWR), Passage Key NWR, and Pinellas NWR, I would like to thank you for your commitment to the National Wildlife Refuge System (NWRS). The 4 percent funding increase that you passed for fiscal year 2014 made a huge difference throughout the refuge system. We realize that in this time of budget cuts, it may be difficult to justify increasing the NWRS funding again, but once the Refuges start to decline it will cost many times more than these small increases to return them to a condition that will fulfill their mandates. We respectfully request that you consider the following in your appropriations:

- Fund the National Wildlife Refuge System \$476 million in fiscal year 2015.
- Fund the Land and Water Conservation Fund (LWCF) at \$900 million for fiscal year 2015, including a minimal commitment of \$168.8 million for the National Wildlife Refuge System.
- Fund \$35 million in fiscal year 2015 for the North American Wetlands Conservation Act (NAWCA) and reauthorize the Act at \$75 million.
- Increase funding for essential conservation programs including \$58.7 million for State Wildlife Grants, \$4 million for the Neotropical Migratory Bird Conservation Fund, \$13 million for Coastal Fund, and \$60 million for the Department of Interior's Fire Management Program.

The Cooperative Alliance for Refuge Enhancement (CARE) estimates that the NWRS needs a budget of at least \$900 million annually in operation and maintenance funding in order to properly administer its 150 million acres as mandated in the Refuge Improvement Act. The Refuge System cannot fulfill its obligation to the American public, our wildlife, and 46.5 million annual visitors without increases in maintenance and operation funds. The current budget is far short of the amount actually required to effectively operate and maintain the Refuges. We respectfully request that you increase the NWRS budget to \$476 million so that the Refuges do not backslide even further in protecting these valuable lands and ecosystems. The investment yields an impressive return, generating approximately 35,000 jobs and \$2.4 billion in economic output each year. Every dollar appropriated to the Refuge System returns an average of \$4.87 to local economies as well as providing \$33 billion dollars' worth of clean water and other environmental benefits such as clean air and water and a cool climate.

The Land and Water Conservation Fund was created in 1965 and authorized at \$900 million. We ask that you reauthorize the LWCF at \$900 million for fiscal year 2015 with a minimal commitment of \$168.8 million to the National Wildlife Refuge System. These funds are used for land acquisition as well as less expensive easements or leases to protect wildlife and their habitats. With the effects of a changing climate, it is more important now than ever to establish key wildlife corridors between protected areas so wildlife can migrate to more suitable habitat as their historic ones change. These landscape level conservation efforts through conservation easements and land purchases are the best way to protect the diversity of flora and fauna. The price of real estate is still low at this time and the \$900 million can go much further in protecting habitats than it can in a higher market. When we start to lose species due to lack of food, water, shelter, or space, we are changing the balance of nature. We urge you to fund the LWCF at \$900 million for fiscal year 2015 with \$168.8 million to acquire conservation easements on working lands and to purchase in-holdings and vital habitat for the NWRS. The LWCF is not funded by taxpayer money.

We ask that you appropriate \$35 million in fiscal year 2015 for the North American Wetlands Conservation Act (NAWCA) and reauthorize the Act at \$75 million. NAWCA supports habitat restoration, water quality improvements, and carbon sequestration. These projects developed by individuals and at the community level benefit our declining migratory bird species as well as ducks and waterfowl.

Essential conservation programs to protect habitat and wildlife will cut expenses in the future by protecting and improving what we have today. We request that you fund the State Wildlife Grants Program at \$58.7 million to fulfill the shared Federal-State responsibility for keeping our Nation's wildlife from becoming endangered. The NMBCA grants conserve habitats for Neotropical birds as they migrate. It covers areas outside of refuges and often outside the U.S. that many of our birds utilize during critical periods of their life. We request you fund the NMBCA at \$4 million for fiscal year 2015. The Coastal Program provides technical and financial assistance for voluntary efforts to protect and restore coastal habitats for wildlife. We ask that you fund this program at \$13 million for fiscal year 2015. Lastly, pre-

scribed burns keep our refuges from becoming overgrown or having catastrophic fires due to high fuel loads due to fire suppression. It is an important tool for managing wildlife habitat. We urge you to provide \$60 million in dedicated funding to the Refuge System's fire program through the Department of the Interior's Hazardous Fuel Reduction program.

The Tampa Bay Refuges (TBR) are located at the mouth of Tampa Bay on the west central Gulf coast of Florida. The budget increases a few years ago meant increased management, protection, and restoration of the Refuges and the ability to better meet the Comprehensive Conservation Plan (CCP) goals. The wildlife on the refuges has done well with the extra help. Due to those past increases in budget and personnel the TBRs were able to plan for big picture issues such as erosion and increased public use. Unfortunately, due to the budget decreases, much of that planning will not be implemented.

The recent budget decreases and the sequestration have hurt our refuges.

—The Crystal River NWR Complex which included the Tampa Bay Refuges was comprised of 5 refuges. It is now part of the 9 refuge North Florida NWR complex. In 2013, the Project Leader and both refuge managers from the Crystal River Complex moved to other refuges, leaving no manager at the Tampa Bay Refuges.

—We are coming into the summer nesting season on Egmont & Pinellas NWR's. Without a manager and with the heavy visitation in the warmer months, this is a big problem. The refuge law enforcement (LE) officers are not able to patrol Egmont Key as often during the key summer nesting season due to restrictions in travel and overtime. This leaves the nesting birds open to more intrusions by refuge visitors and nesting failures.

—If a staff member leaves, he/she may not be replaced so the refuge can stay afloat financially for the rest of this fiscal year because of the budgets. We have already lost a maintenance position to keep the equipment, including the boats used to access the island refuges, in good working order and now we are down managers as well.

—The refuge was able to eradicate exotic plants and predators on the refuges, but with the budget, there is little or no money to monitor and keep up with the work that has already been done. The result will be degraded habitat for refuges and their wildlife, including nesting failures.

—Fire management budgets have been cut and prescribed fires have not been conducted Egmont Key as needed. This opens the island, its historic buildings, & visitor center up to a much higher catastrophic wildfire risk.

—There simply isn't enough money in the budget to purchase safety equipment, like a GPS, for the refuge boat. The Tampa Bay Refuges 2014 budget didn't have enough money to pay for storage at a marina for the boat used to get to the refuges. Our Friends group made up the difference. Without a boat at a convenient location, the staff must waste valuable time and wages towing a boat from the maintenance yard 80 miles away and then launching it near the islands. If the staff has to waste 3–4 hours of their day getting a boat ready they only have a few hours to work, rather than a full 8 hour day working.

—The Ft. Dade Guardhouse on Egmont Key NWR has been restored and will become the visitor center. The Refuge had grant money and installed the first phase of the displays, but with the budgets the way they are staff may not have time to keep this important environmental education center open to the public, much less finish the next phase.

—Egmont Key NWR has a huge erosion problem and can possibly be lost. Because it is in an urban setting, the 32,000 pairs of birds who nest there yearly don't have another location to go to. Because of the lack of funding, this refuge and nesting habitat could be lost in the not too distant future. Passage Key NWR has eroded to the point that it is a sandbar at low tides and no longer useful for nesting: those birds moved to Egmont. There is nowhere else to go if Egmont is lost.

These are just a few of the things impacting the Tampa Bay Refuges. Bottom line, funding cuts hurt the wildlife that the NWRS is mandated to protect. The refuge system has a very small budget compared to the whole Federal budget. It is not a big impact to the Federal budget to give the refuges a little more funding whereas the impact of reduced funding is devastating. Please consider funding \$476 million for the fiscal year 2015 Operations and Management budget.

The Friends of the Tampa Bay National Wildlife Refuges (FTBNWR) was incorporated and became a 501c3 in 2008 to better assist the Tampa Bay National Wildlife Refuges with volunteers and fundraising. In 2013 FTBNWR was able to provide over 3000 volunteer hours to assist the refuge staff with exotic invasive control, refuge cleanups, and education. FTBNWR has been able to raise money to fund contin-

ued removal of invasive plants on the Pinellas Refuges that degrade the habitat for the wildlife. FTBNWR has also purchased equipment for the refuge boat and contributed to the local storage of the boat. The FTBNWR also continued their Education Program to provide outdoor environmental educational programs at our local schools for grades K-5 and also environmental field trips to nearby preserves to teach our 4th & 5th graders about the NWRS and the environment. Volunteers act as bird stewards on Egmont Key NWR during the summer nesting season to enhance the visitors experience on the refuge through education. Our refuges do not have enough staff to provide these education programs so we have filled that gap as volunteers. Our volunteers are passionate about the Refuge System and donate their time, money, and expertise to protect them.

The Friends of the Tampa Bay National Wildlife Refuges is one of over 230 Friends groups who support the National Wildlife Refuges. The interest in our National Wildlife Refuge System is significant and we are proving it with our donated time and funds.

In conclusion, the Friends of the Tampa Bay National Wildlife Refuges believe the National Wildlife Refuge System can meet its conservation objectives only with strong and consistent funding leveraged by the work of refuge staff and volunteers. We again extend our appreciation to the subcommittee for its ongoing commitment to our National Wildlife Refuge System. We encourage you to approve \$476 million for the fiscal year 2015 National Wildlife Refuge System Operations and Maintenance budget managed by FWS and to approve \$900 million for fiscal year 2015 for the LWCF land acquisition budget as well as a dedicated \$168.8 million for the NWRS. Additionally, we urge you to appropriate \$35 million in fiscal year 2015 to the NAWCA, \$58.7 million to the State Wildlife Grants Program, \$4 million to the NMBCA, \$13 million to the Coastal Program, and \$60 million dedicated to the Refuge System's fire program through the Department of the Interior's Hazardous Fuel Reduction Program.

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#### PREPARED STATEMENT OF THE GEOLOGICAL SOCIETY OF AMERICA

##### SUMMARY

The Geological Society of America (GSA) urges Congress to at least fully fund the fiscal year 2015 request for the U.S. Geological Survey (USGS). As one of our Nation's key science agencies, the USGS plays a vital role in understanding and documenting mineral and energy resources needed for economic growth; researching and monitoring potential natural hazards that threaten U.S. and international security; and determining and assessing water quality and availability—keys to a healthy and prosperous society. Approximately two-thirds of the USGS budget is allocated for research and development. In addition to underpinning the science activities and decisions of the Department of the Interior, this research is used by communities across the Nation to make informed decisions in land use planning, emergency response, natural resource management, engineering, and education. Despite the critical role played by the USGS, funding for the Survey has stagnated in real dollars for more than a decade and the request is still below the fiscal year 2010 budget. Given the importance of the many activities of the Survey that protect lives and property, stimulate innovations that fuel the economy, provide national security, and enhance the quality of life, GSA believes that balanced growth in Federal funding for the Survey is necessary for the future of our Nation.

The Geological Society of America, founded in 1888, is a scientific society with over 26,000 members from academia, government, and industry in all 50 States and more than 100 countries. Through its meetings, publications, and programs, GSA enhances the professional growth of its members and promotes the geosciences in the service of humankind.

##### U.S. GEOLOGICAL SURVEY CONTRIBUTIONS TO NATIONAL SECURITY, HEALTH, AND WELFARE

The USGS is one of the Nation's premier science agencies. Approximately two-thirds of the USGS budget is allocated for research and development. In addition to underpinning the science activities and decisions of the Department of the Interior, this research is used by communities across the Nation to make informed decisions in land use planning, emergency response, natural resource management, engineering, and education. USGS research addresses many of society's greatest challenges for national security, health, and welfare. Several are highlighted below.

—Natural hazards—including earthquakes, tsunamis, volcanic eruptions, wildfires, and landslides—are a major cause of fatalities and economic losses.

Recent natural disasters, including the landslide in Washington and California earthquakes, provide unmistakable evidence that the United States remains vulnerable to staggering losses. An improved scientific understanding of geologic hazards will reduce future losses through better forecasts of their occurrence and magnitude and allow for better planning and mitigation in these areas. GSA urges Congress to support efforts for USGS to modernize and upgrade its natural hazards monitoring and warning systems to protect communities from the devastating personal and economic effects of natural disasters. GSA is concerned about cuts to this important program in the request.

- A 2013 report by the National Research Council, *Emerging Workforce Trends in the Energy and Mining Industries: A Call to Action*, found, “Energy and mineral resources are essential for the Nation’s fundamental functions, its economy, and its security.” Improved scientific understanding of these resources will allow for their more economic and environmental management and utilization. Nevertheless, Federal programs in minerals science, research, information, data collection and analysis have been severely weakened. Funding for the USGS Mineral Resources Program, the only primary source for minerals science and information, has been cut by 30 percent in constant dollar terms over the last decade, reducing its ability to provide critical information on mineral potential, production, and consumption that is used for decisionmaking across the Federal Government and by a range of businesses and industries.
- Many emerging energy technologies—such as wind turbines and solar cells—depend on rare earth elements and critical minerals that currently lack diversified sources of supply. China accounts for 95 percent of world production of rare earth elements (USGS, 2010). USGS research will play a lead role in helping ease our dependence on these foreign sources.
- The ongoing water crisis in California and elsewhere is a testament to our dependence on water. The availability and quality of surface water and groundwater are vital to the well being of both society and ecosystems. Greater scientific understanding of these resources through monitoring and research is necessary to ensure adequate and safe water resources for the health and welfare of society.
- USGS research on climate impacts is used by the Department of the Interior and local policymakers and resource managers to make sound decisions based on the best possible science. The Climate Science Centers, for example, provide scientific information necessary to anticipate, monitor, and adapt to climate change’s effects at regional and local levels.
- The Landsat satellites have amassed the largest archive of remotely sensed land data in the world, a tremendously important resource for natural resource exploration, land use planning, and assessing water resources, the impacts of natural disasters, and global agriculture production. Last year’s successful launch of Landsat 8 is an important step to continue to provide these resources. GSA supports interagency efforts to plan a path forward for future support of Landsat.

Research in Earth science is fundamental to training and educating the next generation of Earth science professionals. The United States faces a looming shortage of qualified workers in these areas that are critical for national security. We are very concerned that cuts in earth science funding will cause students and young professionals to leave the field, potentially leading to a lost generation of professionals in areas that are already facing worker shortages. Investments in these areas could lead to job growth, as demand for these professionals now and in the future is assessed to be high.

The report *Emerging Workforce Trends in the Energy and Mining Industries: A Call to Action*, found, “In mining (nonfuel and coal) a personnel crisis for professionals and workers is pending and it already exists for faculty.” Another recent study, *Status of the Geoscience Workforce 2011*, by the American Geosciences Institute found: “The supply of newly trained geoscientists falls short of geoscience workforce demand and replacement needs. . . . aggregate job projections are expected to increase by 35 percent between 2008 and 2018. . . . The majority of geoscientists in the workforce are within 15 years of retirement age. By 2030, the unmet demand for geoscientists in the petroleum industry will be approximately 13,000 workers for the conservative demand industry estimate.”

Science and technology are engines of economic prosperity, environmental quality, and national security. Earth science is a critical component of the overall science and technology enterprise. Growing support for Earth science in general and the U.S. Geological Survey in particular are required to stimulate innovations that fuel the economy, provide security, and enhance the quality of life.

As the National Science Board's recent *2014 Science & Engineering Indicators* reports, America's share of the world's R&D fell from 37 percent to 30 percent from 2001 and 2012. As other nations have been increasing their support for long-term, high-risk research, we have been allowing ours to stagnate or decline. We must reverse that trend and tackle our mounting innovation deficit if we want to retain our global economic leadership.

Thank you for the opportunity to provide testimony about the U.S. Geological Survey. For additional information or to learn more about the Geological Society of America—including GSA Position Statements on water resources, mineral and energy resources, natural hazards, and public investment in Earth science research—please visit [www.geosociety.org](http://www.geosociety.org) or contact Kasey White at [kwhite@geosociety.org](mailto:kwhite@geosociety.org).

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PREPARED STATEMENT OF THE GREAT SALT LAKE COUNCIL OF THE BOY SCOUTS OF AMERICA

Mr. Chairman and honorable members of the subcommittee: I am representing the Great Salt Lake Council of the Boy Scouts of America, and we wish to express our support for the Land and Water Conservation Fund, particularly the President's fiscal year 2015 budget request for Forest Service land acquisition.

The President's proposed budget includes two line items, one in the discretionary portion of the budget and the other in the mandatory section, totaling \$3 million, for Wasatch Watersheds-Bonneville Shoreline Trail. Property currently owned by the Boy Scouts in Mill Creek Canyon would be acquired by the Forest Service if Congress approves sufficient funding. The requested funds, though not enough to acquire all of the Boy Scout property available for sale, would allow for a substantial first phase purchase. The Council has been interested in selling approximately 700 acres to the Forest Service since 2011. This is the first year, however, that funding has been included in the Federal budget for the project.

Mill Creek Canyon is one of the main canyons in the Wasatch Front, the iconic backdrop for the major population area of Utah. In the mid-1800s, early settlers of Salt Lake City established 20 mills in the canyon that provided everything from lumber to flour for the growing population of settlers. Today, Mill Creek Canyon is well known to residents of the Salt Lake Valley and has long been a popular area for hiking, biking, and many other recreational activities. The Great Salt Lake Council of the Boy Scouts of America (BSA) would like to sell five parcels of land in this area that are considered surplus to its Camp Tracy. The BSA will continue to own and operate the camp, while planning to use the proceeds from the proposed sale to acquire land and facilities elsewhere to benefit the youth of our community and organization. These parcels were originally placer mining claims that were donated to the Scouts nearly a century ago. Adding these parcels to the national forest would also preserve the essential camp experience for the 17,500 scouts and volunteers who visit Camp Tracy each year.

Nearly all of the parcels contain segments of trails, including the Bonneville Shoreline Trail, Pipeline Trail, Grandeur Peak Trail, and Thayne Canyon Trail. Mill Creek Canyon is a major recreational destination for hiking, biking, snowshoeing, cross country skiing, and picnicking due to its proximity to Salt Lake City and the greater Wasatch Front area; the canyon entrance borders the Salt Lake City limits. Currently the public lands in the area are being managed jointly by Salt Lake County and the Forest Service. Including these private parcels in the surrounding national forest will ensure public access into the future and provide for better management of the trails, trailheads, and other recreational sites.

Mill Creek Canyon is one of seven major canyons listed in Salt Lake City's Watershed Management Plan and will play a role in the future city water supply. The Watershed Management Plan recommends watershed protection through acquisitions by Salt Lake City, Salt Lake County, and the Forest Service. The resource management plan for the Uinta-Wasatch-Cache National Forest charges the Forest Service with managing and protecting watersheds used as a municipal water source in cooperation with Salt Lake City. The property contains a portion of Mill Creek—a tributary to the Jordan River—in addition to a number of gulches and smaller canyons that feed into Mill Creek. The Forest Service Watershed Condition Framework rating for Mill Creek is Class Two—functioning at risk—meaning one or more existing attributes make it susceptible to degradation. Forest Service ownership will protect this important water resource, which could be impaired if the surrounding land were to be sold for development rather than conservation. The Forest Service is currently working with State wildlife authorities on a project designed to support recovery of the Bonneville cutthroat trout, which is native in this drainage and is included on the Utah Sensitive Species List. Other wildlife found on and around this

land include bald eagle, deer, elk, mountain lion, bighorn sheep, and Canada lynx—a species listed as threatened by the U.S. Fish and Wildlife Service.

It is our desire that these lands be conserved, but we may have to offer the property on the open market—and possible development—if the Forest Service is unable to acquire the land in a timely fashion. As mentioned previously, we have been working on this proposal with the Forest Service for over 3 years and we need to utilize the proceeds from the sale of this property to improve services to the growing number of Scouts in the Salt Lake City metroplex. We want to work with the Forest Service to preserve this land for its abundant natural resources and recreational opportunities dear to the hearts of so many visitors.

We urge the Interior Subcommittee to provide appropriations from the Land and Water Conservation Fund to protect Mill Creek Canyon through this proposed land acquisition. I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Utah, and I appreciate your consideration of this funding request.

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#### PREPARED STATEMENT OF HEALING OUR WATERS-GREAT LAKES COALITION

Members of the subcommittee. It is an honor to provide this testimony about one of our world's most prized natural and economic treasures—our Great Lakes. The Healing Our Waters-Great Lakes Coalition joins a bi-partisan group of 46 Representatives and 11 Senators in asking you to support \$300 million for the Great Lakes Restoration Initiative in fiscal year 2015. We appreciate the trust you have shown the region over the last 4 years and ask you to maintain this support.

Our Coalition is comprised of more than 120 environmental, conservation, hunting, and fishing organizations; museums, zoos, and aquariums; and businesses representing millions of people whose goal is to restore and protect the Great Lakes. We came together to fight for the Great Lakes, and we recognize the need for Federal assistance for all great waters, including Puget Sound, the Everglades, Coastal Louisiana, and Chesapeake Bay.

Mr. Chairman and ranking member, 30 million people rely on the Great Lakes for their drinking water, and the entire country benefits from the commerce that depends on these waters. Protecting and restoring them is a huge non-partisan priority for the people in the region. We recognize that the Federal Government is our partner in an endeavor to help heal the lakes through the undertaking of one of the world's largest freshwater ecosystem restoration projects. Non-governmental groups, industries, cities, and States are forging public-private partnerships to clean up toxic hot spots, restore fish and wildlife habitat, and combat invasive species. Our Coalition has invested almost half a million dollars of our own resources to help our member groups restore and protect this resource. The philanthropic community has also invested approximately \$100 million over the past 4 years through initiatives to educate citizens and policy makers about the Great Lakes environment and to identify actions and policies that most effectively will restore its health.

#### ECONOMIC BENEFITS

We do this work because cleaning up the Great Lakes is critical for the health and quality of life of the region. It also drives economic development—and jobs—in communities all around the Basin. Investments in Great Lakes restoration are creating jobs and leading to long-term economic benefits for the Great Lakes States and the country. A Brookings Institution report shows that every \$1 invested in Great Lakes restoration generates at least \$2 in return, making Great Lakes restoration one of the best investments on the dollar in the Federal budget. Research from Grand Valley State University shows that the return for certain projects is closer to 6-to-1. The University of Michigan has also demonstrated that over 1.5 million jobs are connected to the Great Lakes, accounting for more than \$60 billion in wages annually. According to the Great Lakes Commission, more than 37 million people boat, fish, hunt, and view wildlife in the region, generating over \$50 billion annually. Great Lakes businesses and individuals account for about 28 percent of the U.S. gross domestic product, according to Bureau of Economic Analysis data.

We have also seen jobs being created by our Nation's efforts to clean up the Great Lakes and restore fish and wildlife habitat. These jobs include wetland scientists, electricians, engineers, landscape architects, plumbers, truck drivers, and many others. While we do not know how many jobs have been created to clean up the Great Lakes, it is likely in the thousands. Consider:

—125 jobs were created for a \$10 million project to restore fish and wildlife habitat in Muskegon Lake, a Great Lakes Area of Concern in Michigan.

- 177 people are employed to control the invasive sea lamprey in the Great Lakes, which costs the U.S. Government around \$20 million annually.
  - 174 jobs were created, some of which were filled by at-risk youth, to remove dams and other barriers in a 150-mile stretch of the Milwaukee River system.
- Specifically, stories like that of business owner Jim Nichols of Carry Manufacturing are increasingly common. Jim tells of how Great Lakes Restoration Initiative (GLRI) projects are adding new orders for his manufacturing business. Carry Manufacturing has manufactured water control equipment since 1987. Their employees are being kept busy building submersible pumps for GLRI projects that flood duck habitat or drain areas to re-establish native habitat for sport fishing. The jobs add up when you begin counting the men and women at other companies who manufacture the pipes for the pumps, the control structures in which the pumps are housed, and the hunters, anglers, and wildlife watchers that benefit from the improved environment the pumps help create.

#### INVESTMENTS PRODUCING RESULTS

The people that have been put to work protecting and restoring the Great Lakes are working on projects that are producing results (from EPA's 2014 congressional budget justification and 2013 report to Congress):

- The Presque Isle, PA, Area of Concern (AOC) was delisted, the first since 2006, and the second U.S. AOC since they were established in 1987. The management actions necessary for delisting the Sheboygan, Wisconsin, AOC were also completed, Ashtabula, Ohio, is very close, and two more de-listings are expected in fiscal year 2015. (EPA 2014)
  - Between 2010 through 2013, 29 beneficial use impairments (BUIs) at 13 AOCs were removed in Illinois, Indiana, Michigan, New York, Pennsylvania, and Wisconsin, more than tripling the total number of BUIs removed in the preceding 22 years. More BUIs have been removed since the GLRI began than between 1987 and 2009. (EPA 2014)
  - From 2004 to 2009, the Great Lakes region was the only area in the country to show a gain in wetland acreage. Now the GLRI is building on that foundation with a goal to restore one million acres in the Basin. So far, the Fish and Wildlife Service (FWS), National Park Service (NPS), Natural Resources Conservation Service (NRCS), and National Oceanic and Atmospheric Administration (NOAA) (among others) restored, protected, or enhanced over 115,000 acres of wetlands and other habitat. (EPA 2014)
  - 1,900 river miles were cleared of over 250 barriers resulting in fish swimming into stretches of river where they have been absent for decades. (EPA 2014)
  - Based on U.S. Fish and Wildlife Service monitoring, GLRI-sponsored actions are increasing self-sustaining populations of native species important to the Great Lakes, like lake sturgeon. For example, efforts in the Saginaw River watershed have contributed to the now self-sustaining walleye population in Saginaw Bay, Michigan. (EPA 2013)
  - Nearly 800,000 acres of Great Lakes agricultural land were put into U.S. Department of Agriculture (USDA) conservation contracts to reduce erosion and nutrient runoff into Great Lakes tributaries. (EPA 2014)
- These numbers are impressive. The stories behind them, however, are more illuminating as to the types of results that we are seeing and what is being accomplished. The Coalition has documented more than 100 restoration success stories across the region.<sup>1</sup> Among them:
- At the Ashtabula River in Ohio, a sediment cleanup and habitat restoration project has restored the lower two miles of the river and advanced efforts to get it de-listed as a Great Lakes Area of Concern. The project has improved water quality and deepened the river channel, making the lower Ashtabula suitable again for maritime commerce, fishing, and recreation boating.
  - The Grand Calumet River in Indiana, which flows through a heavily industrialized area south of Chicago, was for years considered America's most polluted river. Thanks to a major cleanup, a large wetland was restored and more than 575,000 cubic yards of toxic mud was removed from the Lake Michigan tributary. The restoration project addressed pollution that had led to fish consumption advisories, drinking water restrictions, beach closings, habitat destruction, and an array of other environmental problems.
  - At Clear Creek in Freedom, New York, excess stream erosion and sediment, in-stream barriers, elevated water temperatures, and competition from invasive fish restricted brook trout to a few tributaries in the watershed. A Great Lakes

<sup>1</sup> Found at [www.healthylakes.org/successes/](http://www.healthylakes.org/successes/).

Restoration Initiative project restored 1,200 linear feet of in-stream habitat and re-established fish passage over a sheet-pile grade control structure, reconnecting six miles of prime trout habitat.

#### HOW WE ARE DOING THE WORK

How the region is accomplishing all this work is as impressive as what we are doing. The GLRI, which President Obama first proposed in 2010, is a model for large, land-landscape scale restoration. It ensures that the focus remains on the highest regional priorities that were identified through a large stakeholder process in 2005, which was initiated by President George W. Bush. The initiative itself is implementing a restoration strategy called the Great Lakes Regional Collaboration Strategy to Restore and Protect the Great Lakes that over 1,500 people helped build. It also provides an outlet for the United States to meet its obligations under the new Great Lakes Water Quality Agreement with Canada. The GLRI is a critical component towards ensuring that the goals we set for ourselves in both the agreement and comprehensive plan can be achieved.

Additionally, the GLRI sought to fix problems the Government Accountability Office identified in 2003 when it complained that there was inadequate coordination among Federal agencies and between Federal and non-Federal stakeholders.<sup>2</sup> Now, the EPA, working with other Federal agencies like the Fish and Wildlife Service, NOAA, NRCS, and the National Park Service, can quickly convert the funding they receive to supplement restoration activities through their existing, authorized programs. This structure allows for funds to move quickly from EPA through the inter-agency agreements EPA reaches with the other agencies and onto the ground to complete important restoration work. This model also ensures accountability through the establishment of an “orchestra leader” (EPA), helps accelerate progress, and avoids potential duplication, all of which help save taxpayers money while focusing efforts on the highest, consensus-based priorities.<sup>3</sup>

#### MAINTAINING RESULTS UNTIL THE JOB IS DONE

Unfortunately, the health of the Great Lakes continues to be seriously threatened by problems such as sewage overflows that close beaches, toxic pollution that poses a threat to the health of people and wildlife, algal blooms that harm local drinking water supplies, and invasive species that hurt fish and wildlife populations and our outdoor recreation economy. While we have cleaned up two AOCs, there are still 27 more to go. Algal blooms in Lake Erie and other lakes still result in cancelled charter boat tours and closed beaches. Communities are still dealing with legacy pollutants that have led to drinking water restrictions, beach closings, and fish consumption advisories. Our work is not done so maintaining Federal funding is needed.

Additionally, this Congress should remove all doubt that the region is on the right path and pass legislation that specifically authorizes the GLRI. Currently, EPA is using existing authorities coupled with the legislative language you provide as the statutory basis for its coordinating role. Passing legislation, such as that introduced by Representative David Joyce and Senator Carl Levin, creates greater certainty for the program and allows everyone to focus on getting the job done.

Lastly, EPA’s Science Advisory Board (SAB) noted in a 2012 report that the GLRI Action Plan supported initial Federal investments to restore the Lakes because enough was known about the problems and potential solutions to impairments in the Great Lakes to initiate action; the Action Plan identified most of the key actions needed; and the Action Plan is largely consistent with previous plans and strategies. However, the SAB’s report pointed out that the GLRI needs to do better research, monitoring, and assessment. It also pointed out that the GLRI lacks a formal science-based framework for assessing progress and evaluating future priorities. We believe this science-based framework and independent science advice is critical to make Great Lakes restoration efforts as efficient and effective as possible; that the region’s scientists must be engaged in producing and helping implement that plan and not just asked to react to a federally-generated adaptive management blueprint; and that EPA must use an appropriate portion of GLRI funds to implement, coordi-

<sup>2</sup>We anticipate that the GLRI Action Plan for fiscal year 2015–2019 will incorporate changes that address the concerns raised by GAO in 2013. Those concerns included, in part, recommending the initiative incorporate climate change into its goals and create metrics of success that better link the ecological change being sought to the actions being supported and undertaken.

<sup>3</sup>Even with quick Federal action, the Great Lakes region has a shortened work season because of winter conditions. This can result in a longer time period for grantees to outlay GLRI funds rather than just the obligation of funds.

nate, and better communicate the Federal and non-Federal research, monitoring, and assessment—ongoing and required—for future success.

CONCLUSION

Thank you again for the opportunity to share our views with you. The GLRI is delivering results. But more work remains. Cutting restoration funding now will only make projects harder and more expensive the longer we wait. While we are greatly encouraged by the progress we are seeing in local communities across the region, we all must keep in mind that it will take time for all of us to see lakewide environmental improvement in an ecosystem the size of the Great Lakes. We are seeing hundreds of trees but it still will take time to make them into a forest.

We also recognize the tough choices you face, but we believe that restoring the Great Lakes is not only good for the environment but also is good for the national economy as well. We hope you will maintain \$300 million for the GLRI next year.

PREPARED STATEMENT OF THE HOPI TRIBE

The Hopi Tribe: Issues of the Consolidated Tribal Government Programs:

—*Contract Support Cost.*—The Hopi Tribe recommends that Congress amend the Contract Support Cost (CSC) issue to include (1) full funding (100 percent) for Indian tribes needed for CSC for fiscal year 2015; (2) that fiscal year 2015 contain a separate appropriation for CSC in the Bureau of Indian Affairs (BIA) budget structure; and (3) that the BIA propose the repeal of the term “not to exceed” in the appropriations statutory language with reference to the annual CSC appropriations.

—*The Hopi Tribe request the following from the Bureau of Indian Affairs.*—Fiscal year 2015 operating plan funding level on internal transfers for Consolidated Tribal Government Program contracts, Federal pay costs, tribal pay costs, and other administrative cost. Pursuant to fiscal year 2014 Consolidated Appropriations Act, the Department of the Interior was directed to submit an operating plan to the Senate Committee on Indian Affairs. Our tribe is requesting this information so that we can better understand how fiscal year 2015 Indian Affairs funding levels will be determined.

There are many other important issues that need to be addressed, including:

—The impacts of the fiscal year 2013 sequester for the BIA and Indian Health Service.

—The proposed “administrative cost savings” cuts that will reduce BIA staffing at BIA agencies and will reduce funding for future 638 contracts, in particular, the cuts to the real estate services program.

PREPARED STATEMENT OF THE HUMANE SOCIETY OF THE UNITED STATES (HSUS)

Thank you for the opportunity to offer testimony to the Interior, Environment, and Related Agencies Subcommittee on items of importance to our organizations. We urge the subcommittee to address these priority issues in the fiscal year 2015 Department of Interior appropriation.

ROCK CREEK PARK DEER

The HSUS requests that funds made available in this Act give preference to non-lethal deer management programs over lethal at Rock Creek Park. The National Park Service (NPS) has been using lethal methods for controlling the deer population in Rock Creek Park despite the availability of non-lethal methods that cost significantly less taxpayer money and result in a more effective long-term solution to human-wildlife conflicts in the park and its environs. In the future, we ask that priority be given to humane, non-lethal methods with respect to decisions regarding funding deer management programs.

LARGE CONSTRICTOR SNAKES

In March 2010, U.S. Fish and Wildlife Service (FWS) issued a proposed rule to list nine large constrictor snakes as injurious under the Lacey Act. However, in January 2012 the Secretary announced that only four species would be listed. We encourage this subcommittee to direct the FWS to immediately move forward with the “injurious” listing of the five remaining species, which will prohibit importation and interstate movement of these animals as pets. A comprehensive report by the U.S.

Geological Survey showed these non-native snakes all pose a medium or high risk to the health of our Nation's ecosystems. Large constrictor snakes have been released or escaped into the environment and have colonized Everglades National Park, continue to threaten areas in Hawaii, and have established populations in Puerto Rico. Scientists warn they may also become established in other areas of the country. The Service must have the resources to respond quickly to prevent the spread and establishment of these snakes into new areas.

ENVIRONMENTAL PROTECTION AGENCY

*Endocrine Disruptor Screening Program*

Research focused on molecular screening has the potential to revolutionize toxicity testing, improving both its efficiency as well as the quality of information available for human safety assessment in the Endocrine Disruptor Screening Program (EDSP). These "next generation tools" hold considerable promise to speed up the assessments of chemicals in the EDSP and reduce, and ultimately, may replace animal use. We urge the subcommittee to incorporate the following report language, which is also supported by the American Chemistry Council:

The subcommittee recognizes that the U.S. Environmental Protection Agency (EPA) is implementing the use of Tox21 information in the prioritization of chemicals for screening in the Endocrine Disruptor Screening Program (EDSP). The subcommittee supports this activity as part of a pathway-based approach to endocrine assessment, and directs EPA to focus its efforts to develop adverse outcome pathways (AOPs) for estrogen, androgen and thyroid modes of action and, when sufficient scientific confidence has been demonstrated, to utilize mechanistic information not only in prioritization, but also in hazard and risk assessment to reduce, refine or replace tests involving living animals. EPA is directed to develop a scientific confidence framework for AOPs and associated prediction models, and after public comment and peer review, implement this framework to assure confidence in specific AOPs is explicitly demonstrated for intended uses.

The subcommittee also recognizes that EPA is continuing to extend existing long-term reproduction studies in birds, fish, and other species to two- or multi-generation tests for the EDSP. The subcommittee understands that EPA contributed to an international review of rat reproduction studies that showed the lack of utility of a second generation and supporting replacement of the two-generation mammalian study with a more efficient "extended one-generation" design. The subcommittee directs EPA to maximize the efficiency of each EDSP protocol and minimize unnecessary costs and animal use by assessing the utility (including sensitivity, specificity and value of information added relative to the assessment of endocrine disruption) of each endpoint in these multigenerational studies, including specifically the need to produce more than one generation of offspring in the bird, fish and amphibian EDSP Tier 2 tests and issue a public report on its findings for comment and peer review. The subcommittee also directs EPA to minimize or to eliminate unnecessary endocrine screening and testing, and to use existing scientific data in lieu of requiring new data, when possible and scientifically supportable. The subcommittee understands that EPA is currently working with OECD to develop and modify EDSP methods. EPA should work within the framework and timing of the OECD Test Guideline work plan to minimize duplicative efforts.

Science and Technology Account—21st Century Toxicology In 2007, the National Research Council published its report titled "Toxicity Testing in the 21st Century: A Vision and a Strategy." This report catalyzed collaborative efforts across the research community to focus on developing new, advanced molecular screening methods for use in assessing potential adverse health effects of environmental agents. It is widely recognized that the rapid emergence of omics technologies, cell- and tissue-based methods and other advanced technologies offers great promise to transform toxicology from a discipline largely based on observational outcomes from animal tests as the basis for safety determinations to a discipline that uses knowledge of biological pathways and molecular modes of action to predict hazards and potential risks. We urge the Committee to incorporate the following language:

The subcommittee supports EPA's leadership role in the creation of a new paradigm for chemical risk assessment based on the incorporation of advanced molecular biological and computational methods in lieu of animal toxicity tests. The subcommittee encourages EPA to continue to expand its extramural and intramural support for the use of pathway-based approaches in environmental and human health research to further define toxicity and disease pathways and develop tools for their integration into evaluation strategies. Extramural and intramural funding should be made available for research and development of cell and tissue-based mechanistic methods, interpretation and prediction tools, including pilot studies of

pathway-based hazard and risk assessment. The data sets and prediction models generated should be transparent, publicly disseminated, consistent with corresponding international efforts, and, to assure readiness and utility for regulatory purposes, undergo public review and comment and independent scientific peer review to establish relevance and reliability. The subcommittee requests EPA provide a report on associated funding in fiscal year 2014 for such activity and a progress report in the congressional justification request, featuring a 5-year plan for projected budgets for the development of mechanism-based methods, including Tox21 and other related activities and prediction models and activities specifically focused on establishing scientific confidence in them for regulatory purposes. The subcommittee also requests EPA prioritize an additional (1-3 percent) of its Science and Technology budget from within existing funds for such activity.

#### MULTINATIONAL SPECIES CONSERVATION FUND

The administration's fiscal year 2015 budget requests \$9.06 million for the Multinational Species Conservation Fund (MSCF) program which funds African and Asian elephants, rhinos, tigers, great apes like chimps and gorillas, and sea turtles. The HSUS joins a broad coalition of organizations in support of the administration's request while ensuring that the sales from the semi-postal stamps benefiting this program remain supplementary to annually appropriated levels. We also request \$13 million for the Wildlife Without Borders and International Wildlife Trade programs within the U.S. Fish and Wildlife Service (USFWS) Office of International Affairs.

While we wholeheartedly support continued funding for the MSCF, we are concerned about past incidents and oppose any future use of funds from these conservation programs to promote trophy hunting, trade in animal parts, and other consumptive uses—including live capture for trade, captive breeding, and entertainment for public display industry—under the guise of conservation for these animals. Grants made to projects under the MSCF must be consistent with the spirit of the law.

#### BUREAU OF LAND MANAGEMENT—WILD HORSE AND BURRO PROGRAM

The Humane Society of the United States (The HSUS) is one of the leading advocates for the protection and welfare of wild horses and burros in the U.S. with a long history of working collaboratively with the Bureau of Land Management (BLM)—the agency mandated to protect America's wild horses and burros—on the development of effective and humane management techniques.

The HSUS strongly supports a significant reduction in the number of wild horses and burros gathered and removed from our rangelands annually. We believe removing horses from the range without implementing any active program for suppressing the population growth rate has proven itself to be an unsustainable method of management of our Nation's wild horses, and simply leads to a continual cycle of round-ups and removals when more long-term, cost-efficient and humane management strategies, such as fertility control, are readily available.

For years, the BLM has removed far more wild horses and burros from the range than it could possibly expect to adopt annually, and as a consequence, the costs associated with caring for these animals off the range have continued to skyrocket. The annual costs associated with caring for one wild horse in a long term holding facility is approximately \$500, and the average lifespan of a wild horse in captivity is 30 years. Today, there are more than 50,000 wild horses and burros in these pens, and the agency spends more than 50 percent of its annual Wild Horse and Burro budget on holding costs. The BLM must balance the number of animals removed from the range annually with the number of animals it can expect to adopt in a given year if it hopes to effectively reduce off-the-range management costs.

Further, the BLM's current program of management of wild horses has negative effects that go beyond a simple cost-benefit analysis. For instance, the recommendations in the National Academy of Sciences 2013 report "Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward," commissioned by the BLM itself, stated that it is BLM's own practices of managing wild horses "below food-limited carrying capacity" by rounding up and removing a significant proportion of the herd's population every three to 4 years that is facilitating high horse population growth rates on the range.

As such, it is incumbent that the BLM move away from current management practices to create a long-term, humane and financially sustainable path. It is our

<sup>1</sup> GAO, *Rangeland Management: Improvements Needed in Federal Wild Horse Program*, GAO/RCEd-90-110 (Washington D.C.: Aug. 20, 1990).

belief that the most cost-effective and humane approach is for the BLM to move aggressively forward with a contraceptive program which prioritizes on-the-range management of wild horses and burros. This path forward is supported by the National Academy of Sciences report, which called for an increased usage of on-the-range management tools, including the usage of the fertility control vaccine PZP. Further, a 2008 paper determined that contraception on-the-range could reduce total wild horse and burro management costs by 14 percent, saving \$6.1 million per year.<sup>2</sup> Finally, the results of a paper describing an economic model commissioned by The HSUS indicates that by treating wild horses on one hypothetical Herd Management Area (HMA) with the fertility control vaccine Porcine Zona Pellucida (PZP), the BLM could save approximately \$5 million dollars over 12 years while achieving and maintaining Appropriate Management Levels (AML) of 874 horses. Since the BLM estimates that more than 40,000 wild horses roam on 179 HMAs in the United States, the use of PZP could result in a cost-savings of tens of millions of dollars if applied broadly across all HMAs.

For these reasons, while we support the BLM's request for a 2.8 million dollar budget increase to fund additional research on contraception and population growth suppression methods, we request that the agency be required to immediately begin usage of the NAS-recommended fertility control methods that are currently available.

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#### PREPARED STATEMENT OF THE INDEPENDENT TRIBAL COURTS REVIEW TEAM

Thank you for the opportunity to address the serious funding needs that have limited and continue to hinder the operations of tribal judicial systems in Indian Country. I am the lead judge representing the Independent Tribal Court Review Team. We thank this subcommittee for the funding provided in prior years. These funds were a blessing to tribes. It is the strong recommendation of the Independent Tribal Courts Review Team that the Federal tribal courts budget be substantially increased in fiscal year 2015 to support the needs of tribal judicial systems.

#### BUDGET PRIORITIES, REQUESTS AND RECOMMENDATIONS

1. +\$10 million Increase for tribal courts above the fiscal year 2010 enacted level.
2. +\$58.4 million authorized under the Indian Tribal Justice Act of 1993, Public Law 103-176, 25 U.S.C. 3601 and re-authorized in year 2000 Public Law 106-559 (no funds have been appropriated to date).
3. Support the requests and recommendations of the National Congress of American Indians.

The increase will support:

1. Hiring and Training of Court Personnel.
2. Compliance with the Tribal Law and Order Act of 2010.
3. Compliance with the VAWA Act of 2013.
4. Salary Increases for Existing Judges and Court Personnel.
5. State-of-the-Art Technology for Tribal Courts.
6. Security and Security Systems To Protect Court Records and Privacy of Case Information.
7. Tribal Court Code Development.
8. Financial Code Development.

The Independent Court Review Team supports the proposed \$1.35 million increase in the fiscal year 2014 President's budget but do not support the \$2.98 million internal transfer out by the Bureau of Indian Affairs (BIA). The fight against crime and drugs has led to more arrests which is increasing the caseload in the tribal court system. The continuing implementation of the Tribal Law and Order Act (TLOA) and the recent enactment of the Violence Against Women Act (VAWA), further strains the capacity of the tribal judicial system which is underfunded, understaffed and ill-equipped to function effectively and in a manner comparable to non-Indian government judicial systems. Tribal courts are at a critical stage in terms of need.

#### BACKGROUND:

The Bureau of Indian Affairs (BIA) within the Department of the Interior provides funding to tribal governments to supplement their justice systems including

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<sup>2</sup> Bartholow, J. 2007. Economic benefit of fertility control in wild horse populations. *J. Wildl. Mgmt.* 71(8):2811-2819.

courts. Tribal courts play a “vital role” in tribal self-determination and self-governance as cited in long-standing Federal policy and acts of Congress. Funding levels from BIA to support tribal justice systems have not met the Federal obligations.

There is a great deal of variation in the types of tribal courts and how they apply laws. Some tribal courts resemble Western-style courts in that written laws and court procedures are applied. Others use traditional Native means of resolving disputes, such as peacemaking, elders’ councils, and sentencing circles. Some tribes have both types of courts. The Bureau of Indian Affairs (BIA) also manages a small number of C.F.R. (Code of Federal Regulations) courts.

Since 1999, the Bureau of Justice Assistance in the Department of Justice has administered the Tribal Courts Assistance Program, designed to provide funds for tribes to plan, operate, and enhance tribal judicial systems. They have made attempts to evaluate tribal courts but discovered their means of doing so was insensitive to American Indian and Alaska Native (AI/AN) people and unrealistic in the absence of elements that were key to Indian Country, such as: (1) the importance of tribal culture and traditions; (2) the inability to apply State and local criminal justice initiatives to tribal settings; (3) the lack of cooperation from non-tribal entities; and, (4) the lack of available data on tribal justice.

The Independent Court Review Team has had more hands on success in reviewing tribal court systems than any other entities. For approximately 7 years, the Review Team travelled throughout Indian Country assessing how tribal courts operate. During this time, the Review Team completed 84 court reviews, and 28 Corrective Actions. There is no other entity with more hands-on experience and knowledge regarding the current status of tribal courts.

#### JUSTIFICATION FOR REQUEST

1. *Hiring and Training of Court Personnel.*—Tribal courts make do with underpaid staff, under-experienced staff and minimal resources for training. (We have determined that hiring tribal members limits the inclination of staff to move away; a poor excuse to underpay staff.);
2. *Compliance with the Tribal Law & Order Act of 2010.*—To provide judges, prosecutors, public defenders, who are attorneys and who are bared to do “enhanced sentencing” in tribal courts;
3. *Compliance with the 2013 VAWA Act.*—To provide tribal courts with the ability to provide non-Indians with all the rights under the U.S. Constitution in domestic violence actions in tribal courts (12 person juries, provide attorneys for non-Indians, provide attorneys and court personnel in domestic violence cases as in TLOA, etc.);
4. *Salary Increases for Existing Judges and Court Personnel.*—Salaries should be comparable to local and State court personnel to keep pace with the non-tribal judicial systems and be competitive to maintain existing personnel;
5. *Tribal Courts Need State-of-the-Art Technology.*—(Software, computers, phone systems, tape recording machines.) Many tribes cannot afford to purchase or upgrade existing court equipment unless they get a grant. This is accompanied by training expenses and licensing fees which do not last after the grant ends;
6. *Security and Security Systems To Protect Court Records and Privacy of Case Information.*—Most tribal courts do not even have a full-time bailiff, much less a state-of-the-art security system that uses locked doors and camera surveillance. This is a tragedy waiting to happen;
7. *Tribal Court Code Development.*—Tribes cannot afford legal consultation. A small number of tribes hire on-site staff attorneys. These staff attorneys generally become enmeshed in economic development and code development does not take priority. Tribes make do with under-developed codes. The Adam Walsh Act created a hardship for tribes who were forced to develop codes, without funding, or have the State assume jurisdiction. (States have never properly overseen law enforcement in a Tribal jurisdiction.); and
8. *Financial Code Development.*—We have rarely seen tribes with developed financial policies. The process of paying a bond, for example, varies greatly from tribe to tribe. The usual process of who collects it, where it is collected and how much it is, is never consistent among tribes.

#### TRIBAL COURTS

There are many positive aspects about tribal courts. It is clear that tribal courts and justice systems are vital and important to the communities where they are located. Tribes value and want to be proud of their court systems. Tribes with even modest resources tend to allocate funding to courts before other costs. After decades of existence, many tribal courts, despite minimal funding, have achieved a level of

experience and sophistication approaching, and in some cases surpassing, local non-Indian courts.

Tribal courts, through the Indian Child Welfare Act, have mostly stopped the wholesale removal of Indian children from their families. Indian and non-Indian courts have developed formal and informal agreements regarding jurisdiction. Tribal governments have recognized the benefit of having law-trained judges, without doing away with judges who have cultural/traditional experience. Tribal court systems have Appellate Courts, jury trials, well-cared-for courthouses (even the poorer tribes), and tribal bar listings and fees. Perhaps most importantly, tribes recognize the benefit of an independent judiciary and have taken steps to insulate courts and judges from political pressure. No longer in Indian country are judges automatically fired for decisions against the legislature.

—*Example.*—At one tribal court 14 jury trials scheduled in 2013 never occurred due to the lack of sufficient funds to perform the following: the required number of potential jurors could not be summoned, a jury of six people could not be seated, and service to potential jurors could not be delivered.

Nationwide, there are 184 tribes with courts that received \$23.241 million in Federal funding in 2014. The Review Team's Assessments have indicated that the Bureau of Indian Affairs only funds tribal courts at 26 percent of the funding needed to operate. Tribes who have economic development generally subsidize their tribal courts. On the flip side, tribes who cannot afford to assist in the financial operations of the court are tasked with doing the best they can with what they have even at the expense of decreasing or eliminating services elsewhere. This while operating at a disadvantage with already overstressed resources and underserved needs of the tribal citizens. The assessment suggests that the smaller courts are both the busiest and most underfunded.

The grant funding in the Department of Justice (DOJ) is intended to be temporary, but instead it is used for permanent needs; such as funding a drug court clerk who then is used as a court clerk with drug court duties. When the funding runs out, so does the permanent position. We have witnessed many failed drug courts, failed court management software projects (due to training costs) and incomplete Code development projects. When the Justice funding runs out, so does the project.

As a directive from the Office of Management and Budget in fiscal year 2005, our Reviews specifically examined how tribes were using Federal funding. In the seven fiscal years through September 31, 2011 there were only two isolated incidents of a questionable expenditure of Federal funds. It has been speculated that because of limited resources, tribal courts compromise a person's due process and invoke "speedy trials" violations to save money. To the contrary everyone who is processed through the tribal judicial system is afforded their constitutional civil liberties and civil rights.

Tribal courts need an immediate, sustained and increased level of funding. There are strong indications that the courts will put such funding to good use.

Tribal courts have other serious needs. Tribal Appellate Court Judges are mostly attorneys who dedicate their services for modest fees that barely cover costs for copying and transcription fees. Tribal courts do offer jury trials. In many courts, one sustained jury trial will deplete the available budget. The only place to minimize expenses is to fire staff. Many tribal courts have Defense Advocates. These advocates are generally not law trained and do a good job protecting an individual's rights (including assuring speedy trial limitations are not violated.) However, this is a large item in court budgets and if the defense advocate, or prosecutor, should leave, the replacement process is slow.

This Congress and this administration can do something great. Put your money where your promises have been and support the Acts you have passed by increasing funding for tribal courts. Thank You. Independent Review Team: Elbridge Coochise, Chief Justice Retired; Ralph G. Gonzales, Esq.; Charles D. Robertson, Esq. and Myrna R. Rivera, Court Reporter.

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PREPARED STATEMENT OF THE INTERSTATE MINING COMPACT COMMISSION

My name is Gregory E. Conrad and I serve as Executive Director of the Interstate Mining Compact Commission (IMCC). I appreciate the opportunity to present this statement to the subcommittee regarding the views of the Compact's 26 member States on the fiscal year 2015 budget request for the Office of Surface Mining Reclamation and Enforcement (OSM) within the U.S. Department of the Interior. In its proposed budget, OSM is requesting \$53.2 million to fund title V grants to States and Indian tribes for the implementation of their regulatory programs, a reduction

of \$15.4 million or 22 percent below the fiscal year 2014 enacted level. OSM also proposes to reduce mandatory spending for the abandoned mine lands (AML) program by \$64 million pursuant to a legislative proposal to eliminate all AML funding for certified States and tribes.

The Compact is comprised of 26 States that together produce some 95 percent of the Nation's coal, as well as important noncoal minerals. The Compact's purposes are to advance the protection and restoration of land, water and other resources affected by mining through the encouragement of programs in each of the party States that will achieve comparable results in protecting, conserving and improving the usefulness of natural resources and to assist in achieving and maintaining an efficient, productive and economically viable mining industry.

OSM has projected an amount of \$53.2 million for title V grants to States and tribes in fiscal year 2015, an amount which is matched by the States each year. These grants support the implementation of State and tribal regulatory programs under the Surface Mining Control and Reclamation Act (SMCRA) and as such are essential to the full and effective operation of those programs. Pursuant to these primacy programs, the States have the most direct and critical responsibilities for conducting regulatory operations to minimize the impact of coal extraction operations on people and the environment. The States accomplish this through a combination of permitting, inspection and enforcement duties, designating lands as unsuitable for mining operations, and ensuring that timely reclamation occurs after mining.

In fiscal year 2014, Congress approved \$68.6 million for State title V grants pursuant to the Omnibus Appropriations bill.<sup>1</sup> This continued a much-needed trend whereby the amount appropriated for these regulatory grants aligned with the demonstrated needs of the States and tribes. The States are greatly encouraged by amounts approved by Congress for title V grant funding over the past several fiscal years. These grants had been stagnant for over 12 years and the gap between the States' requests and what they received was widening. This debilitating trend was compounding the problems caused by inflation and uncontrollable costs, thus undermining our efforts to realize needed program improvements and enhancements and jeopardizing our efforts to minimize the potential adverse impacts of coal extraction operations on people and the environment.

In its fiscal year 2015 budget, OSM has once again attempted to reverse course and essentially unravel and undermine the progress made by Congress in supporting State programs with adequate funding. As States prepare their future budgets, we trust that the recent increases approved by Congress will remain the new base on which we build our programs. Given fiscal constraints on State budgets from the downturn in the economy, some States have only recently been able to move beyond hiring and salary freezes and restrictions on equipment and vehicle purchases, all of which have inhibited States' ability to spend all of their Federal grant money. A clear message from Congress that reliable, consistent funding will continue into the future will do much to stimulate support for these programs by State legislatures and budget officers who each year, in the face of difficult fiscal climates and constraints, are also dealing with the challenge of matching Federal grant dollars with State funds. Please keep in mind that a 22 percent cut in Federal funding generally translates to an additional 22 percent cut for overall program funding for many States, especially those without Federal lands, since these States can generally only match what they receive in Federal money.

It is important to note that OSM does not disagree with the States' demonstrated need for the requested amount of funding for title V regulatory grants. Instead, OSM's solution for the drastic cuts comes in the way of an unrealistic assumption that the States can simply increase user fees in an effort to "eliminate a de facto subsidy of the coal industry." No specifics on how the States are to accomplish this far reaching proposal are set forth, other than an expectation that they will do so in the course of a single fiscal year. OSM's proposal is completely out of touch with the realities associated with establishing or enhancing user fees, especially given the need for approvals by State legislatures. IMCC's polling of its member States confirmed that, given the current fiscal and political implications of such an initiative, it will be difficult, if not impossible, for most States to accomplish this feat at all, let alone in less than 1 year. OSM is well aware of this, and yet has every inten-

<sup>1</sup>In approving this amount for State grant funding in fiscal year 2014, Congress noted that: "The bill provides \$122,713,000 for regulation and technology. Within this amount, the bill funds regulatory grants at \$68,590,000, equal to the fiscal year 2012 enacted level. The Committees find the budget proposal to reduce regulatory grants would undermine the State-based regulatory system. It is imperative that States continue to operate protective regulatory programs as delegation of authority to the States is the cornerstone of the surface mining regulatory program."

tion of aggressively moving forward with a proposal that is doomed from its inception. We strongly urge the subcommittee to reject this approach and mandate that OSM continue to work through the complexities associated with any future user fees proposal in close cooperation with the States and tribes prior to cutting Federal funding for State title V grants.<sup>2</sup> Some of these efforts have recently begun and may prove useful.

At the same time that OSM is proposing significant cuts for State programs, the agency is proposing sizeable increases for its own program operations (almost \$4 million) for Federal oversight of State programs, including an increase of 12 full-time equivalents (FTEs). In making the case for its funding increase, OSM's budget justification document contains vague references to the need "to improve the implementation of existing laws" and to "strengthen OSM's skills base." More specifically, OSM states in its budget justification document that "with greater technical skills, OSM anticipates improved evaluation of permit-related actions and resolution of issues to prevent unanticipated situations that otherwise may occur as operations progress, thereby improving implementation of existing laws". In our view, this is code language for enhanced and expanded Federal oversight of State programs and reflects a move by OSM to exert a more direct role in State programs, especially regarding permitting decisions, thereby weakening State primacy. However, without more to justify the need for more oversight and the concomitant increase in funding for Federal operations related thereto, Congress should reject this request. The overall performance of the States as detailed in OSM's annual State program evaluation reports demonstrates that the States are implementing their programs effectively and in accordance with the purposes and objectives of SMCRA.<sup>3</sup>

In our view, this suggests that OSM is adequately accomplishing its statutory oversight obligations with current Federal program funding and that any increased workloads are likely to fall upon the States, which have primary responsibility for implementing appropriate adjustments to their programs identified during Federal oversight. In this regard, we note that the Federal courts have made it abundantly clear that SMCRA's allocation of exclusive jurisdiction to the States was "careful and deliberate" and that Congress provided for "mutually exclusive regulation by either the Secretary or State, but not both." *Bragg v. West Virginia Coal Ass'n*, 248 F. 3d 275, 293-4 (4th Cir. 2001), cert. denied, 534 U.S. 1113 (2002). While the courts have ruled consistently on this matter, the question remains for Congress and the administration to determine, in light of deficit reduction and spending cuts, how the limited amount of Federal funding for the regulation of surface coal mining and reclamation operations under SMCRA will be directed—to OSM or the States. For all the above reasons, we urge Congress to approve not less than \$69 million for State and tribal title V regulatory grants, as fully documented in the States' and tribes' estimates for actual program operating costs.<sup>4</sup>

<sup>2</sup>It has taken OSM over 3 years to develop a proposal of its own for cost recovery that will apply to Federal and Indian lands programs where OSM is the regulatory authority. On March 26 of last year, OSM republished a proposed rule (78 Federal Register 20394) that would adjust existing permit fees and assess new fees to recover the actual costs for permit review and administration and permit enforcement activities provided to the coal industry. Comments on the proposal were due on May 28, 2013. OSM has asserted that the rule could serve as a template for similar efforts by the States (even though, to date, the agency has still not promulgated a final rule). Regardless of whether OSM's assertion is true, and contrary to OSM's implication that the States should have already moved forward with similar proposals of their own based on the fact that OSM has included this suggested approach in its last four proposed budgets, OSM is well aware of the complexities associated with a proposal of this magnitude for the States based on extensive information we have provided to the agency. We are happy to share that information with the subcommittee. It will clearly take more than a single fiscal year for the States to seriously consider and undertake such an effort. And most importantly, the subcommittee has directed OSM in each of the past 4 fiscal years "to discontinue efforts to push States to raise fees on industry as the bill provides the funds necessary for States to run their regulatory programs."

<sup>3</sup>The Congress agreed with this assessment when it commented as follows on OSM's proposed increase in fiscal year 2014: "The [Omnibus Appropriations] agreement does not provide funds to expand and enhance Federal oversight activities of State programs." Furthermore, the States are confounded by OSM's desire to increase its staff by 12 FTEs when it currently has more than twice that number of unfilled positions in the agency. Is OSM attempting to add 12 new FTEs, or fill a portion of the vacancies? In either event, the \$4 million intended for this purpose is better spent by the States in their role as the primary enforcement and permitting SMCRA authority, rather than by OSM oversight to second-guess State decisions.

<sup>4</sup>We continue to be concerned about recent OSM initiatives, primarily by policy directive, to duplicate and/or second-guess State permitting decisions through the reflexive use of "Ten-Day Notices" (TDNs) as part of increased Federal oversight or through Federal responses to citizen complaints. Aside from the fact that these actions undermine the principles of primacy that un-

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With regard to funding for State title IV Abandoned Mine Land (AML) program grants, congressional action in 2006 to reauthorize title IV of SMCRA has significantly changed the method by which State reclamation grants are funded. Beginning with fiscal year 2008, State title IV grants are funded primarily by mandatory appropriations. As a result, the States should have received a total of \$250 million in fiscal year 2015. Instead, OSM has budgeted an amount of \$186 million based on an ill-conceived proposal to eliminate mandatory AML funding to States and tribes that have been certified as completing their abandoned coal reclamation programs. This \$64 million reduction repudiates the comprehensive restructuring of the AML program that was passed by Congress in 2006, following over 10 years of congressional debate and hard fought compromise among the affected parties. We urge the Congress to reject this unjustified, ill-conceived proposal, delete it from the budget and restore the full mandatory funding amount of \$250 million. We also endorse the statement of the National Association of Abandoned Mine Land Programs (NAAML), which goes into greater detail regarding the implications of OSM's legislative proposal for the States and tribes.

We further ask the subcommittee to support funding for OSM's training program, including moneys for State travel. These programs are central to the effective implementation of State regulatory programs as they provide necessary training and continuing education for State agency personnel. We note that the States provide nearly half of the instructors for OSM's training course and, through IMCC, sponsor and staff benchmarking workshops on key regulatory program topics. IMCC also urges the subcommittee to support funding for Technical Innovation and Professional Services (TIPS), a program that directly benefits the States by providing critical technical assistance. Finally, we support funding for the Watershed Cooperative Agreements in the amount of \$1.5 million.

With regard to the proposal contained in OSM's budget to establish a hardrock AML program, the States have consistently advocated for legislation that would allow them to address historic hardrock AML problem areas, beginning with the inclusion of section 409 of SMCRA in 1977. There is clearly a need to establish both the funding mechanism and the administrative program to address these legacy sites, be it through a fee or through a meaningful Good Samaritan program that provides liability protection for those undertaking this type of work. We believe that OSM is in the best position to administer a hardrock AML program, given its 35 years of experience in operating the title IV program under SMCRA. Our only concern is that, while on the one hand OSM is advocating for the establishment of a hardrock AML program, it is also pushing for the elimination of funding for certified States and tribes to accomplish this very work.

We appreciate the opportunity to submit this statement on the Office of Surface Mining's proposed budget for fiscal year 2015. We would be happy to answer any questions or provide additional information at your request.

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PREPARED STATEMENT OF THE INTERTRIBAL TIMBER COUNCIL

SUMMARY

Mr. Chairman, members of the subcommittee, I am Phil Rigdon, president of the Intertribal Timber Council (ITC) and deputy director of natural resources for the Yakama Nation. The ITC offers the following recommendations for fiscal year 2015 Indian forestry-related activities in the Bureau of Indian Affairs (BIA), the Department of Interior (DOI) Office of Wildland Fire Management (OWF), and the USDA Forest Service (USFS):

BUREAU OF INDIAN AFFAIRS

1. Increase BIA forestry by \$25 million as a first step to providing the \$100 million needed for funding parity with other Federal forestry programs, as recommended by the Indian Forest Management Assessment Team (IFMAT) III report.
2. Increase BIA forestry projects by \$12.7 million to initiate a BIA Forestry Workforce Development program, as recommended by IFMAT III.
3. Increase BIA Cooperative Landscape Conservation funding to \$20 million to support tribal participation.
4. Increase the BIA Endangered Species funding to \$10 million.
5. Support the BIA Invasive Species request of \$6.7 million.

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derscore SMCRA and are therefore likely to have debilitating impacts on the State-Federal partnership envisioned by the act, they also have very direct impacts on limited State and Federal resources that must be devoted to addressing all TDNs, regardless of their veracity.

## OFFICE OF WILDLAND FIRE MANAGEMENT

6. Support the Preparedness increase of \$37 million.
7. Increase Fuels Management funding to \$206 million.
8. Support the Disaster Fire Funding legislative proposal.
9. Support the \$30 million Resilient Landscapes initiative.

## UNITED STATE FOREST SERVICE

10. Encourage expanded support for the ITC Anchor Forest initiative.
11. Encourage the USFS to make implementation of the Tribal Forest Protection Act (TFPA) a "priority."

## INDIAN FOREST MANAGEMENT ASSESSMENT TEAM III

Many of our comments and recommendations reflect the third IFMAT report, the statutorily required (Public Law 101-630, Sec. 312) decadal review and report on tribal forests and forestry conducted by an independent Indian Forest Management Assessment Team (IFMAT). Previous IFMAT reviews and reports were done in 1993 and 2003. The 2013 report, IFMAT III, was mailed to this subcommittee about a month ago. We urge the subcommittee to review the report and consider its findings and recommendations in your fiscal year 2015 deliberations.

The IFMAT III report examines tribal forests using a "FIT" framework: Fire, Investment and Transformation:

- "Fire" represents the increasingly large role wildland fire and other threats present to the health and productivity of tribal forests;
- "Investment" represents the need for Federal funding and trust support to meet forest-related fiduciary obligations and ensure a sustainable future for Indian forests; and
- "Transformation" represents the emergence of Indian forestry as a model for sustainable landscape management.

IFMAT III examines eight specific review areas required by the statute, including staffing and funding, and also looks at additional issues such as climate change, the Anchor Forests initiative, and implementation of the TFPA.

IFMAT III found that chronically insufficient funding and worsening staff shortages pose threats to tribal forests and communities from both foregone economic opportunities and resource losses due to wildland fire, insects, disease, and climate change. Federal trust management funding of Indian forests is still only one-third of that for National Forests; an additional \$100 million is needed to bring Indian forestry and wildfire management to parity. Staffing shortfalls are jeopardizing the capacity to care for forest resources; IFMAT III found that 800 additional positions in a wide variety of skill areas are needed to provide adequate staffing and \$12.7 million is needed annually for recruitment, training and retention.

Against this background, the ITC makes the following comments and requests for fiscal year 2015:

## BUREAU OF INDIAN AFFAIRS

1. Increase BIA forestry by \$25 million as a first step to provide the \$100 million needed for funding parity with other Federal forestry programs, as recommended by IFMAT III.

We request that the fiscal year 2015 BIA forestry budget be increased by \$25 million, to \$70.9 million, to begin to reduce the glaring \$100 million funding disparity with other Federal forestry programs as discussed in the IFMAT III report. Of the \$25 million increase, allocate \$20 million to Tribal Priority Allocations (TPA) Forestry to strengthen base BIA and tribal forest staffing and management activities and \$5 million to forestry projects to reduce the Forest Development planting and thinning backlog that covers one-sixth of the trust forest area. As additional staffing capacity is developed (see item 2 below), further budget movement toward parity funding can be accommodated.

2. Increase BIA forestry projects by \$12.7 million to initiate a BIA Forestry Workforce Development program, as recommended by IFMAT III.

BIA and tribal forestry are facing a staffing crisis. The IFMAT III report states 800 additional BIA forestry positions are needed, and an increasing number of existing positions are unfilled due to retirements and funding shortfalls. Trained personnel are needed to enable the sustainable trust management of our forests, including the harvest of timber needed to maintain forest health and support economies that provide jobs and income for tribal communities. For example, on the Yakama Reservation, 33 of the 55 BIA forestry positions have not been filled for a

long time, despite repeated tribal pleas. Harvest targets sought by the tribe are not being met, forest health is suffering, and economic opportunities are being lost. To begin to address this large and growing personnel shortage and its negative consequences on the Federal trust and tribal economies, \$12.7 million is needed to start a program to attract, train and retain forestry staff.

3. Increase BIA Cooperative Landscape Conservation (CLC) funding to \$20 million to develop tribal capacity.

We request that CLC funding be increased by \$10 million, with the additional amount dedicated to supporting sustained tribal technical and administrative engagement in DOI's climate initiatives. Because of dependence on place and natural resources, tribes are particularly vulnerable to climate change. The BIA's fiscal year 2015 CLC budget of less than \$10 million is inadequate to support the needs of the 566 federally-recognized tribes to monitor and address the impacts of climate change over the long term.

4. Increase BIA Endangered Species funding to \$10 million.

ITC requests BIA ESA be funded at \$10 million so the myriad listed species throughout Indian Country nationwide can be better addressed. BIA's \$2.7 million request for ESA is an improvement over past years, but the proposal is just half of the ESA per-acre funding for BLM and still below the \$3 million appropriated for BIA ESA in fiscal year 2002. A further significant increase in BIA ESA to \$10 million is fully warranted.

5. Support the BIA Invasive Species request of \$6.7 million.

Invasive species are inflicting increasing damage on tribal trust resources, including tribal forests. The \$6.7 million request is needed and welcome to help stem the invasive species encroachment that is threatening trust resources.

#### DEPARTMENT OF THE INTERIOR WILDLAND FIRE MANAGEMENT

6. Support the \$37 million Preparedness increase.

The increase will alleviate the penalty BIA and the tribes now bear in absorbing contract support costs (CSCs) for carrying out Preparedness functions. This is in line with the policy goal of fully funding CSCs without harming services. The requested increase also strengthens tribal wildfire management capacity and provides for recruitment and training of future generations of Native American wildland fire fighters, whose jobs are a source of pride and economic opportunity in tribal communities and provide a national asset in wildland fire fighting.

7. Increase Fuels Management funding to \$206 million.

ITC supports fiscal year 2015 Fuels Management funding restored to its fiscal year 2010 \$206 million level. The Department's fuels reduction backlog remains huge, preventative projects are much more cost effective than suppression, and fuels funding has never come close to the projected amount needed to reduce risks of fuels. Within the fiscal year 2015 Fuels Management appropriation, ITC strongly supports the designation of \$10 million for tribal resource management landscape restoration, to allow tribes to engage in proactive fuels and forest health projects on or off trust lands to protect tribal trust assets and treaty rights. The ITC wishes to extend our gratitude to OWF for moving beyond the difficult Hazardous Fuels Prioritization and Allocation System (HFPAS) fuels fund allocation process, and its efforts to seek the involvement of tribes in determining how available funding can best be allocated to protect tribal communities and values.

8. Support the Disaster Fire Funding legislative proposal.

ITC supports the legislative proposal to treat extreme fire costs (above 70 percent of the 10 year average) as the natural disasters that they are, reducing the consequences of fire costs both on DOI's operations and budgets.

9. Support the \$30 million Resilient Landscape initiative.

With the initiative, fuels and health projects can be more broadly applied beyond the wildland-urban interface (WUI).

#### UNITED STATES FOREST SERVICE

10. Encourage expanded support for the ITC Anchor Forest initiative.

We ask that you support, and encourage continued Forest Service support of, the ITC's Anchor Forest initiative. The initiative is fostering long-term collaborative active forest management across the landscape to maintain ecological functions and sustain economically viable infrastructure for harvesting, transportation, and proc-

essing forest products. Tribes, with long-term commitment to stewardship, can and must play a key role in fostering Anchor Forests. Currently, the ITC Anchor Forest initiative involves three study areas in the States of Washington and Idaho (involving Yakama, Colville, and the Spokane and Coeur d'Alene Tribes), with participatory and resource support from the USFS Regional Office. The project is bringing diverse interests to the table to begin to develop the collaborative process of working together in common purpose. Now, tribes in the Lakes States, the Midwest and the Southwest are expressing interest in the Anchor Forest concept for landscape-based forests. We ask the subcommittee to encourage the USFS and other agencies within the Department of Agriculture, such as the Natural Resources Conservation Service and the Rural Development Administration, to support and participate in Anchor Forests.

11. Encourage the USFS to make implementation of Tribal Forest Protection Act (TFPA) a "priority."

Finally, we ask that you urge the USFS to make reform and implementation of the TFPA (Public Law 108-278) a "priority." The TFPA was enacted to enable tribes to undertake fuels management and forest restoration projects on Forest Service or BLM lands that pose a fire, disease or other threat to tribal trust forests, reserved rights and cultural resources. But only a handful of TFPA projects have been implemented in the decade since the authority was enacted. USFS has been painfully slow in adoption of the recommendations of an ITC review of TFPA implementation, done in collaboration with the USFS and BIA. An effective TFPA will help restore the landscape to a healthy and resilient condition. We ask that you urge the Forest Service to make the TFPA a "priority" to save landscapes at high risk to climate change.

INTERTRIBAL TIMBER COUNCIL BACKGROUND

The ITC is a 38-year-old association of some 60 forest owning tribes and Alaska Native organizations that collectively manage more than 90 percent of the 18 million acres of BIA trust timberland and woodland. These forests cover about one third of the Indian trust land base and provide thousands of jobs and significant economic activity in and around Indian Country. Beyond their economic importance, forests also store and filter the water and purify the air to sustain life itself. They sustain habitats for the fish and wildlife, produce foods, medicines, fuel, and materials for shelter, transportation, and artistic expression. In short, our forests are vital to our economies, cultures and spiritual well being.

Mr. Chairman, subcommittee members, we invite you to come visit our reservations and our forests to see what we have done and what we hope to do in the future.

PREPARED STATEMENT OF THE JAMESTOWN S'KLALLAM TRIBE

On behalf of the Jamestown S'Klallam Tribe, I respectfully submit these requests and recommendations for the fiscal year 2015 Bureau of Indian Affairs (BIA) and Indian Health Service (IHS) budgets to honor the trust responsibility and support tribal prosperity and well-being. We renew our request that Congress work together to achieve a balanced approach to the budget which includes raising new revenue sources and do not rely solely on cuts to discretionary spending. We request the following:

1. Move BIA and IHS contract support costs to mandatory spending.
2. Provide advanced appropriations for the Indian Health Service.
3. Increase Tribal Priority Allocation funding, and provide \$15 million for the Housing Improvement Program within that fund.
4. Provide a \$181.2 million increase for Purchased/Referred Care.

The Federal approach to deficit reduction has been significantly unbalanced with non-defense Federal programs shouldering the fiscal burden of these budget cuts. Discretionary programs have already experienced \$2.5 trillion in spending cuts as a result of reductions in the fiscal year 2011 Continuing Resolution, the Budget Control Act, the American Taxpayer Relief Act, the Bipartisan Budget Act of 2013, and the Farm Bill. At the same time, revenue has increased by only \$778 billion. Tribes are funded out of the non-defense discretionary budget and have experienced significant hardship with the imposed budget reductions for tribal programs. Additional budgetary restrictions would devastate our tribal economies impacting not only our tribal citizens but also the surrounding non-Native communities whom we employ and provide with much needed services, such as, public safety, education, health and dental care.

In addition to the items detailed below, our tribe would like to reiterate that we are a direct beneficiary of the collective tribal efforts and continuing efforts of the National Congress of American Indians, the Affiliated Tribes of Northwest Indians, the Northwest Portland Area Indian Health Board, and the Northwest Indian Fisheries Commission. The tribe supports the requests and recommendations of those organizations specifically.

1. *Ensure that Contract Support Costs are Mandatory Spending.*—We are pleased that the administration has sought to fully fund contract support costs (CSC) under the Indian Self-Determination and Education Assistance Act (ISDEAA) in fiscal year 2015, and we urge Congress to support that goal. We acknowledge that the administration's request is a direct response to Congress' actions with regard to fiscal year 2014 appropriations, which removed historical caps on CSC funding and rejected the administration's proposal—put forward without tribal consultation and vehemently opposed by tribes—to individually cap contract support costs recovery at the contractor level. Contract support costs funds vital administrative functions that allow us to operate programs that provide critical services to our members—programs like our full-service OB–GYN facilities in the Jamestown Health Clinic, our comprehensive dental services in our dental clinic, and the many services provided by our Community Health & Wellness Program. If contract support costs are not fully funded, our programs and services are directly impacted because we are forced to divert limited program funding to cover fixed overhead expenses instead. We therefore appreciate Congress' support in fiscal year 2014 and hope that it carries through to fiscal year 2015 and beyond.

However, the CSC funding problem is not yet solved. Full funding for CSC must not come with a penalty—namely, a reduction in program funding or effective permanent sequestration of Indian program funds. That result would have the same devastating effect on our service delivery as the failure to fully fund CSC. Yet Congress, in the Joint Explanatory Statement accompanying the fiscal year 2014 Consolidated Appropriations Act, noted that “since [contract support costs] fall under discretionary spending, they have the potential to impact all other programs funded under the Interior and Environment Appropriations bill, including other equally important tribal programs.” Without any permanent measure to ensure full funding, payment of CSC remains subject to agency “discretion” from year to year, even though tribes are legally entitled to full payment of CSC under the ISDEAA. Noting these ongoing conflicts of law, Congress directed the agencies to consult with tribes on a permanent solution.

In our view, there is a logical permanent solution which Congress is empowered to implement: CSC should be appropriated as a mandatory entitlement. The Congressional Budget Office defines “Entitlement” as “A legal obligation of the Federal Government to make payments to a person, group of people, business, unit of government, or similar entity that meets the eligibility criteria set in law and for which the budget authority is not provided in advance in an appropriation act.” Further, “Spending for entitlement programs is controlled through those programs’ eligibility criteria and benefit or payment rules.”<sup>1</sup> CSC meets every part of this definition except that the budget authority is currently provided and controlled through appropriation acts—as if CSC were a discretionary program. Under the Indian Self-Determination and Education Assistance Act, the full payment of CSC is not discretionary, but is a legal obligation of the United States. Indeed, the underlying purpose of the ISDEAA—to end Federal domination of Indian programs and allow for meaningful control by Indian tribes over their own destinies in the face of Federal bureaucratic resistance—will always be threatened so long as the mechanisms that allow the statute to function are considered “discretionary.”

From an appropriations standpoint, the fiscal year 2014 Joint Explanatory Statement recognized that the current fundamental mismatch between the mandatory nature of CSC and the current appropriation approach leaves both the House and Senate Committees on Appropriations in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.” As the Joint Explanatory Statement also noted, “Typically obligations of this nature are addressed through mandatory spending.” The obvious solution then is to bring the appropriations process in line with the statutory requirements and to recognize CSC for what it is: a mandatory entitlement, not a discretionary program. We therefore strongly urge the Congress to move to appropriate funding for CSC on a mandatory basis.

2. *The Need for Indian Health Service Advance Appropriations.*—The Federal health services to maintain and improve the health of American Indians and Alaska

<sup>1</sup> Congressional Budget Office Glossary, available at <http://www.cbo.gov/publication/42904> (updated January 2012).

Natives are consonant with and required by the Federal Government's historical and unique legal relationship with, and resulting responsibility to, the American Indian and Alaska Native people. Since fiscal year 1998 there has been only 1 year (fiscal year 2006) when the Interior, Environment and Related Agencies appropriations bill has been enacted by the beginning of the fiscal year. Even after enactment of an appropriations bill (or a series of increasingly confusing continuing resolutions), there is an apportionment process involving the Office of Management and Budget and then a process within the IHS for allocation of funds to the IHS Area Offices.

Seriously delayed funding causes the IHS and tribal healthcare providers great challenges in planning and managing care for American Indians and Alaska Natives. It significantly hampers tribal and IHS healthcare providers' budgeting, recruitment, retention, provision of services, facility maintenance and construction efforts. Receipt of funds late also severely impacts our tribe's ability to invest the funds and generate interest which can be used to offset the chronic underfunding of the region's health programs. Providing sufficient, timely, and predictable funding is needed to ensure the Government meets its obligation to provide healthcare for Native people. We—and all tribes and tribal organizations—are hampered by the uncertainty as to whether Congress will provide funding for built-in costs, including inflation and pay increases, what amount of funding we might receive with regard to signing outside vendor/and or medical services contracts, ordering supplies, and making crucial hiring decisions.

*Advance Appropriations Explanation.*—As you know, an advance appropriation is funding that becomes available 1 year or more after the year of the appropriations act in which it is contained. For instance, if fiscal year 2016 advance appropriations for the IHS were included in the fiscal year 2015 Interior, Environment and Related Agencies Appropriations Act, those advance appropriations would not be counted against the fiscal year 2015 Interior Appropriations Subcommittee's funding allocation but rather would be counted against its fiscal year 2016 allocation. It would also be counted against the ceiling in the fiscal year 2016 Budget Resolution, not the fiscal year 2015 Budget Resolution.

To begin an advanced appropriations cycle there must be an initial transition appropriation which contains (1) an appropriation for the year in which the bill was enacted (for instance, fiscal year 2015) and (2) an advance appropriation for the following year (fiscal year 2016). Thereafter, Congress can revert to appropriations containing only 1 year advance funding. If IHS funding was on an advance appropriations cycle, tribal healthcare providers, as well as the IHS, would know the funding a year earlier than is currently the case and would not be subject to Continuing Resolutions. However, we note that advance appropriations are subject to across-the-board reductions.

*The Veterans Administration Experience.*—In fiscal year 2010 the Veterans Administration (VA) medical care programs achieved advance appropriations. This came after many years of veterans' organizations advocating for this change, including enactment of the Veterans Health Care Budget Reform and Transparency Act of 2009 (Public Law 111–81) which authorized advance appropriations and specified which appropriations accounts are to be eligible for advance appropriations. The Act required the Secretary to include in documents submitted to Congress, in support of the President's detailed budget estimates, the funds necessary for the medical care accounts of the VA for the fiscal year following the fiscal year for which the budget is submitted.

The fact that Congress has implemented advance appropriations for the VA medical programs provides a compelling argument for tribes and tribal organizations to be given equivalent status with regard to IHS funding. Both systems provide direct medical care and both are the result of Federal policies. Just as the veterans groups were alarmed at the impact of delayed funding upon the provision of healthcare to veterans and the ability of the VA to properly plan and manage its resources, tribes and tribal organizations have those concerns about the IHS health system. Currently there are to bills (H.R. 813/S. 932) seeking to expand VA advance appropriation to all discretionary accounts not just medical. We also note that there is legislation (H.R. 3229 and S. 1570) pending in this Congress that would expand advance appropriations to the IHS. We thus request this subcommittee's active support for any legislation that may be needed to authorize IHS advance appropriations, to protect such funding from a point of order in the Budget Resolution, and to appropriate the necessary funds.

3. *\$15 Million Increase for HIP Program in Tribal Priority Allocation (TPA) Funding in the BIA Budget.*—Tribal priority allocations fund essential core governmental services. We use these dollars to provide the most basic needs for our tribal citizens: food, clothing and shelter and to provide critical services, including, law enforce-

ment, education, transportation, natural resources and economic development. Since 1996, tribal government core services are operating with over a 30 percent reduction in base funds. We urge you to adequately fund TPA to enhance the health and well-being of our communities.

*Restore Funding to the Housing Improvement Program.*—The HIP program is an important component of TPA funding. It serves the neediest population—those at 125 percent of the Federal income poverty guidelines. The President requests only \$8 million for this fund—even funding from last year, which was a drastic reduction from the nearly \$12 million in fiscal year 2013. This reduction is based on the false presumption that the program is duplicative of HUD programs. The assumption is wrong, and we urge you to provide \$15 million in funding for this program that provides an essential service to our tribal citizens: safe and sanitary housing.

4. *\$ 181.2 Million Increase Funding for Purchased/Referred Care (formally called Contract Health Services).*—Most IHS and tribally operated direct care facilities do not provide the required emergency and specialty care services, so tribes are forced to turn to the private sector to fulfill this critical need. Purchased/Referred Care funds are used to purchase essential healthcare services, including inpatient and outpatient care, routine emergency ambulatory care, transportation and medical support services (like diagnostic imaging, physical therapy, laboratory, nutrition, and pharmacy services).

Thank you on behalf of the Jamestown S'Klallam Tribe.

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PREPARED STATEMENT OF THE JICARILLA APACHE NATION

MARCH 31, 2014.

Hon. JACK REED, *Chairman*,  
 Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in “Conservation and Restoration” funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled “Conservation and Restoration”) to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS “Conservation and Restoration” funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled “National Fish Hatchery System Operations”) for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

TY VICENTI,  
*President.*

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PREPARED STATEMENT OF MRS. BARBARA KING

Mr. Chairman and distinguished members of the subcommittee: My name is Barbara King and I am a resident of Texas, an owner of rural property in Colorado, and an advocate for land exchange reform. I testified in 2011 before the U.S. House

Appropriations Subcommittee on Environment, Interior and Related Agencies, and appreciate your willingness to consider this additional testimony on the same subject. I am convinced of the need for revising BLM land exchange regulations to protect the public, based on what my neighbors and I experienced as participants in the 2007, Emerald Mountain Land Exchange (EMLEX.) Your committee can prevent the recklessness by which the land exchange program is being managed by interviewing the officials responsible for overseeing it to assess their actual knowledge of land exchange regulations and the Land Exchange Handbook policies on public notification and working with land exchange facilitators (specifically for-profit real estate brokers.) I believe you will be astounded at what you find, and will see an immediate need to revise these regulations so they are clear and reasonable.

At the State level, land managers such as Colorado's John Beck should be asked why they admittedly do not follow the BLM Land Exchange Handbook policies, cavalierly putting your constituents' historic land use patterns and land values at risk. Mr. Beck had told me that the Handbook is only a guide, and no case law enforces it. Obviously, the very wide discretion given to land managers to ignore these policies can easily lead to poor decisions with enormous consequences. Specifically, as shown in the EMLEX, BLM does not exercise the Full Disclosure policy whereby land exchange facilitators must reveal all purchase contracts they hold with prospective owners of the Federal land prior to land appraisals. If BLM does not provide this information to appraisers, as they failed to do in the EMLEX, Federal land appraisals cannot be guaranteed to meet regulation standards. Why does BLM not make this a regulation given the reports year after year of the inadequacy of the appraisal process? Nor, in the EMLEX, were the names of all prospective owners added to the mailing list, ignoring a Handbook requirement to include everyone expressing an ownership interest in the Federal land. This action is crucial to the public, but irrelevant to and ignored by BLM. Failure to obtain full disclosure, according to the very critical 2009, Government Accountability Office (GAO) report, "BLM and the Forest Service Have Improved Oversight of the Land Exchange Process, but Additional Actions Are Needed," has predictable results. GAO writes "Without consistent application, the agencies fail to obtain critical information and potentially risk losing the ability to control the exchange process." A big part of the problem is lack of trained staff. As GAO wrote "The agencies cannot ensure that realty staff develop and maintain necessary skills."

The two problems, inadequate public notification and failure to provide appraisers with complete information, are serious, but the solutions are so straightforward and cost-neutral that I believe your subcommittee will support revising land exchange regulations as you consider funding for the FLPMA this year. Your answers to two questions should determine whether you are willing to do so. First, should BLM notify rural landowners adjacent to Federal land when BLM plans to dispose of it? The Department of the Interior (DOI), and most vehemently, the acting Inspector General, Mary Kendall, says "NO!" That is a clue there is a big problem with common sense at DOI.

Second, do you believe a Federal land appraisal can be guaranteed to be accurate if the appraiser is unaware of its intended use by those holding purchase contracts for it? Of course not! However, DOI says, yes.

I believe that your subcommittee, charged with oversight of the BLM land exchange program, will serve the public well by challenging the Administration's counterintuitive thinking.

The public needs you to find out why BLM officials do not follow their Handbook and its checklist of procedures critical to running a program that, if mismanaged, can literally ruin your constituents' livelihoods. Who can't follow a checklist?

Interviewing two current Department of the Interior (DOI) officials who are responsible for oversight within DOI will reveal why these problems persist. Challenging them directly by asking them detailed questions will show you the remarkable lack of competence and interest within the DOI to do any oversight of this program. Since my Congressional representative, John Culberson (R-TX) and I began our inquiries about the program in 2009, DOI employees have revealed a systemic, evidently coordinated, refusal to examine the problems with the BLM land exchange program identified in the 2009, GAO report. I was told by BLM Deputy Secretary Ned Farquhar in 2009 that he had neither the time nor staff to look into the fact that the Colorado BLM office had not followed its policies regarding public notification or working with facilitators in the EMLEX. Subsequently, he relied on a report from the Colorado office defending their management of the exchange. No one at DOI ever challenged its accuracy by examining case file records or documents obtained through the Freedom of Information Act (FOIA) requests which clearly showed that all BLM officials, including Director Bob Abbey simply repeated numerous demonstrably false statements about the exchange to Mr. Culberson and me. Fi-

nally, and shockingly, the acting Inspector General, Mary Kendall, somehow “confirmed” Mr. Abby’s false statements, and refused to offer a shred of support for her conclusion that BLM had, indeed followed its policies. If Democrats on your subcommittee take an interest in this, it will be an outstanding example of principle over partisanship. If not, the reverse is apparent.

Why does the land exchange program need your oversight? When Federal officials make false statements to congressional appropriators who question them, they must believe you do not have the staff or time to hold them accountable for what is either gross incompetence or willful disregard for facts in order to protect the administration. Thorough public notification of BLM’s actions and obtaining fair value for Federal land are of critical importance to the public, so the regulations and policies addressing those issues should be written clearly for everyone to understand. BLM’s cavalier disregard for your own fundamental property rights will be apparent to members and staff who talk with administration officials about land exchange regulations and policies. Mr. Farquhar and Ms. Kendall should be asked to explain their interpretations of and opinions about the following:

1. Public notification regulations and Handbook policies.

2. *Regulations and Policies regarding oversight of facilitators: GAO report 09–611* made excellent recommendations for improving oversight of facilitators that could be implemented fairly easily if BLM would simply acknowledge the problem. Unfortunately, DOI’s response included in that report, written by Acting Assistant Secretary, Land and Minerals Management, Mr. Ned Farquhar does not even acknowledge the problems with oversight noted in the report, or comment on GAO’s suggestions to correct them. In the report, GAO states the need for additional documentation by the National Land Exchange Team that the Full Disclosure provision of the agreement to initiate (ATI) is indeed exercised in a facilitated land exchange. BLM still refuses to do so. The influence of lobbyists for facilitators may be the reason for this because the risk of inaccurate appraisals is clear.

3. *Oversight of land exchange and appraisal processes within BLM and DOI: GAO report 08–106* “Federal Land Transaction Facilitation Act Restrictions and Management Weaknesses Limit Future Sales and Acquisitions and 10–259T “Challenges to Implementing the Federal Land Transaction Facilitation Act” identify management weaknesses and the lack of staff. “BLM officials reported that they lacked knowledgeable realty staff to conduct land acquisitions, as well as other BLM or department staff to conduct appraisals, surveys, and resource studies. The turnover of management in the State Office conducting the most exchanges, Colorado, is remarkably high. Colorado has had seven State Directors during the period 2002–2014 (Wenker, Koza, Wisely, Hunsaker, Barden, Hankins, Welch). The turnover at the Federal level just with the Obama administration shows the need for clear regulations and policies that these officials and the public can understand. Hopefully, DOI Secretary Jewell, BLM Director Kornze and Assistant Secretary for Land and Minerals Management Schneider will, unlike their predecessors, accept public and congressional scrutiny and make the changes that need to be made. Ironically, it was Secretary Salazar who stated, in his 2011, “Plan for Retrospective Regulatory Review” that “Through this process, we want to gather the best ideas from the public on how to fix regulations that need fixing, eliminate those that are no longer needed, and make government work better for the people we serve.” Your subcommittee has the power to take these problems seriously and fix them. Here is a start. Ms. Kendall’s refusal to provide Mr. Culberson with a full report on her “appraisal review” of one of the EMLEX parcels indicates her profound lack of transparency and contempt for Congressional scrutiny.

4. *Suggested Revisions to land exchange regulations and Handbook*

- a. Regulations CFR 43 2201. 2 and 2201.7–1 should be amended such that the category of those “appropriate” includes

1. adjacent landowners

2015 Appropriations Bill Language proposed by Representative John Culberson (R–TX): “Section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716) is amended by adding at the end the following new subsection: ‘(j) In the case of any exchange involving public land or National Forest System land to be carried out (whether directly or through a third-party) under this Act or other applicable law, the Secretary concerned shall provide written notice of the proposed land exchange to each owner of non-Federal land adjoining the parcel of public land or National Forest System land proposed for exchange and each owner of non-Federal land adjoining the non-Federal land proposed to be acquired in the

exchange. The Secretary shall determine adjoining landowners using the most-recent available tax records. For purposes of providing notification under this subsection, adjoining land means land sharing any length of border with the public land, National Forest System land, or non-Federal land subject to the proposed exchange, including contact solely at a boundary corner.

2. “interested parties” defined as (a) parties who requested information about the exchange directly from BLM (as required by the Handbook) (b) any party known to the facilitator to have an ownership interest in the BLM land shown by a contract with the facilitator or a related agreement to purchase all or part of the newly exchanged BLM property. This information is required to be provided to BLM through the Full Disclosure provision of the ATI.

b. Implement these Specific Directives regarding Land Exchanges based on the GAO report GAO-09-611 through revising regulations to require this:

- ensure careful and fully documented reviews by National Land Exchange Team (NLET) that identify key problems and record their resolutions
- Clearly define third-party facilitators
- Consistently apply disclosure policies to them and, crucially, include documentation of the disclosure in the case file and verification of the disclosure by NLET

c. Revisions to the BLM Land Exchange Handbook Chapter 11E.

Role of Facilitators in Assembling Multiple Parcels or Multiple Ownerships.

BLM should plainly define the meaning of words used in their regulations, policy and personal communications such as “interested party,” “participant” and “client.” Exchange facilitators must be required to be aware of all exchange regulations and policy. BLM realty staff must review all facilitator’s Employment Agreements to verify that the Scope of Work offered to clients is consistent with exchange policy. BLM should add an additional step to the land exchange review process, as GAO-09-611 recommends (p. 42) so that the National Land Exchange Team documents that the Full Disclosure provision was exercised, shown by BLM realty staff having reviewed all contracts the facilitator holds. Both the State realty office and the NLET reviews should be in the exchange case file.

- BLM should distribute a Land Exchange Fact Sheet to “interested parties” holding a contract or related agreement with the facilitator, clarifying the roles of BLM and its facilitator and the exchange parameters.

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#### PREPARED STATEMENT OF THE LEAGUE OF AMERICAN ORCHESTRAS

The League of American Orchestras urges the Senate Interior, Environment, and Related Agencies Appropriations Subcommittee to approve fiscal year 2015 funding for the National Endowment for the Arts (NEA) at a level of \$155 million. We ask Congress to continue supporting the important work of this agency, which increases public access to the arts, nurtures cultural diversity, promotes the creation of new artistic works, and cultivates a sense of cultural and historic pride, all while supporting millions of jobs in communities nationwide.

The League of American Orchestras leads, supports, and champions America’s orchestras and the vitality of the music they perform. Its diverse membership of approximately 800 orchestras runs the gamut from world-renowned symphonies to community groups, from summer festivals to student and youth ensembles. Orchestras unite people through creativity and artistry, fuel local economies and civic vitality, and educate young people and adults. The League remains committed to helping orchestras engage with their communities, and the NEA plays an invaluable role through its direct grants, Federal/State partnerships, and research on trends in public participation and workforce development.

The award of a competitive NEA grant is widely considered an affirmation of national artistic significance. The ability to present nationally recognized programs is highly valued by communities large and small, and being an NEA grant recipient is critical in securing additional funding for a variety of programming and operations. In fiscal year 2013, the NEA’s Grants to Organizations included 100 direct grants to orchestras in the Art Works and Challenge America categories. In the current fiscal year 2014 period, the following eleven highlighted awards total \$200,000 in NEA grants, supporting orchestras that together employ more than 800 musicians and 360 full- and part-time staff.

## NEA FUNDING INCREASES ACCESS FOR UNDERSERVED COMMUNITIES

Together with the organizations it supports, the NEA is dedicated to improving public access to the arts. With a Challenge America grant, the Gulf Coast Symphony Orchestra produced “Something Old, Something New,” a classical music concert featuring trombonist Joe Alessi. The project was created to serve a low-income, rural community. In addition to the public performance, there was also a public dress rehearsal, a master class for a local high school, and free community outreach performances held in Gulfport and Ocean Springs, Mississippi. The public dress rehearsal attracts a full range of local citizens—from high school and college students to residents of retirement homes and local veterans. The Gulf Coast Symphony and its musicians accomplish all of this with the help of just three staff members and an active board.

Another Challenge America recipient serving many with a modest grant is the Bismarck-Mandan Symphony Orchestra (BMSO), the only full symphony orchestra in western and south central North Dakota. With two full-time and two part-time staff, roughly 75 musicians, and more than 40 volunteers, the BMSO will present a series of concerts and activities with guest violinist Michael Ludwig in Bismarck, the orchestra’s home base, and Mott, a rural community of 732 people. The orchestra and Mr. Ludwig will work with local partners in Mott to present a classroom program for student musicians at Mott-Regent Junior/Senior High School, a recital for residents of the Good Samaritan Society-Mott, which provides shelter and supportive services to older persons and others in need, and perform a free evening recital at Mott’s Playhouse Theater. These activities will benefit a community that would otherwise need to travel more than 100 miles to Bismarck in order to enjoy professional music performances.

Orchestras are finding ways to engage underserved communities that are nearby as well as those many miles away. The Seattle Symphony Orchestra (SSO), which employs 150 full-time staff including 84 musicians, will utilize its NEA Art Works grant to help support the New Music Works performance project, which employs music composition as a tool to increase public participation in the arts and creates skill development opportunities for youth. The project will feature compositions that bridge traditional and contemporary cultures. Among these works is a new piece co-created by northwest Native American youth and artists through the SSO’s Cultural Exchanges, which are hosted at tribal venues on a quarterly basis to foster closer relationships and collaborative work with the tribes.

## NEA GRANTS HELP ORCHESTRAS ENGAGE, EDUCATE, AND EQUIP AMERICA’S YOUTH

The experience of live music can bring disparate communities and partners together, united in the purpose of educating and encouraging young people. The Greensboro Symphony’s OrKIDStra program, for example, partners with Guilford County Head Start to serve preschoolers throughout the Piedmont Triad. Tying together literacy skills with classical music, the symphony provides more than 600 Head Start children with free books related to a specific concert theme. Head Start educators work with the children, who later see the book brought to life in an interactive concert featuring the symphony’s Percussion Ensemble and a professional storyteller. Building upon the great success of last year’s program, the Greensboro Symphony, with its 13 full and part-time staff and more than 80 musicians, is expanding its OrKIDStra program this year to include several public performances at the Greensboro Science Center’s new Carolina SciQuarium facility in May 2014.

The Kansas City Symphony, with 80 full-time musicians, 31 full-time staff members, and as many as 200 part-time/seasonal employees, offers more than 170 performances and also education programs that connect with more than 40,000 children and teachers each year, many of whom are in rural and underserved areas. The Kansas City Symphony’s “Festival of Rhythm” program featured performances by percussionist Martin Grubinger playing John Corigliano’s percussion concerto *Conjurer*, and the Festival also included a free community concert of percussion works, a public lecture by Corigliano, and a master class and pre-concert discussions with Grubinger, all reaching more than 6,000 people. In addition, nearly 17,000 students and teachers from 20 communities in northwest Missouri and 21 communities in northeast Kansas learned about rhythm and percussion at 12 KinderKonzerts and Link Up performances.

Thanks to an NEA Challenge America grant, the Fort Smith Symphony Orchestra, which employs four full-time staff and 93 per-service professional musicians, was able to offer for free, an interactive educational program called EARQUAKE!™. In partnership with both public and private schools, this award-winning, live concert series reached 3,500 sixth-graders in a five county region in western Arkansas and eastern Oklahoma, engaging them in a total symphony experience designed to

encourage music appreciation and future participation in the arts. EARQUAKE!<sup>TM</sup> concerts featured exciting music by the full orchestra, complete with video projection, audience participation, and performances by violist Tazonio Anderson. Nearly one-fourth of the Fort Smith students live in poverty, and participating rural Arkansas and Oklahoma schools have acute economic disadvantages with limited arts education budgets.

The San Francisco Symphony Youth Orchestra will use its Art Works grant from the NEA to support the Artistic Development Program. The program complements the youth orchestra's core activity of weekly rehearsals and concert performances by providing students with coaching, mentorship, and specialized training in chamber music. Students will receive free tickets to San Francisco Symphony performances and participate in master classes with guest artists such as composer John Adams, violinist Joshua Bell, and pianist Garrick Ohlsson. Participants will also rehearse at least twice a year with San Francisco Symphony Music Director Michael Tilson Thomas. The San Francisco Symphony currently employs 107 full-time orchestra members and 123 full-time staff.

#### NEA FUNDING ENCOURAGES NEW WORKS AND LOCAL ARTISTRY

NEA grants to orchestras help support the creative work of American composers and musicians. Whether the music is newly composed, inspired by classics, or blends music from different genres, the artistry supported by the NEA is as diverse as the communities that surround their grantees. The Utah Symphony | Utah Opera, whose 56 full-time and 20 part-time employees and 85 full time musicians help bring music to 450,000 residents in Utah and the Intermountain region, received an Art Works grant to support the premiere performance of a percussion concerto by Andrew Norman. Mr. Norman chose the percussion as the solo medium due to its physicality, which he feels compellingly demonstrates the theatrical aspect of live orchestral performance. The world premiere performance of his concerto will feature guest artist Colin Currie in Abravanel Hall, Salt Lake City.

The Portland Symphony Orchestra, led by 82 musicians along with 12 full-time and 5 part-time staff, received an Art Works grant to support audience engagement with both traditional and contemporary compositions in celebration of the orchestra's 90th anniversary season. The orchestra will perform all nine of Beethoven's symphonies over the next three concert seasons, with the upcoming season's February concert to feature Beethoven's Symphony No. 3 and a Beethoven-inspired commissioned piece by a young American composer. A national, competitive application process will held to help launch and promote the career of the selected young American composer, who will also participate in a "mini-residency" which will involve participating in community events such as education symposiums, master classes in local schools, and Q&A events for concert audiences.

Also supporting the work of living composers is the Arkansas Symphony Orchestra, which will use its Art Works funding to support a residency, commission, and premiere of a new work by American composer Christopher Theofinidis. In addition to working with orchestra musicians prior to the premiere, Mr. Theofinidis will also work with underserved students in central Arkansas and take part in pre-concert lectures. The orchestra, which employs eleven full-time musicians, eighty part-time musicians, and twelve full-time staff members, serves over 120,000 Arkansans a year with live music and is proud to premiere the work of Mr. Theofinidis.

The Chicago Sinfonietta, with its 62 musicians, a staff of 4 full-time and 7 part-time employees, and 30-member board, will use its Art Works grant to present unique programming that blends musical and cultural genres. The Cross-Cultural Genre Fusion concert, with related educational activities, is a multicultural exploration of the intersection between symphonic and electronic music and will feature a Bhangra DJ together with two guest conductors—one Brazilian and one African American. Each conductor will conduct one half of the concert and will focus on their individual cultural heritage. Educational activities will include pre-concert discussions and school visits.

Thank you for this opportunity to convey the tremendous value of NEA support for orchestras and communities across the Nation. These are but a sampling of the innovative compositions, thoughtful programming for underserved regions and populations, and lifelong learning opportunities orchestras provide in service to adults and children from all walks of life. The Endowment's unique ability to provide a national forum to promote excellence and engagement through high standards for artistic products and the highest expectation of accessibility remains one of the strongest arguments for a Federal role in support of the arts. We urge you to support creativity and access to the arts by approving \$155 million in funding for the National Endowment for the Arts.

## PREPARED STATEMENT OF THE MANILAQ ASSOCIATION

*Summary.*—The Maniilaq Association is an Alaska Native regional non-profit organization representing twelve tribes in Northwest Alaska. We provide health services through a self-governance agreement with the Indian Health Service (IHS) and social services through a self-governance agreement with the Bureau of Indian Affairs (BIA). We make the following recommendations regarding fiscal year 2015 IHS funding.

- Increase funding for the Village Built Clinic leases in Alaska by at least \$8.5 million
- Make full Contract Support Costs funding mandatory spending.
- Reauthorize the Special Diabetes Program for Indians
- Fund the IHS budget with advanced appropriations.
- Provide a \$50 million allocation to the IHS from the ACA's mandatory Prevention and Public Health Fund for tribal behavioral health grants.
- Improve the safety of Alaska Native communities by affirming tribal jurisdiction.

## FUNDING FOR VILLAGE BUILT CLINICS IN ALASKA

Maniilaq urges Congress to provide full funding for Village Built Clinics (VBCs) in Alaska. VBCs are vital to the provision of basic healthcare in rural Alaska, as they serve as the clinic space for the Community Health Aide Program (CHAP) under the Indian Health Care Improvement Act (IHCIA). The CHAP, which IHS is directed by the IHCIA to carry out, utilizes a network of community health aides and practitioners to provide primary healthcare services in rural and isolated areas where access to those services might not otherwise exist.

Despite the statutory requirement in the IHCIA that the IHS carry out the CHAP in order to ensure access to healthcare in rural Alaska, over the years the IHS has failed to fund VBC leases anywhere near the level of current need. Instead, the IHS has insisted that its funding for VBC leases is capped at \$3 million—the amount appropriated by Congress for VBC leases in 1989. The 1989 appropriation was not a cap restricting IHS allocation of funds in later years, however, and the IHS has discretion to fund VBCs from its lump sum appropriation. The failure of the IHS to allocate funding to VBC leases to meet its statutory obligations under the IHCIA has forced Maniilaq to divert funding from critical healthcare programs to make up the difference, meaning that Maniilaq must offer fewer healthcare services to our communities.

Maniilaq, along with other tribes and tribal organizations in Alaska, has discussed this issue with the IHS on several occasions, and has proposed solutions that the IHS continues to ignore. Accordingly, Maniilaq has recently sought to restructure funding for its VBC facilities by requesting that the IHS enter into leases for those facilities under its Indian Self-Determination and Education Assistance Act (ISDEAA) Section 105(l) leasing authority, and that the leases be incorporated into Maniilaq's ISDEAA funding agreement. Section 105(l) and its implementing regulations at 25 C.F.R. Part 900 require that the Secretary enter into a lease with a tribe or tribal organization, on a mandatory basis upon the request of the tribe or tribal organization, for a facility used by the tribe or tribal organization for the administration and delivery of services under an ISDEAA compact. The statute and implementing regulations also require the Secretary to compensate the tribe or tribal organization for certain costs associated with the lease.

The IHS, however, refused the lease proposal, stating that the agency will not enter into leases with ISDEAA tribal contractors for VBC facilities. IHS also took the position that even if it were to approve the lease, the Secretary may unilaterally elect to provide essentially meaningless "non-monetary compensation" in lieu of the costs listed in the statute and regulations for a Section 105(l) lease. In response, and with the support of several other major tribal organizations, Maniilaq filed suit in Federal District Court early last year asking the court to affirm that the IHS is required by statute to enter into a Section 105(l) lease and to negotiate monetary compensation as provided in the implementing regulations.

If Maniilaq prevails, the case could establish legal precedent that will allow tribal contractors in Alaska to negotiate for full funding for VBCs as part of their funding agreements under the IHS's ISDEAA leasing authority. Such a victory could address the issue of IHS recalcitrance that has plagued the VBC program, since full compensation would finally be mandatory. However, support is still needed from Congress to ensure that adequate funding is available for VBC leases regardless of how the leases are structured. The CHAP in Alaska is critical to the provision of basic and essential healthcare services in isolated and rural areas, but the program hinges on the continued availability of properly maintained VBC space for program

operation. Maniilaq therefore urges Congress to appropriate at least an additional \$8.5 million in dedicated funds to fully fund the VBC leasing program.

#### MANDATORY FUNDING FOR CONTRACT SUPPORT COSTS

We are pleased that Congress chose to fully fund contract support costs (CSC) under the ISDEAA in fiscal year 2014, and that the administration has supported that effort in fiscal year 2015. CSC fund vital administrative functions that allow us to operate programs that provide critical services to our community members. If contract support costs are not fully funded, however, our programs and services are adversely affected because we are forced to divert limited program funding to cover fixed overhead expenses instead. We therefore appreciate Congress' support in fiscal year 2014 and hope that it carries through to fiscal year 2015 and beyond. However, full funding for CSC must not come with a penalty—tribes should not have to see a reduction in program funding or effective permanent sequestration of Indian program funds. Without any permanent measure to ensure full funding, payment of CSC remains subject to agency “discretion” even though tribes are legally entitled to payment under the ISDEAA. Noting these ongoing conflicts of law, Congress directed the agencies to consult with tribes on a permanent solution.

There is a logical permanent solution Congress can implement: CSC should be appropriated as a mandatory entitlement. Under the ISDEAA, the full payment of CSC is not discretionary; it is a legal obligation, affirmed by the U.S. Supreme Court. Yet the budget for CSC is currently funded and controlled through appropriation acts—as if it were a discretionary program. Congress, in the Joint Explanatory Statement for the fiscal year 2014 Consolidated Appropriations, recognized that the current fundamental mismatch between the mandatory nature of CSC and the current approach leaves the House and Senate Committees on Appropriations in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.” Congress also noted that, “Typically obligations of this nature are addressed through mandatory spending.” The obvious solution then is to bring the appropriations process in line with the statutory requirements and to recognize CSC for what it is: a mandatory entitlement, not a discretionary program. Maniilaq therefore strongly urges the Congress to appropriate funding for CSC on a mandatory basis.

#### REAUTHORIZE THE SPECIAL DIABETES PROGRAM

While the entitlement funding for the Special Diabetes Program for Indians (SDPI) is not part of the IHS appropriations process, those funds are administered through the IHS. With the recent enactment (Public Law 113–93) of a 1 year extension of the SDPI as part of the Medicare “doc fix” bill, it is funded through fiscal year 2015 at \$150 million, minus a 2 percent reduction (\$3 million) due to the sequestration of non-exempt mandatory programs (Public Law 112–240). This funding level has not increased since 2004. The SDPI has proven highly effective in Indian Country, and has produced excellent results. For example, in the 4 years preceding the last report on the SDPI in 2011, the average blood sugar level dropped nearly a percentage point overall, corresponding to a 40 percent decline in the risk of eye, kidney, and nerve complications due to diabetes. We ask that you support ongoing efforts to reauthorize this program for a 5-year period at increased funding levels.

#### FUND THE IHS THROUGH ADVANCED APPROPRIATIONS

Last year we provided extensive testimony to this subcommittee requesting advanced appropriations for the IHS budget. We refer you to that testimony for a full description of the benefits of such an approach. In sum, the goal is for the IHS and tribal healthcare providers to have adequate advance notice of the amount of Federal appropriations to expect and thus not be subjected to the uncertainties of late funding and short-term Continuing Resolutions. Congress provides advance appropriations for the Veterans Administration medical accounts, and the request is for parity in the appropriations schedule for the IHS. Legislation to authorize IHS advance appropriations has been introduced—H.R. 3229 by Representative Young and S. 1570 by Senators Murkowski and Begich. We submitted testimony to the Senate Committee on Indian Affairs' April 2, 2014, hearing on S. 1570. We request that you support such efforts, and work with these sponsors and tribal representatives to move the IHS to an advanced appropriations framework.

INCREASE FUNDING FOR BEHAVIORAL HEALTH, SUICIDE PREVENTION, AND ALCOHOL &  
SUBSTANCE ABUSE TREATMENT

Alaska faces particular hardships in providing for our communities' behavioral and mental health. There is a dire need for more prevention funding for suicide intervention as well as alcohol and substance abuse prevention, particularly for our youth. These efforts go hand in hand, as the problems often overlap. Alaska has twice the national rate of suicide, and ranks second in the Nation in suicide attempts requiring hospitalization. Alaska Native teens commit suicide at a rate nearly 6 times that of non-Native teenagers. The suicide rate among all Alaskans increased by 33 percent between 2005–2008—a period when the national rate remained steady. Compounding and complicating the suicide epidemic is alcohol and substance abuse, or a mental health disorder. The overwhelming majority of the people we lose to suicide suffer from diagnosable, treatable mental health or substance abuse problems. However, the waiting list for treatment averages nearly 9 months, and due to lack of funding there is often no place to refer people, particularly young people.

Alcohol and substance abuse contributes to myriad other problems as well, including crime, domestic violence, child abuse or neglect. Oftentimes, tribes in Alaska have a difficult time working through the State of Alaska to provide these services, which adds layers of guidelines, regulations, and reduced funding. We have found that tribes and tribal organizations should receive behavioral funds directly, because programs that implement traditional cultural values are more successful than those that don't. Included in the Affordable Care Act is mandatory funding (\$17.7 billion over 10 years) for a Prevention and Public Health (PPH) Fund from which Congress may allocate funding to various programs. In fiscal year 2012 the administration requested that \$50 million of it be allocated to a new tribal behavioral health grant program; unfortunately Congress did not provide that allocation. We urge that Congress allocate \$50 million from the PPH to the IHS in fiscal year 2015 for this purpose and that it be recurring.

SUPPORT TRIBAL JURISDICTION TO PROTECT ALASKA COMMUNITIES

We support the ongoing efforts to amend S. 1474, the Alaska Safe Families and Villages Act, in a manner that would recognize Alaska tribes' jurisdiction to protect their communities by dealing locally with domestic violence, sexual assault and drug and alcohol abuse. At the same time, we greatly appreciate the provision that is already in S. 1474 which would repeal section 910 of the Violence Against Women Act Reauthorization that left Alaska tribes out of the expanded tribal jurisdiction over domestic violence affirmed in that law. These changes will require additional Bureau of Indian Affairs resources regarding law enforcement and courts. We look forward to continued work with our congressional delegation and others on this legislation of such crucial importance to Alaska Native communities.

Thank you for your consideration of our concerns and requests.

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PREPARED STATEMENT OF DR. PETER MEINECK

Mr. Chairman and members of the subcommittee: My name is Peter Meineck and I am a professor of classics at New York University, the founding director of the Aquila Theatre Company and a proud member of the Bedford Fire Department in New York where I serve as a volunteer Firefighter and EMT. I write to testify on behalf of the National Humanities Alliance and Aquila Theatre in enthusiastic support for the Alliance's fiscal year 2015 request of \$154.5 million in funding for the National Endowment for the Humanities—which is nothing less than a great American treasure.

I mentioned in my introduction that I am a volunteer Firefighter in Bedford, New York. My hamlet of Katonah, part of the town of Bedford, includes the home of John Jay, the author of several of the Federalist Papers, member of the Continental Congress, signatory to the Declaration of Independence and our first Chief Justice. Like almost all the members of the Continental Congress, Jay received a classical education and could read both Greek and Latin. In fact, Thomas Jefferson was so enthusiastic he exclaimed, "I thank on my knees, him who directed my early education, for having put into my possession this rich source of delight; and I would not exchange it for anything which I could then have acquired, and have not since acquired." John Jay's works and those of his colleagues reflect the profound influence the classical world had on the conception and creation of the United States of America.

This is strikingly apparent in the Federalist Papers. Hamilton and Madison, Jay's fellow New York delegates to the Continental Congress, devoted the entirety of Federalist no. 18 to a sophisticated objective appraisal of why the Ancient Greek city states failed to coalesce into one nation. This became a powerful historical argument in support of the confederation of the 13 colonies into a Federal United States. They wrote, "Had Greece been united by a stricter confederation, and persevered in her union, she would never have worn the chains of Macedon; and might have proved a barrier to the vast projects of Rome." Right from the start, Americans drew inspiration from their knowledge of the classical past.

John Jay well understood that knowledge was essential if the American experiment was to succeed. In a letter to Pennsylvania delegate Benjamin Rush in 1785 he wrote, "Knowledge is the soul of the Republic and the only way to diminish the weak and wicked." Later in 1789, he echoed this theme by writing to Timothy Matlack that "Knowledge is essential for the duration of liberty," and in the same year, he felt confident that the American Revolution would succeed because "In my opinion more light and knowledge are diffused through the mass of the people of this country than any other."

Jay received his classical education at Kings College in New York, renamed as Columbia University, and I was able to read Jay's letters in his own hand because of a superb digital archive held there. These historic papers are available online for all and funded by the National Endowment for the Humanities, the agency which embodies the sentiments of John Jay that "Knowledge is the soul of the Republic" and essential for the survival of liberty.

Long before there was the NEH to help scholars undergo important research and disseminate their knowledge, support documentary film makers and archives, and fund important public programs in libraries, museums, galleries, VA hospitals and community centers, the classics provided many early Americans with the historical exemplars and literary metaphors by which they examined their own lives. Abigail Adams wrote countless letters from Boston to her husband John, far away in Philadelphia, during the war. She signed them "Diana," after the Roman goddess of the hunt and later "Portia," the wife of the Roman republican, Brutus. Adams wrote back as "Lysander," the famous Spartan General who ended the Peloponnesian War. Abigail's passion for the classics was evidently so great that John felt compelled to write, "Amidst your Ardor for Greek and Latin I hope you will not forget your mother Tongue. Read Somewhat in the English Poets every day. . . . You will never be alone, with a Poet in your Pocket. You will never have an idle Hour." Now, there are a fair few more Americans than in 1780, and it is the National Endowment for the Humanities that brings us "Poetry in Motion" on the subway and places living poets in communities throughout America, offering access, education, inspiration and knowledge.

With that in mind, I would like to briefly describe the NEH funded program that I directed called Ancient Greeks/Modern Lives that used the works of Homer, Aeschylus Sophocles and Euripides to foster informed public discussions on the veteran in American society. Between 2010–2013, the program toured to 106 communities in 31 States, staging 244 live events, comprising staged readings and discussions, public lectures, reading groups, film screenings and theatre workshops. We hired 62 classics professors and sent them out into the field where they worked with professional actors, librarians, museum curators, performing arts center staff and members of veteran organizations. 110,865 people attended the live events. This works out to a cost to the Federal Government of only \$7.22 per person, and if we add the program web site's recorded hits of 678,000, it only comes to around one dollar per person.

The stated aim of the program was to use ancient dramatic literature to bring members of the veteran community and the public together around the common themes found between the ancient literature and the experiences of war and homecoming. We staged these free events in public spaces dedicated to reading, art and culture—places that were right in the heart of the inner city, rural and underserved communities we visited. Here, Americans had the opportunity to freely exchange ideas framed by the deeper context of the classical texts.

One program participant, a U.S. Army Ranger sergeant who has served in several tours of Afghanistan and Iraq, summed up the way in which classical texts can be a context for modern military experience: "With the Ancient Greeks/Modern Lives project I liked that the experiences were filtered through classical myth. This distance allows both performers and audience members to use their imaginations in an empathetic way, rather than merely evoking sympathy. The use of myth (or perhaps any fictionalized narrative) also helps free us from anachronistic terms such as PTSD or psychological wound, or whatever else they want to use to describe someone who has undergone a significant change due to military service. Classical

myth places the emphasis back on character and story, and helps reject the laziness of labels. Arguably, the abstract nature of myth also allows individuals to reflect on their own experiences with the subject at hand, and to flesh out the experience with some combination of memory and imagination.”

Of course, there are as many responses and experiences as there are veterans but one veteran of the Vietnam war felt that the program was helping to make American’s literate about war, something he believed was essential in any democracy. It was always remarkable to see how the classical stories elicited deeply personal and heartfelt responses. At one event in a military museum in Iowa, a long serving non commissioned officer of the Iowa National Guard latched on to the tension inherent in the moment in Book 23 of Homer’s *Odyssey*, when the hero is finally reunited with his wife, Penelope. This Iowan and his wife recognized the intimacy of something simple between them that could suddenly transcend the long separations of multiple deployments. Like Odysseus himself, who is moved to tears when he hears tales of the Trojan War sung by a bard, there were many sniffles in the audience at this beautifully simple and completely human moment that was captured and written down in a foreign land some 2750 years ago: for the humanities constantly remind us what it means to be human.

In Mississippi, a leather-clad member of Rolling Thunder—the veteran motorcycle group—responded quite differently to the same passage. After hearing the Homeric simile of how Odysseus felt like a drowning man, he stood up and said “I have told nobody this, not even my wife here, but when I came home from Vietnam I threw my uniform in the trash at the airport and went home in disguise, just like Odysseus and I too felt like a drowning man—all that death—I didn’t think I could love any one or be loved by anyone again—I felt like I was drowning, until my girlfriend, my wife here, gave me her hand and rescued this drowning man. How did Homer know this?”

As the program progressed, we met more veterans from Iraq and Afghanistan, mostly keeping silent at first, perhaps even suspicious, but we noticed the veterans of the Vietnam War making contact and talking to them after the event. New mutually supportive relationships were formed—veterans helping veterans. We also started to encounter female combat veterans, nurses from Vietnam who had been deployed in the field, Army personnel working with front line troops in Iraq and Afghanistan, sometimes telling us about two enemies—the one they were there to fight and the enemy within—harassment, sexual assault and rape. The ancient plays resounded even amongst the most difficult and uncomfortable of topics and allowed us to talk about them. These classical works became “our mirror held up to nature,” advice Hamlet gives the players after he has been moved himself by watching one of them perform a classical piece about Queen Hecuba at the fall of Troy.

We met veterans from World War II, the Korean War, the Cold War and those who served in between, and we learned so much about the meaning of these classic plays from them. Their insights were often so keen and insightful that many of our classics scholars came to see aspects of these works in a completely new light. VA Psychologist Dr. Jonathan Shay in his book, *Odysseus in America*, wrote that Greek drama was theatre by combat veterans, performed by combat veterans for an audience made up of combat veterans—perhaps this was one reason why these ancient works resounded.

The NEH has provided us with funds for a new humanities/veterans project called YouStories: Classics, Conversation, Connection. Here, we take the devices that worked so well on Ancient Greeks/Modern Lives and are creating a combination of live events and a new story collecting app, where veterans and the public can upload their own video stories. These are spoken into a smart phone, tablet or computer after being inspired by the ancient materials included with the app. These stories will then be collected, curated and displayed online and also archived at the Library of Congress. This program has a special focus on female veterans and we hope that these ancient plays might inspire, provoke and provide a context for their stories—their experiences as Americans serving their country at a time of war.

The aim of my testimony today has been to try to convince you of the continuing power of the classics in American life and how the National Endowment for the Humanities has allowed a truly national and human program to flourish. Their prestigious award helped create media and institutional interest in the program and attract additional funding from private foundations and individuals. Their selection process is highly rigorous and the expert advice and tireless help of their program staff is nothing short of priceless.

I conclude with the words of a great man far more eloquent than I. In his last speech delivered in Memphis on April 3, 1968—the day before my first birthday—

Martin Luther King took us on a monumental and historic flight of fancy telling us:

“I would move on by Greece, and take my mind to Mount Olympus. And I would see Plato, Aristotle, Socrates, Euripides and Aristophanes assembled around the Parthenon as they discussed the great and eternal issues of reality.”

The National Endowment for the Humanities does just this—it enables those discussions of great and eternal issues of reality and via its excellent public programming sends them out across the Nation helping to empower our democracy with that most valuable of human resources—knowledge.

Thank you very much.

#### THE NATIONAL HUMANITIES ALLIANCE

Founded in 1981, the National Humanities Alliance advances national humanities policy in the areas of research, preservation, public programming, and teaching. More than one hundred organizations are members of NHA, including scholarly associations, humanities research centers, colleges, universities, and organizations of museums, libraries, historical societies, humanities councils, and higher education institutions.

#### THE AQUILA THEATRE

Founded in 1991, Aquila Theatre’s mission is to bring the greatest theatrical works to the greatest number. To this end Aquila presents a regular season of plays in New York, at international festivals, and tours to approximately seventy American towns and cities each year.

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#### PREPARED STATEMENT OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Chairman Reed, Ranking Member Murkowski, and members of the subcommittee: The Metropolitan Water District of Southern California (Metropolitan) encourages the subcommittee’s support for the U.S. Bureau of Land Management’s (BLM) Subactivity: Soil, Water, and Air Management. The BLM Budget requests \$45.352 million for this Subactivity. This Subactivity includes Colorado River Salinity Control as a primary focus area. For fiscal year 2015, Federal funding of \$5.2 million for general water quality improvement efforts within the Colorado River Basin and an additional \$1.5 million for salinity specific projects is needed in this primary focus area to prevent further degradation of Colorado River water quality and increased downstream economic damages.

The concentrations of salts in the Colorado River cause approximately \$300 million in damages to water users each year. While this figure is significant, had it not been for the efforts of the Colorado River Basin Salinity Control Program (Salinity Control Program), salinity concentrations of Colorado River water today would have been about 90 milligrams per liter (mg/L) higher, which has avoided additional damages of approximately \$200 million per year.

Metropolitan is the regional water supplier for most of urban southern California, providing supplemental water to retail agencies that serve over 18 million people. Water imported via the Colorado River Aqueduct has the highest level of salinity of all of Metropolitan’s sources of supply, averaging around 630 mg/L since 1976, which leads to economic damages. For example, damages occur from:

- A reduction in the yield of salt sensitive crops and increased water use for leaching in the agricultural sector;
- A reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector;
- An increase in the cost of cooling operations, and the cost of water softening, and a decrease in equipment service life in the commercial sector;
- An increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;
- A decrease in the life of treatment facilities and pipelines in the utility sector;
- Difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins, and fewer opportunities for recycling due to groundwater quality deterioration; and

—Increased cost of desalination and brine disposal for recycled water in the municipal sector.

Concern over salinity levels in the Colorado River has existed for many years. To deal with the concern, the International Boundary and Water Commission signed Minute No. 242, Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River in 1973, and the President signed into law the Colorado River Basin Salinity Control Act in 1974 (Act). High total dissolved solids in the Colorado River as it enters Mexico and the concerns of the seven Colorado River Basin States regarding the quality of Colorado River water in the United States drove these initial actions. To foster interstate cooperation and coordinate the Colorado River Basin States' efforts on salinity control, the seven Basin States formed the Colorado River Basin Salinity Control Forum.

The salts in the Colorado River system are indigenous and pervasive, mostly resulting from saline sediments in the Basin that were deposited in prehistoric marine environments. They are easily eroded, dissolved, and transported into the river system, and enter the River through both natural and anthropogenic sources.

The Salinity Control Program reduces salinity by preventing salts from dissolving and mixing with the River's flow. Irrigation improvements (sprinklers, gated pipe, lined ditches) and vegetation management reduce the amount of salt transported to the Colorado River. Point sources such as saline springs are also controlled.

The Salinity Control Program, as set forth in the Act, benefits the Upper Colorado River Basin water users through more efficient water management, increased crop production, benefits to local economies through construction contracts, and through environmental enhancements. The Salinity Control Program benefits Lower Basin water users, hundreds of miles downstream from salt sources in the Upper Basin, through reduced salinity concentration of Colorado River water. California's Colorado River water users are presently suffering economic damages in the hundreds of millions of dollars per year due to the River's salinity.

The Act provides that the Secretary of the Interior shall "develop a comprehensive program for minimizing salt contributions to the Colorado River from lands administered by the Bureau of Land Management." BLM is the largest landowner in the Colorado River Basin. Due to geological conditions, much of the lands that are controlled and managed by the BLM are heavily laden with salt. Past management practices have led to human-induced and accelerated erosion processes from which soil and rocks, heavily laden with salt have been deposited in various stream beds or flood plains. As a result, salts are dissolved into the Colorado River system causing water quality problems downstream.

Congress has charged Federal agencies, including the BLM, to proceed with programs to control the salinity of the Colorado River. BLM's rangeland improvement programs can lead to some of the most cost-effective salinity control measures available. These measures significantly complement programs and activities being considered for implementation by the U.S. Bureau of Reclamation through its Basin-wide Program and by the U.S. Department of Agriculture through its on-farm Environmental Quality Incentives Program.

Over the past years, the Salinity Control Program has proven to be a very cost effective approach to help mitigate the impacts of increased salinity in the Colorado River. Continued Federal funding of this important Basin-wide program is essential.

BLM proposes a 20 percent increase in Colorado River Salinity Control funding in the budget request over the 2014 level. Metropolitan encourages the subcommittee's support for sufficient funding in the Subactivity: Soil, Water, and Air Management to allow for expenditure of \$5.2 million for general water quality improvement efforts in the Colorado River Basin and an additional \$1.5 million for salinity specific projects in 2015. These amounts are needed to prevent further degradation of the quality of the Colorado River and increased downstream economic damages.

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PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF ABANDONED MINE LAND PROGRAMS

My name is Bruce Stover and I serve as the Director of the Inactive Mine Reclamation Program within the Colorado Department of Natural Resources. I am submitting this statement on behalf of the National Association of Abandoned Mine Land Programs (NAAML) for which I currently serve as president. The NAAML represents 31 States and tribes with federally approved abandoned mine land reclamation (AML) programs authorized under title IV of the Surface Mining Control and Reclamation Act (SMCRA). Title IV of SMCRA was amended in 2006 and significantly changed how State and tribal AML grants are funded. These grants are still based on receipts from a fee on coal production, but beginning in fiscal year

2008, the grants are funded primarily by mandatory appropriations. As a result, the States and tribes should receive \$250 million in fiscal year 2015. In its fiscal year 2015 proposed budget, the Office of Surface Mining (OSM) is requesting \$186 million for State and tribal AML grants, a reduction of \$64 million. OSM's budget also includes three legislative proposals, the first of which would eliminate funding to States and tribes that have "certified" completion of their highest priority abandoned coal reclamation sites; the second of which would return the AML reclamation fee paid by coal operators to pre-2006 levels; and the third of which would establish a hardrock AML fee and accompanying program.

Over the past 35 years, the accomplishments of the States and tribes under the AML program has resulted in tens of thousands of acres of abandoned mine lands having been reclaimed, thousands of mine openings having been closed, and safeguards for people, property and the environment having been put in place. Be assured that States and tribes continue to be committed to address the unabated hazards at both coal and noncoal abandoned mines. We are united in achieving the goals and objectives as set forth by Congress when SMCRA was first enacted—including protecting public health and safety, enhancing the environment, providing employment, and adding to the economies of communities impacted by past coal and noncoal mining. In this regard, a newly updated "Safeguarding, Reclaiming, Restoring" accomplishments report prepared by State and tribal administrators of AML programs under SMCRA is available at <http://naamp.net/documents/>, which provides several on-the-ground examples of the type of work that is being done around the country.

When passed in 1977, SMCRA set national regulatory and reclamation standards for coal mining. The act also established a Reclamation Trust Fund to work towards eliminating the innumerable health, safety and environmental problems that existed throughout the Nation from mines that were abandoned prior to the act. The Fund generates revenue through a fee on current coal production. This fee is collected by OSM and distributed to States and tribes that have federally approved regulatory and AML programs. The promise Congress made in 1977, and with every subsequent amendment to the act, was that, at a minimum, half the money generated from fees collected by OSM on coal mined within the boundaries of a State or tribe, referred to as "State Share", would be returned for the uses described in title IV of the act if the State or tribe assumed responsibility for regulating active coal mining operations pursuant to title V of SMCRA. The 2006 amendments clarified the scope of what the State Share funds could be used for and reaffirmed the promise made by Congress in 1977.

If a State or tribe was successful in completing reclamation of abandoned coal mines and was able to "certify" under section 411 of SMCRA,<sup>1</sup> then the State share funds could be used to address a myriad of other abandoned mine issues as authorized by SMCRA and as further defined under each State's or tribe's Abandoned Mine Reclamation Plan, each of which is approved by OSM. Like all abandoned mine reclamation, the work of certified States and tribes eliminates health and safety problems, cleans up the environment, and creates jobs in rural areas impacted by mining. In this regard, the certified States and tribes have been good stewards of the AML funds they receive, especially with regard to addressing dangerous noncoal mines.

The elimination of funding for certified State and tribal AML grants not only breaks the promise of State and tribal share funding, but upsets the balance and compromise that was achieved in the comprehensive restructuring of SMCRA accomplished by the 2006 amendments following more than 10 years of discussion and negotiation by all affected parties. The funding reduction is inconsistent with the administration's stated goals regarding jobs and environmental protection. We therefore respectfully ask the subcommittee to support continued funding for certified States and tribes at the statutorily authorized levels, and turn back any efforts by OSM to amend SMCRA in this regard.<sup>2</sup>

<sup>1</sup>While a certified State or tribe confirms at the time of certification that it has completed all of the coal sites on its current inventory, the certification contemplates that new, formerly unidentified high priority coal AML sites may occur in the future and the State/tribe commits to addressing these sites immediately. All AML States and tribes, including those that are certified, have identified additional previously unknown high priority coal sites as a result of ongoing field investigations, new information and features that have been expressed to the surface.

<sup>2</sup>In this regard, we should note that funding to certified States and tribes was already capped at \$15 million annually pursuant to an amendment to SMCRA as part of the Moving Ahead for Progress in the 21st Century Act (Public Law 112-14) in 2012. Furthermore, on October 2, 2013, SMCRA was amended once again to increase the annual distribution amount for each cer-

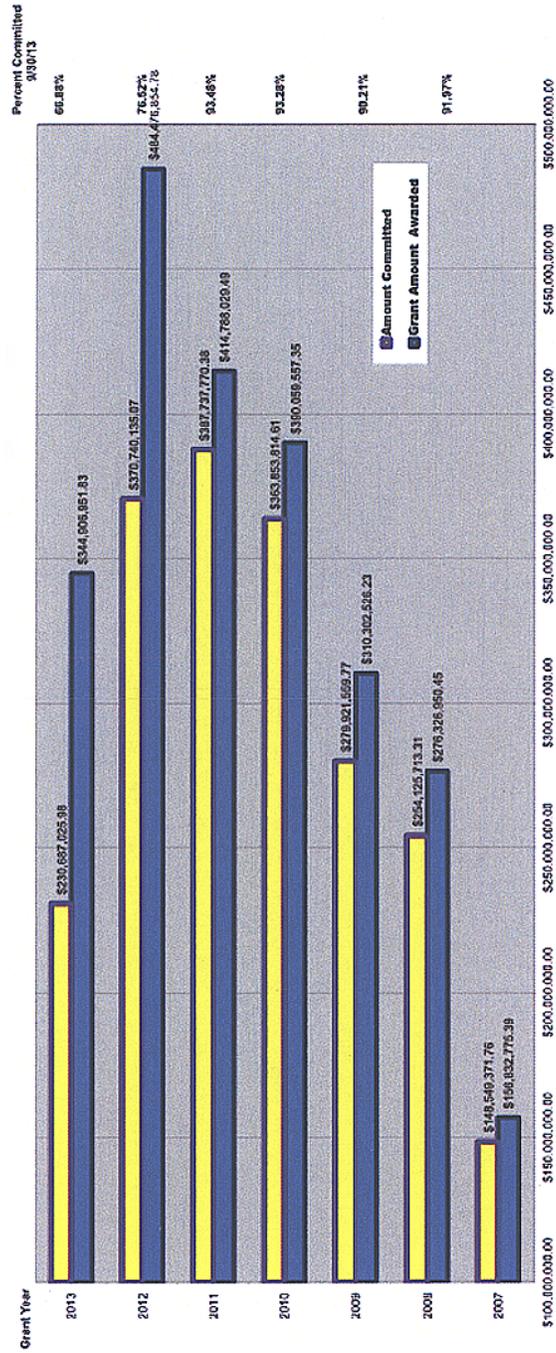
Over the course of the past few years, State and tribal AML program have seen heightened concern by some in Washington that the States and tribes are not spending the increased AML grant moneys that they have received under the 2006 amendments in a more expeditious manner, thus resulting in what the administration has characterized as unacceptable levels of “undelivered orders.” There seems to be a fundamental disconnect between the way the States and tribes are required to administer, manage, and record the dispersal of their AML grant funds and the way Federal agencies like the Office of Surface Mining (OSM) report the usage of grant funds.

From the perspective of OSM, there appears to be a substantial balance of “undelivered orders”, money that has been allotted by the Federal program but has not yet been “spent” by the State or tribe (i.e. withdrawn from Treasury). In fact, this is a mischaracterization of the current status of these “undelivered” AML moneys. As the following table demonstrates (see the figure on the next page), the vast majority of the allotted AML grant fund money is already committed to reclamation projects at various stages. The States and tribes define their use of the term “committed funds” as those which have been exclusively applied to or reserved for a specific project or purpose, and thus are unavailable for any other purpose. This is consistent with the regulations which define “expended” as “moneys have been obligated, encumbered, or committed by contract . . .”. It is therefore more appropriate to view grants in terms of committed funds rather than undelivered orders, with regard to accurate tracking of grant distribution.

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tified State and tribe to \$28 million in fiscal year 2014 and \$75 million in fiscal year 2015 (Helium Stewardship Act of 2013, Public Law 113–40, section 10(d)).

NAAMLP Awarded/Committed Funds (2013)



A second dimension to the disconnect between how the States and tribes track grant expenditures and how OSM accounts for these funds is the amount of time and the number of regulatory obligations required to administer the AML contracting process in a responsible manner. A typical AML site requires a long and stringent process related to design, engagement of local citizens and leaders, inter-agency governmental review and coordination; bidding and contracting; and of course construction on the site—all of which must take place before the funds are drawn down, and are therefore finally considered “spent” by OSM.

Further complicating the matter from the State/tribal perspective is the fact that the 2006 increases in mandatory funding required an increase in the staff and other administrative resources required to continue administering the program at the same level of efficiency and effectiveness. State and tribal AML programs have made these adjustments in a prudent manner over the last 5 years of funding expansion, and though there may have been some apparent initial lag, the programs have in fact maintained their ability to efficiently and responsibly commit program funding. It should also be kept in mind that AML administrators utilize a complex system for prioritizing AML sites in order to meet the mandates of the law and ensure that the grant funds are spent in the most effective and productive manner possible. Any analysis of AML grant expenditures must therefore be balanced against appropriate program management and the responsible improvement of the safety and health of our citizens and the environment, as set forth in SMCRA. We welcome the opportunity to brief your subcommittee in more detail regarding this issue should you so desire.

One of the more effective mechanisms for accomplishing AML restoration work is through leveraging or matching other grant programs, such as the Environmental Protection Agency’s (EPA’s) 319 program. In fiscal year 2014, language was included in OSM’s appropriation that encouraged the use of these types of matching funds, particularly for the purpose of environmental restoration related to treatment or abatement of acid mine drainage (AMD) from abandoned mines. This is an ongoing, and often expensive, problem, especially in Appalachia. NAAMLTP therefore requests the subcommittee to once again include language in the fiscal year 2015 appropriations bill that would allow the use of AML funds for any non-Federal cost share required by the Federal Government for AMD abatement.

We also urge the subcommittee to support funding for OSM’s training program and Technical Innovation and Professional Services (TIPS), including moneys for State/tribal travel. These programs are central to the effective implementation of State and tribal AML programs as they provide necessary training and continuing education for State/tribal agency personnel, as well as critical technical assistance. These programs saw drastic cuts as a result of sequestration and we are hopeful that Congress will restore the necessary funding for these critical programs in the fiscal year 2015 appropriation. Finally, we support funding for the Watershed Cooperative Agreements in the amount of \$1.5 million because it facilitates and enhances State and local partnerships by providing direct financial assistance to watershed organizations for acid mine drainage remediation.

With regard to the proposal contained in OSM’s budget to establish a hardrock AML program, the States and tribes have consistently advocated for legislation that would allow us to address historic hardrock AML problem areas, beginning with the inclusion of section 409 of SMCRA in 1977. There is clearly a need to establish both the funding mechanism and the administrative program to address these legacy sites. We believe that OSM is in the best position to administer this program, given its 35 years of experience in operating the title IV program under SMCRA. Our only concern is that, while on the one hand OSM is advocating for the establishment of a hardrock AML program, it is also pushing for the elimination of funding for certified States and tribes to accomplish this very work. Granted, OSM’s position is based on its belief that SMCRA funding should be restricted to high priority coal problems only. However, Congress clearly felt differently from the outset of SMCRA’s formation and, while there have been many recent opportunities to adjust its views and amend SMCRA accordingly, Congress has chosen not to do so. To the contrary, Congress has adopted legislation that would clarify the use of SMCRA AML funds to address noncoal problems. Nonetheless, we would welcome an opportunity to work closely with OSM in examining the potential for a hardrock AML program, wherever it may reside and however it may be constituted.

Thank you for the opportunity to submit this statement regarding OSM’s proposed budget for fiscal year 2015. We would be happy to answer any questions you may have or provide additional information.

## PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES

On behalf of the National Association of Clean Air Agencies (NACAA), thank you for this opportunity to provide testimony on the fiscal year 2015 budget for the U.S. Environmental Protection Agency (EPA), particularly grants to State and local air pollution control agencies under Sections 103 and 105 of the Clean Air Act, which are part of the State and Tribal Assistance Grant (STAG) program. Specifically, NACAA recommends that: (1) grants to State and local air quality agencies be increased by \$35 million above the President's fiscal year 2015 request, raising the total to \$278.2 million; (2) State and local air pollution control agencies be provided with the flexibility to determine how best to use any additional resources; and (3) grant funds for fine particulate matter monitoring remain under Section 103 authority, rather than being shifted to Section 105 authority, as EPA is proposing. NACAA's recommendations will be explained more fully in this testimony.

NACAA is a national, non-partisan, non-profit association of air pollution control agencies in 42 States, the District of Columbia, four territories and 116 metropolitan areas. The members of NACAA have the primary responsibility under the Clean Air Act for implementing the Nation's clean air program. The air quality professionals in the member agencies have vast experience dedicated to improving air quality in the United States. These observations and recommendations are based upon that experience. The views expressed in this document do not necessarily represent the positions of every State and local air pollution control agency in the country.

## 1. NACAA RECOMMENDS A \$35-MILLION INCREASE ABOVE THE PRESIDENT'S REQUEST

The President's budget request for fiscal year 2015 proposes to increase Federal funding for State and local air quality grants by \$15 million over fiscal year 2014 levels (for a total of \$243.2 million). Within the request, there is a proposed increase of \$24.3 million for implementing greenhouse gas (GHG) activities. While NACAA supports additional funding for new GHG activities that will be required of State and local air agencies, the members are disappointed that part of this increase would be obtained by shifting—essentially cutting—\$9 million from the “core” programs of State and local air pollution control agencies, which are the foundation of their clean air implementation efforts. NACAA is gratified that the budget request recognizes the important work of State and local agencies to protect public health; however, a net increase of \$15 million above fiscal year 2014 levels is not nearly enough. Accordingly, NACAA requests an increase of \$50 million above the amount appropriated in fiscal year 2014—or \$35 million above the President's fiscal year 2015 request—for State and local air agencies to carry out their responsibilities.

*State and Local Air Quality Agencies Face Many Challenges*

Section 101(a)(3) of the Clean Air Act finds that air pollution control is the “primary responsibility of States and local governments.” Accordingly, these agencies are continuously required to implement numerous, extremely important programmatic responsibilities to obtain and maintain healthful air quality for this country. These include not only new programs, but also ongoing activities that constitute the “core” of their clean air efforts, that is, the day-to-day responsibilities that are the foundation of their programs.

One new initiative facing State and local air agencies, for which EPA is proposing increased funds, is the implementation of regulations to address greenhouse gases under Section 111 of the Clean Air Act. State and local agencies will be required to lay the groundwork to develop approvable State plans to meet Section 111(d) emission guidelines for reducing carbon dioxide. Additionally, State and local agencies will need funds for the collection, review and use of GHG emission data, as well as to support State and local permitting activities for new and existing sources of GHG emissions that trigger permitting requirements as established in the GHG Tailoring Rule.

In addition to these new efforts, State and local air agencies must also continue their ongoing activities and core programs. These are the foundation of their clean air implementation efforts. For example, among the many tasks facing air quality agencies are those associated with the implementation of (1) the health-based National Ambient Air Quality Standards, including particulate matter, ozone, sulfur dioxide, lead and carbon monoxide; (2) air toxics rules; (3) motor vehicle and fuels programs; and (4) permitting programs, including for “minor” sources.

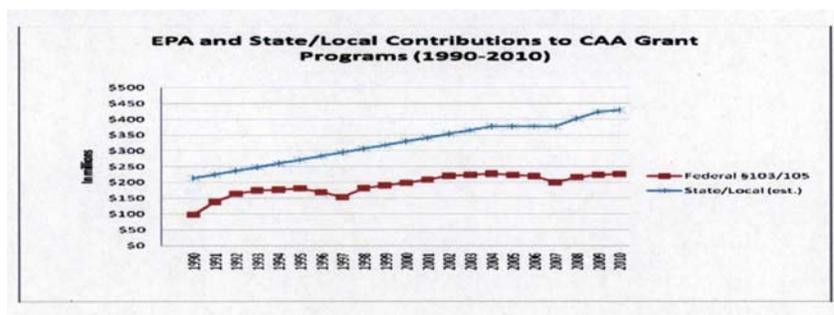
For both the new activities and the ongoing programs, State and local air agencies must carry out a variety of resource- and labor-intensive activities. These include, among others, developing plans, including State Implementation Plans (SIPs); compiling comprehensive emission inventories; carrying out complex modeling; analyzing extensive data; expanding and operating monitoring networks; adopting and

enforcing regulations; addressing complicated transport issues; and informing and involving the public in air quality decisions and issues.

*State and Local Air Agencies Have Long Been Underfunded*

State and local air quality agencies have struggled with insufficient resources for many years. A study NACAA conducted several years ago revealed an annual shortfall of \$550 million in Federal grants for State and local air programs.<sup>1</sup> The adverse economic situation at the State and local levels strains already overburdened budgets and causes air agencies to make painful choices to cut air pollution programs that are important for public health and/or eliminate staff. Due to these economic hardships, States and localities increasingly rely on Federal contributions.

Section 105 of the Clean Air Act authorizes the Federal Government to provide grants for up to 60 percent of the cost of State and local air programs, while States and localities must provide a 40-percent match. In reality, State and local air agencies provide over three-fourths of their budgets (not including permit fees under the Federal title V program), while Federal grants constitute only one quarter. State and local agencies are certainly providing more than their fair share of the resources necessary, as the following table demonstrates:



In addition to this inequity, the purchasing power of Federal grants has decreased due to inflation. In fact, between fiscal year 2000 and 2014, purchasing power has decreased by nearly 16 percent. All this has taken place while State and local responsibilities have expanded each year.

While the current economic climate does not allow for full Federal funding of all the necessary air programs, NACAA hopes that Congress will recognize the critical importance of public health and air quality and provide much-needed increases to these important programs.

*Our Air Pollution Problem Has Not Been Solved*

Federal, State and local efforts to implement the Clean Air Act have been hugely successful in providing significant health and welfare benefits throughout most areas of the country. Yet, notwithstanding this progress, much remains to be done. According to EPA,

[S]ince passage of the Clean Air Act Amendments in 1990, nationwide air quality has improved significantly. Levels of those pollutants linked to the greatest health impacts continue to decline. From 2003 to 2012, population-weighted ambient concentrations of fine particulate matter and ozone have decreased 26 percent and 13 percent, respectively. Even with this progress, in 2012 approximately 45 percent of the U.S. population lived in counties with air that did not meet health-based standards for at least one pollutant.<sup>2</sup>

With respect to hazardous air pollutants (HAPs), Federal rules, implemented by State and local air pollution control agencies, are estimated to reduce HAP emissions by approximately 1.5 million tons per year.<sup>3</sup> However, in spite of this progress, EPA's latest HAP data showed that the entire population of the United States had

<sup>1</sup> Investing in Clean Air and Public Health: A Needs Survey of State and Local Air Pollution Control Agencies, (April 2009), NACAA, [www.4cleanair.org/Documents/reportneedsurvey042709.pdf](http://www.4cleanair.org/Documents/reportneedsurvey042709.pdf).

<sup>2</sup> Fiscal year 2015 EPA Budget in Brief (March 2014), page 13.

<sup>3</sup> [www.epa.gov/ttn/atw/allabout.html](http://www.epa.gov/ttn/atw/allabout.html).

an increased cancer risk of over 10 in one million (one in one million is generally considered “acceptable”) in 2005, due to exposure to a variety of HAPs included in EPA’s analysis.<sup>4</sup>

The sad fact is more people die or get sick from air pollution than from almost any other problem under this subcommittee’s jurisdiction. Tens of thousands of people die prematurely each year<sup>5</sup> and many others suffer serious health problems as a result of exposure to air pollution. According to EPA, “[l]ong-term exposure to elevated levels of certain air pollutants has been associated with increased risk of cancer, premature mortality, and damage to the immune, neurological, reproductive, cardiovascular, and respiratory systems.”<sup>6</sup> Additionally, air pollution exposure is associated with adverse effects on learning, memory, IQ and behavior.

#### 2. NACAA RECOMMENDS FLEXIBILITY IN THE USE OF GRANT INCREASES

While NACAA is pleased that the budget request includes increased grant funding for climate-related responsibilities facing State and local air agencies, some of it would come at the expense of State and local core programs, which are essential to their efforts. NACAA strongly believes that significant increases are required for both. Rather than target specific amounts for climate or other air programs, NACAA recommends that State and local air agencies be given the flexibility to use any additional grants for whatever efforts are of the highest priority to them, whether they are climate-related or other clean air activities, including core programs.

#### 3. NACAA RECOMMENDS THAT AUTHORITY FOR MONITORING GRANTS REMAIN UNDER SECTION 103

EPA has once again proposed to begin shifting funds for fine particulate matter (PM<sub>2.5</sub>) monitoring from Section 103 authority, where no match is needed, to Section 105, which would require additional matching funds. In the past, Congress responded favorably to requests to keep these funds under Section 103 authority, which is very much appreciated. NACAA is making the same request for fiscal year 2015. For individual agencies that have concerns about the matching requirements, this will ensure that they do not have to refuse these critically needed monitoring funds simply because they do not have the resources to provide the required match. NACAA recommends that Congress call for these grants to be provided under Section 103 authority.

#### CONCLUSION

While NACAA appreciates the proposed increase to State and local air grants contained in the President’s fiscal year 2015 budget, it is insufficient for the State and local air agencies that are being called upon to take on significant new responsibilities and continue their current activities and it does not provide sufficient flexibility on how the funds are spent. Accordingly, NACAA recommends that Congress provide an increase of \$35 million above the President’s request for fiscal year 2015 for grants to State and local air agencies under Sections 103 and 105 of the Clean Air Act, for a total of \$278.2 million, and that State and local agencies be given the flexibility to use any additional funds for the highest clean air priorities in their areas. Additionally, NACAA recommends that grant funds for fine particulate matter monitoring remain under Section 103 authority, rather than being shifted to Section 105 authority, as EPA is proposing.

Thank you for this opportunity to submit testimony on this important issue and for considering the funding needs of State and local air quality programs.

#### PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE ENERGY OFFICIALS

Chairman Reed, Ranking Member Murkowski and members of the subcommittee, I am David Terry, Executive Director of the National Association of State Energy Officials (NASEO). NASEO represents the 56 energy offices in the States, territories and the District of Columbia. NASEO is submitting this testimony in support of funding for the ENERGY STAR program (within the Climate Protection Division of the Office of Air and Radiation) at the U.S. Environmental Protection Agency (EPA). NASEO supports funding of at least \$55 million, including specific report language directing that the funds be utilized only for the ENERGY STAR program. The EN-

<sup>4</sup>National Air Toxics Assessment for 2005—Fact Sheet, [http://www.epa.gov/ttn/atw/nata2005/05pdf/sum\\_results.pdf](http://www.epa.gov/ttn/atw/nata2005/05pdf/sum_results.pdf).

<sup>5</sup><http://epa.gov/ncsr/science/pm/>.

<sup>6</sup>Draft fiscal year 2014–2018 EPA Strategic Plan (November 19, 2013), page 8.

ENERGY STAR program is successful, voluntary and cost-effective. With increasing electricity prices and volatile natural gas markets, ENERGY STAR can help consumers and businesses control expenditures over the long term. The program is strongly supported by product manufacturers, and ENERGY STAR leverages the States' energy efficiency actions.

The ENERGY STAR program is focused on voluntary efforts that reduce the use of energy, promotes energy efficiency and renewable energy, and works with States, local governments and business to achieve these goals in a cooperative, public-private manner. NASEO has worked very closely with EPA and over 40 States are ENERGY STAR Partners. With very limited funding, EPA's ENERGY STAR program works closely with the State energy offices to give consumers and businesses the opportunity to make better energy decisions, and catalyzes product efficiency improvements by manufacturers without regulation or mandates.

ENERGY STAR focuses on energy efficient products as well as buildings. In 2013, nearly 300 million ENERGY STAR products were purchased across more than 70 product categories. The ENERGY STAR label is recognized across the United States. It makes the work of the State energy offices much easier, by working with the public on easily recognized products, services and targets. In order to obtain the ENERGY STAR label a product has to meet established guidelines. ENERGY STAR's voluntary partnership programs include ENERGY STAR Buildings, ENERGY STAR Homes, ENERGY STAR Small Business, and ENERGY STAR Labeled Products. The program operates by encouraging consumers and working closely with State and local governments to purchase these products and services. Marketplace barriers are also eradicated through education. State energy offices are working with EPA to promote ENERGY STAR products, ENERGY STAR for new construction, ENERGY STAR for public housing, etc. In Alaska, the State's Home Energy Rebate Program leverages ENERGY STAR products in delivering this successful program. Another example of leveraging this key national program is the Nebraska Energy Office, which since 2005 has utilized ENERGY STAR as the standard for certifying home and office electronics that are eligible under the State's successful and long-running Dollar and Energy Savings Loan program (approximately \$300 million in loans with only \$106,000 in defaults). The Montana Alternative Energy Revolving Loan Program utilizes a 3.5 percent interest rate, with a 15-year time limit.

In addition to the State partners, the program has over 16,000 voluntary partners including over 2,000 manufacturers using the label, more than 1,000 retail partners, more than 5,000 builder partners, 4,500 businesses, 550 utilities and thousands of energy service providers. The ENERGY STAR New Homes program works with States and home builders to develop the next generation of technologies and approaches to make homes more comfortable, healthy, and energy efficient. To date, over 1.5 million homes across the country have been certified by the ENERGY STAR New Homes program. In California, over 150,000 homes have been ENERGY STAR certified. Additionally, States such as Alaska, Rhode Island, Vermont, New Mexico, Oregon, Mississippi, Tennessee, and Missouri all have had at least 3,300 homes participating in the program. We are also working closely with EPA in the implementation of the ENERGY STAR Challenge, which is encouraging commercial and industrial building owners to reduce energy use by 10 percent or more, usually through very simple actions. There are over 4,300 participants in the ENERGY STAR Challenge, representing every State in the country. We are working with the building owners to identify the level of energy use and compare that to a national metric, establish goals and work with them to make the specified improvements. Again, this is being done without mandates.

The State energy offices are very encouraged with progress made at EPA and in our States to promote programs to make schools more energy efficient, in addition to an expanding ENERGY STAR business partners program. In Kentucky, the State has partnered with school districts and engineering firms to advance ENERGY STAR rated schools, resulting in more than 250 ENERGY STAR rated schools in the State, a 400 percent increase since 2010. Other States that have over 150 ENERGY STAR rated schools include California, New Mexico, Florida, North Carolina, and Michigan. Other types of buildings can receive ENERGY STAR certification; for example, a new data center in South Dakota recently obtained the ENERGY STAR certification, joining only 59 other data centers in the country with this distinction.

EPA has been increasing the technical assistance work with the State energy offices in such areas as ENERGY STAR Portfolio Manager (how to rate the performance of buildings), setting an energy target, and financing options for building improvements and building upgrade strategies. ENERGY STAR Portfolio Manager is used extensively by State energy offices to benchmark performance of State and mu-

municipal buildings, saving taxpayer dollars. Nearly 40 percent of the country's commercial building space utilizes Portfolio Manager.

The State energy offices are working cooperatively with our peers in the State environmental agencies and State public utilities commissions to ensure that programs, regulations, projects and policies are developed recognizing both energy and environmental concerns. We have worked closely with this program at EPA to address these issues. We encourage these continued efforts.

#### CONCLUSION

The ENERGY STAR program saves consumers billions of dollars every year. The payback is enormous. NASEO supports robust program funding in fiscal year 2015. Funding for the ENERGY STAR program is justified. NASEO endorses these activities and the State energy offices are working very closely with EPA to cooperatively implement a variety of critical national programs without mandates.

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#### PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE FORESTERS

The National Association of State Foresters (NASF) appreciates the opportunity to submit written public testimony to the Senate Subcommittee on Interior, Environment, and Related Agencies regarding our fiscal year 2015 appropriations recommendations. Our priorities focus primarily on appropriations for the USDA Forest Service (Forest Service) State and Private Forestry (S&PF) programs.

State Foresters deliver technical and financial assistance, along with forest health, water and wildfire protection for more than two-thirds of the Nation's 751 million acres of forests. The Forest Service S&PF mission area provides vital support for delivering these services alongside other socioeconomic and environmental health benefits in both rural and urban areas. The comprehensive process for delivering these services is articulated in each State Forest Action Plan, authorized in the 2008 Farm Bill and continued in the recently passed Agriculture Act of 2014. S&PF programs provide a significant return on the Federal investment by leveraging the boots-on-the-ground and financial resources of State agencies to deliver assistance to forest landowners, tribes, and communities. As we continue to face difficult financial challenges, State foresters, in partnership with the S&PF mission area of the Forest Service, are best positioned to maximize the effectiveness of the resources available to respond to priority forest issues and focus efforts in those areas where they are needed most.

Your support of the following programs is critical to helping States address the many and varied challenges outlined in State Forest Action Plans.

#### WILDLAND FIRE AND FOREST FUELS

*Wildland Fire Funding.*—The Forest Service and Department of the Interior were forced to transfer a combined \$636 million in fiscal year 2013 to fund fire suppression activities. We greatly appreciate your support in reimbursing the Forest Service and Department of the Interior these transferred amounts through the continuing resolution last fall. Unfortunately early estimates for the cost of wildland fire suppression in fiscal year 2014 indicate that costs could once again exceed the 10-year average.

In the span of only 2 years—from fiscal year 2012 to 2013—the agencies were forced to transfer more than \$1 billion, funds that Congress had appropriated to other priority programs, to fund wildland fire suppression. In order to avoid these disruptive transfers in the future, we urge you to include language mirroring the bi-partisan Wildfire Disaster Funding Act, introduced in the House and Senate, in the fiscal year 2015 Interior Appropriations bill. This important change to fire funding at the Federal level is needed to enable the Forest Service to deliver on its own land management objectives and to deliver critical Research and State & Private Forestry Programs to the Nation's non-Federal forests without any further disruption from fire transfers.

*State Fire Assistance.*—More people living in fire-prone landscapes, high fuel loads, drought and unhealthy landscapes are among the factors that led State foresters to identify wildland fire as a significant priority issue in their Forest Action Plans. These factors have created a wildland fire situation that has become increasingly expensive, complex, and, in many cases, threatens human life and property.

In 2013, more than 47,500 wildland fires burned over 4.3 million acres.<sup>1</sup> In the wake of these larger fires, more than 2,135 structures were destroyed, including at least 1090 residences.<sup>2</sup> Of the 72,681 communities across the country currently at risk of wildland fire, only 12,434 (17.5 percent) are prepared for wildland fire.<sup>3</sup>

State Fire Assistance (SFA) is the fundamental Federal mechanism that assists States and local fire departments to respond to wildland fires and conduct management activities to mitigate fire risk on non-Federal lands. Further, SFA helps train and equip local first responders who are often the first resources to arrive at a wildland fire incident and who play a crucial role in keeping fires and their costs small. By directing resources to actions that help reduce the number of large wildland fires—including prevention education, preparedness activities, and fuels mitigation—the SFA program directly addresses concerns over rising wildland fire suppression costs, while also reducing wildland fire risk to communities. In fiscal year 2013, SFA directly funded hazardous fuel treatments on nearly 130,000 acres (with another 119,120 acres treated with leveraged funding) and provided assistance to over 23,600 communities as they prepare for and mitigate the risk of wildland fire. NASF supports funding the State Fire Assistance program at \$86 million in fiscal year 2015.

#### FOREST PESTS AND INVASIVE PLANTS

Among the greatest threats identified in the Forest Action Plans are exotic forest pests and invasive species. The growing number of damaging pests is often a result of the introduction and spread by way of wooden shipping materials, movement of firewood, and through various types of recreation. These pests have the potential to displace native trees, shrubs and other vegetation types in forests. The Forest Service estimates that hundreds of native and nonnative insects and diseases damage the Nation's forests each year. In 2010, approximately 6.4 million acres suffered mortality from insects and diseases<sup>4</sup> and there is an estimated 81.3 million acres at risk from insects and disease over the next 15 years.<sup>5</sup> These losses impact the availability of clean and abundant water, wildlife habitat, clean air, and other environmental services. Further, extensive areas of high insect or disease mortality can set the stage for large-scale, catastrophic wildfire.

In response, the Cooperative Forest Health Management program provides technical and financial assistance to States and territories to maintain healthy, productive forest ecosystems on non-Federal forest lands. Funding for the Program supports activities related to prevention, suppression, and eradication of insects, diseases, and plants as well as conducting forest health monitoring through pest surveys. The Forest Health program helps protect communities already facing outbreaks and helps prevent exposure of more of the Nation's forests and trees to the devastating and costly effects of exotic and invasive pests and pathogens. NASF supports funding the Forest Health—Cooperative Lands Program at \$48 million in fiscal year 2015.

#### WORKING FOREST LANDSCAPES—FOREST STEWARDSHIP PROGRAM

Working forest landscapes are a key part of the rural landscape and provide an estimated 900,000 jobs, in addition to clean water, wood products, and other essential services to millions of Americans. For instance, 80 percent of renewable biomass energy comes from wood, 53 percent of all freshwater in the U.S. originates on forest land and more than \$200 billion in sales of consumer products and services are provided through the Nation's forests each year.<sup>6</sup>

Private forests make up two-thirds of all the forestland in the United States and support an average of eight jobs per 1,000 acres.<sup>7</sup> The ability of working forests to continue providing jobs, renewable energy, clean and abundant water and other important services is in jeopardy as private forests are lost to development. The Forest

<sup>1</sup>National Interagency Fire Center, Historical Wildland Fire Summaries, pg. 9. Last accessed March 3, 2014 at [http://www.predictiveservices.nifc.gov/intelligence/2013\\_Statsum/intro\\_summary13.pdf](http://www.predictiveservices.nifc.gov/intelligence/2013_Statsum/intro_summary13.pdf).

<sup>2</sup>National Interagency Coordination Center.

<sup>3</sup>National Association of State Foresters, Communities at Risk Report Fiscal Year 2013.

<sup>4</sup>Man, Gary. 2011. Major Forest Insect and Disease Conditions in the United States: 2010 Update. Last accessed on March, 5, 2014 at: [http://www.fs.fed.us/foresthealth/publications/ConditionsReport\\_2011.pdf](http://www.fs.fed.us/foresthealth/publications/ConditionsReport_2011.pdf).

<sup>5</sup>Tkacz, Bory, et al. 2014. NIDRM 2012 Report Files: Executive Summary. Last accessed on March, 5, 2014 at: [http://www.fs.fed.us/foresthealth/technology/pdfs/2012\\_RiskMap\\_Exec\\_summary.pdf](http://www.fs.fed.us/foresthealth/technology/pdfs/2012_RiskMap_Exec_summary.pdf).

<sup>6</sup>Society of American Foresters. *The State of America's Forests*. 2007.

<sup>7</sup>Forest2Market. *The Economic Impact of Privately-Owned Forests*. 2009.

Service estimates that 57 million acres of private forests in the U.S. are at risk of conversion to urban development over the next two decades. The Forest Stewardship Program, Forest Legacy Program, and other programs within USDA are key tools identified in the Forest Action Plans to keep working forests intact.

The Forest Stewardship Program (FSP) is the most extensive family forest-owner assistance program in the country. Management assistance is delivered in cooperation with State forestry agencies through technical assistance services and the development and implementation of Forest Stewardship Plans. In fiscal year 2013, nationwide, more than 20 million acres of private forest lands were managed according to Forest Stewardship Plans. The program provides information to private land-owners to help them manage their land for wildlife, recreation, aesthetics, timber production, and many other purposes. The technical assistance provided through the FSP is a gateway to other effective USDA, State, and private sector programs designed to help keep working forests intact. For instance, the FSP enables land-owners to participate in USDA programs including the Forest Legacy Program and Environmental Quality Incentives Program. NASF supports funding the Forest Stewardship Program at \$29 million in fiscal year 2015.

#### URBAN AND COMMUNITY FOREST MANAGEMENT CHALLENGES

Urban forests provide environmental, social, and economic benefits to the more than 84 percent of Americans who live in metropolitan areas. Forest Action Plans identified a number of benefits associated with urban forests including energy savings, improved air quality, neighborhood stability, aesthetic values, reduced noise, and improved quality of life for communities across the country. At the same time, the plans reported a number of threats to urban and community forests including fire in the wildland urban interface (WUI), urbanization and development, invasive plants and insects, diseases and others.

Since its expansion under the Cooperative Forestry Assistance Act of 1990 (CFAA), the Forest Service's Urban and Community Forestry (U&CF) program has provided technical and financial assistance to promote stewardship of urban forests in communities of all sizes across the country. The program is delivered in close partnership with State foresters and leverages existing local efforts that have helped thousands of communities and towns manage, maintain, and improve their tree cover and green spaces. This "green infrastructure" is a cornerstone for neighborhood stability and revitalization and the numerous contributions this program provides the urban environment should not be underestimated. In fiscal year 2013, the U&CF program delivered technical, financial, educational, and research assistance to 7,292 communities in all 50 States, the District of Columbia, U.S. territories and affiliated Pacific Island nations. The program reached over 198 million Americans (i.e., over 60 percent of the U.S. population) in fiscal year 12. NASF supports funding the Urban and Community Forestry program at \$31 million in fiscal year 2015.

#### IMPORTANCE OF FOREST INVENTORY DATA IN MONITORING FOREST ISSUES

The Forest Inventory and Analysis (FIA) program, managed by Forest Service Research, is the Nation's only comprehensive forest inventory system for assessing the health and sustainability of the Nation's forests across all ownerships.<sup>8</sup> FIA provides essential data related to forest species composition, forest growth rates, and forest health data and delivers baseline inventory estimates used in State Forest Action Plans and by many others to understand forest trends and support investment in forest products facilities that provide jobs and needed products to society. The program provides unbiased information that serves as the basis for monitoring trends in wildlife habitat, wildfire risk, insect and disease threats, predicting spread of invasive species, and for responding to priorities identified in the Forest Action Plans.

The Farm Bill directed the Forest Service to revise the FIA strategic plan, and State Foresters are actively engaged with the Agency as they consider a new strategic plan for this crucial program. This program has wide bipartisan support and NASF supports funding the Forest Inventory and Analysis program at \$72 million in fiscal year 2015.

#### LANDSCAPE SCALE RESTORATION

We appreciate the support of the subcommittee for State Forest Action Plans demonstrated through the establishment of the Landscape Scale Restoration (LSR)

<sup>8</sup>The program has not yet been fully implemented in all States including Interior Alaska.

budget line item in the Consolidated Appropriations Act of 2014. State foresters look forward to working with members of the subcommittee and the Forest Service to make sure that, through LSR, we prioritize funds and resources to maximize return on investments to conserve, protect, and enhance our Nation's forests. The LSR line item codifies the competitive allocation of Cooperative Forestry Assistance Act (CFAA) funds which began under direction from the 2008 Farm Bill—but State foresters believe that LSR can and should do more.

In the fiscal year 2012 Consolidated Appropriations Act Conference Report, the subcommittee directed the Forest Service to develop a process allowing State foresters flexibility, with appropriate accountability, to reallocate a percentage of authorizations for CFAA programs to address State priorities consistent with State Forest Action Plans. NASF has worked closely with the Forest Service to explore how States could utilize funding flexibility to meet their own unique and changing needs; however issues around the need to request reprogramming of funds has been a barrier to implementing funding flexibility. State foresters believe that LSR provides a perfect opportunity to demonstrate the value in providing States the flexibility to meet these unique needs through the allocation of their CFAA funds. Such a model would include continued funding for the competitive allocation of CFAA funds with the addition of an allocation to States to further implementation of each State Forest Action Plan.

NASF supports funding the Landscape Scale Restoration program at \$23.5 million in fiscal year 2015 and would like to work with the subcommittee to direct that a portion of LSR funds be made available to State forestry agencies, based on overall percentage of CFAA funds received, to further implement their State Forest Action Plan.

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PREPARED STATEMENT OF THE NATIONAL CONFERENCE OF STATE HISTORIC  
PRESERVATION OFFICERS

Fiscal Year 2015 Historic Preservation Fund (HPF) Total Request:

- \$50 million for State Historic Preservation Offices (SHPOs);
- \$15 million for Tribal Historic Preservation Offices (THPOs);
- \$6 million for survey, inventory and digitization of records;
- \$5 million for a competitive grant program for underrepresented populations;
- and
- \$10 million for a bricks & mortar competitive grant program.

Funded through withdrawals from the Historic Preservation Fund (16 U.S.C. 470h) U.S. Department of the Interior's National Park Service Historic Preservation Fund (HPF).

UNIQUE AND SUCCESSFUL FEDERAL-STATE PARTNERSHIP

In 1966 Congress, recognizing the importance of our heritage enacted the National Historic Preservation Act (NHPA 16 U.S.C. 470), which established historic preservation as a priority of the Federal Government. Recognizing that States are the experts of their own history, instead of using Federal employees to carry out the Act, the Department Of Interior and the Advisory Council on Historic Preservation partner with the States and use SHPOs to: (1) locate and record historic resources; (2) nominate significant historic resources to the National Register of Historic Places; (3) cultivate historic preservation programs at the local government level; (4) provide funds for preservation activities; (5) comment on Federal rehabilitation tax credit projects; (6) review all Federal projects for their impact on historic properties; and (7) provide technical assistance to Federal agencies, State and local governments and the private sector. And, States provide a forty percent minimum match to the Federal appropriation.

JOBS AND ECONOMIC DEVELOPMENT

From the West to the East coasts, historic preservation plays a key role in creating, maintaining, and growing communities while preserving their historical significance. The Federal Rehabilitation Tax Credit (HTC) program, administered by the State Historic Preservation Offices in cooperation with the National Park Service, is an important driver in economic development. The program benefits communities by:

- Increasing the value of the rehabilitated property by returning vacant or underutilized structures to the tax rolls and stimulating adjacent development projects.

- Encouraging protection of landmarks through the promotion, recognition, and designation of historic structures, and acting as a catalyst for further community renewal.
- Revitalizing downtowns and neighborhoods and often increasing the amount of available housing within the community.

Since inception, the HTC has rehabilitated nearly 39,000 buildings, created 2.4 million jobs and leveraged \$109 billion in private investment nationwide. On average, the HTC leverages \$5 dollars in private investment for every \$1 dollar in Federal funding creating highly effective public-private partnerships. In 2013, the HTC spurred \$3.39 billion in rehabilitation work, created nearly 63,000 skilled, local jobs and over 25,000 new or renovated housing units. All of which brings short and long-term economic opportunities for the community.

A recent successful example is the \$100 million rehabilitation of Building 91 of the former R.J. Reynolds Tobacco Co. manufacturing plant in Winston-Salem, North Carolina. This 242,000 square foot building now houses the research department arm of the Wake Forest University Baptist Medical Center along with space for other biotechnology start-up companies. Winston-Salem Mayor Allen Joines said of the project, "It's been extremely gratifying to watch this solid old building bounce back to life. It lets us preserve some of the city's tobacco heritage while putting us on a path toward a knowledge based future."

Heritage tourism also creates jobs, new businesses, builds community pride and can improve quality of life. SHPOs are essential, ground level partners in identifying historic places and providing research for tourism interpretation. A minimal \$3 million increase in SHPO funding would allow SHPOs to expand their public outreach and assistance, enabling communities to take greater advantage of heritage tourism opportunities. Cultural and heritage travelers spend an average of \$994 per trip and contribute more than \$192 billion annually to the U.S. economy.<sup>1</sup>

#### COMMUNITY REVITALIZATION

Nationwide, communities have experienced how historic preservation plays a prominent and effective role in community and neighborhood revitalization. In many cases, historic preservation combats the effects of vacancy by using the historic built environment as a catalyst for community change. These changes result in historic downtown districts and neighborhoods becoming "destinations" consisting of restaurants, office space, art galleries, specialty shops, living spaces, and civic centers.

The City of Franklin, Tennessee has identified historic preservation as one of the main priorities in their Land Use Plan. Because of their preservation efforts and the ensuing economic development, the American Planning Association named the Downtown Franklin Neighborhood as one of the "Great Places in America." Franklin believes that taking care of their built environment does more than just save old buildings. It provides economic development, community pride, and a sense of belonging that helps build the future.

The rehabilitation of the American Brewery building in Baltimore, Maryland is another success. The \$25 million rehabilitation project is located in the Broadway East neighborhood, a low-income area of row houses and small commercial storefronts that suffer from abandonment and blight. The tenants in the newly restored structure include Humanim, a social services organization, which is providing workforce development services and job creation opportunities directly to the surrounding neighborhood. In addition to relocating its 250 employees there, the organization made 40 local hires and the once abandoned structure is now spurring greater developer confidence in the community.

#### FINDING AND SAVING AMERICA'S HERITAGE

While historic preservation generates economic development and community revitalization, it of course also saves old buildings and significant places. These sites represent the many people, places, and events that have left marks on and shaped our national landscape. The authors of the 1966 National Historic Preservation Act wrote:

"the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;"

<sup>1</sup>U.S. Cultural and Heritage Tourism Study (October 2009) conducted by Mandala Research, LLC for U.S. Cultural & Heritage Tourism Marketing Council, U.S. Department of Commerce, and Gozaic/Heritage Travel Inc., a subsidiary of the National Trust for Historic Preservation.

The first step in preserving and protecting America's heritage is identifying it—which comes through survey, inventory and creating digital records. This information forms the fundamental building blocks of our Nation's historic preservation program and is a key program area that's lacking at the current level of appropriation. The NCSHPO requests a minimum of \$6 million a year, for each of the next 10 years, specifically for survey, inventory, and records digitization.

Having accurate, up-to-date, digitally accessible information on our Nation's historic resources would drastically increase the efficiency and effectiveness of all local, State, and Federal projects. From deciding on the design of local in-fill development, to State transportation planning projects, to Federal large-scale energy projects and disaster recovery efforts—every single project, and the American people would benefit.

Once identified and documented, America's historic resources are primarily recognized at the local, State, and national levels through historic districts and listing on National and State Historic Registers. State Historic Preservation Officers, through the authority of the National Historic Preservation Act assist, support and encourage communities with their efforts. National Register recognition by the Secretary confirms citizens' belief in the significance of their community.

The National Historic Preservation program is primarily one of assistance, not acquisition. The Federal Government does not own, manage, or maintain responsibility for most of the historic assets in the National Historic Preservation program. Instead, the program, through the SHPOs, provides individuals, communities, and local, State, and Federal Governments the tools they need to identify preserve and utilize the historic assets of importance to them.

To that end, in addition to the \$6 million for survey, inventory, and digitization, the NCSHPO requests a minimum of \$50 million for SHPOs, to simply sustain their current operating levels. The NCSHPO also requests \$3 million for a competitive grant program to survey and nominate to the National Register of Historic Places or National Landmark Program, sites associated with populations that are currently underrepresented. SHPOs have created many programs and activities to support this effort but the current funding level restricts their ability to be fully implemented. Three million will provide a positive step in their implementation. The NCSHPO also supports \$10 million for a competitive grant program that provides seed money for bricks & mortar rehabilitation projects listed at the local, State, and national levels of significance. There is currently no Federal funding provided for this activity.

The NCSHPO also requests that in 2015, the subcommittee supports a reauthorization of the Historic Preservation Fund that includes full and permanent funding at \$150 million a year.

#### 2013 STATE HISTORIC PRESERVATION OFFICES' ACCOMPLISHMENTS

SHPOs used their HPF allocations well in 2013. While virtually every State continues to experience staffing and operational reductions, SHPOs are still charged with implementing the requirements of the NHPA to the fullest extent. Highlights of 2013 historic preservation accomplishments include:

- Reviewing nearly 103,000 Federal undertakings within 30 days.
- Leveraging over \$3.39 billion of private investment in the rehabilitation of commercial historic properties under HTC program.
- An estimated 70,000 jobs created by the HTC program in 2013.
- Over 7,000 low and moderate income housing units created through the HTC.
- Approximately 16.3 million acres surveyed for the presence or absence of cultural resources.
- 1,175 new listings in the National Register of Historic Places.
- 82,100 National Register eligibility opinions.
- 29 new communities became Certified Local Governments (CLGs).
- Under local law, CLG's newly designated 54,500 properties, and 93,900 properties took part in local preservation review, programs, and incentives.

#### CONCLUSION

On behalf of all 59 SHPOs, I'd like to thank you Chairman Reed, Ranking Member Murkowski, and Members of the Senate Appropriations Subcommittee on Interior, Environment and Related Agencies for the opportunity to submit testimony.

Historic preservation recognizes that what was common and ordinary in the past is often rare and precious today, and what is common and ordinary today may be extraordinary—50, 100 or 500 years from now. I would like to thank the subcommittee for their commitment to historic preservation. The Federal Government plays an invaluable role in preserving our Nation's history and our collective sense

of place. Through our partnership, SHPOs remain committed to working together to identify, protect, and maintain our Nation's historic heritage. Thank you.

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PREPARED STATEMENT OF THE NATIONAL CONGRESS OF AMERICAN INDIANS

On behalf of the National Congress of American Indians (NCAI), we thank you for the opportunity to submit written testimony on Native American programs in the Interior appropriations bill. NCAI is the oldest and largest American Indian organization in the United States. Tribal leaders created NCAI in 1944 as a response to termination and assimilation policies that threatened the existence of American Indian and Alaska Native tribes. As the most representative organization of American Indian and Alaska Native tribes, NCAI serves the broad interests of tribal governments across the Nation. As Congress considers the fiscal year 2015 budget and beyond, leaders of tribal nations call on decision-makers to ensure that the promises made to Indian Country are honored in the Federal budget.

NCAI includes recommendations for Interior bureaus, the Indian Health Service, and the Environmental Protection Agency, but the fiscal year 2015 Indian Country Budget Request<sup>1</sup> includes many more specific recommendations and we urge this subcommittee to use it as a resource during this appropriations cycle. NCAI also supports the testimony of the National Indian Health Board, National Indian Child Welfare Association, National Indian Education Association, and American Indian Higher Education Consortium.

INTRODUCTION

Annual funding decisions by Congress are an expression of our Nation's moral priorities. Numerous treaties, statutes, and court decisions have created a fundamental contract between tribal nations and the United States: tribes ceded millions of acres of land that made the United States what it is today, and in return tribes have the right of continued self-government and the right to exist as distinct peoples on their own lands. And for its part, the United States has assumed a trust responsibility to protect these rights and to fulfill its solemn commitments to Indian tribes and their members. Part of this trust responsibility includes basic governmental services in Indian Country, funding for which is appropriated in the discretionary portion of the Federal budget. The Federal budget for tribal governmental services reflects the extent to which the United States honors its promises to Indian people.

DEPARTMENT OF THE INTERIOR, BUREAU OF INDIAN AFFAIRS (BIA)

The fiscal year 2015 budget request for the Operation of Indian Programs account is \$2.4 billion, an increase of \$33.8 million, or 1.4 percent, above the fiscal year 2014 enacted level. The fiscal year 2015 budget request for the Construction account is \$109.9 million; a decrease of \$216,000 below the fiscal year 2014 enacted level.

The fiscal year 2015 budget proposes a total of \$922.6 million in Tribal Priority Allocations, an increase of \$19.3 million over the fiscal year 2014 level, a 2 percent increase.

The budget request for contract support is \$251 million; including funding for the Indian Self-Determination Fund, an increase of \$4 million above the fiscal year 2014 enacted level. The requested amount will fully fund estimated fiscal year 2015 contract support costs, according to BIA based on the most recent analysis. NCAI commends the administration for requesting full funding for Contract Support Costs in fiscal year 2015. NCAI recommends that the Tribal Grant Support Costs for tribally controlled schools and residential facilities should also be fully funded. Tribal Grant Support Costs (formerly referred to as Administrative Cost Grants) funding is provided to the schools to cover administrative and indirect costs incurred in operating contract and grant schools. In school year 2012–2013, tribally controlled grant schools received an estimated 64 percent of the grant support funding needed as defined by the administrative cost grants formula.

*Major Initiatives*

The Tiwahe (Family) Initiative would provide an additional \$11.6 million to expand Indian Affairs' capacity to address Indian child and family welfare and job training issues and implement processes to better sustain Indian families. Increases include: \$10 million to build on social services and Indian child welfare programs that provide culturally-appropriate services toward health promotion, family sta-

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<sup>1</sup>National Congress of American Indians. (January 2014). Fiscal year 2015 Indian Country Budget Requests: An honorable budget for Indian country. Washington, DC: Author.

bility, and strengthening tribal communities; \$550,000 to expand job placement and training programs; BIA law enforcement would begin a pilot program to implement a strategy for alternatives to incarceration and increased treatment; \$1 million to develop and institutionalize a program for evaluating social service and community development needs and to inform programmatic design, evaluation, management, and budgeting.

Tribal leaders through the Tribal Interior Budget Council have repeatedly called for increases to Social services and Indian Child Welfare Act (ICWA) funding. NCAI also supports increases to these two activities. ICWA was enacted in 1978 in response to the troubling practices of public and private child welfare agencies that were systematically removing American Indian and Alaska Native children from their homes, communities, and culture, and placing them in non-Indian foster and adoptive homes. The Act not only provides protections for Native children in State child welfare and judicial systems but recognizes the sovereign right of tribes to care for their children. The crippling of Native economies before the Self-Determination Era left tribal citizens overwhelmingly impoverished, facing high unemployment compared to non-Native people, and with few economic opportunities. The barriers to employment vary region-to-region in Indian Country, but include geographic remoteness, a weak private sector, poor basic infrastructure, and even a lack of basic law enforcement infrastructure. This, coupled with the recent economic down turn, makes the Social Service program an essential yet underfunded part of anti-poverty programming on reservations nationwide. For these reasons, NCAI supports the increase BIA Social Services.

Education increases include: \$500,000 for Johnson O'Malley education assistance grants to support a new student count in 2015 and provides funding for the projected increase in the number of students eligible for grants; \$1 million to support the ongoing evaluation of the BIE school system. NCAI also recommends \$263.4 million for School Construction and Repair, \$73 million For Tribal Grant Support Costs; \$431 million for Indian School Equalization Program Formula Funds; \$73 million for Indian student transportation; and \$42 million for Johnson O'Malley funding (justification is included in the fiscal year 2015 Indian Country Budget).

*Public Safety.*—Indian Country has long struggled with high crime victimization rates. Violent crimes impose economic costs on the victims and their families, in the form of medical and other expenses and the loss of earnings. Areas with high crime also experience reduced investment. Safe communities are necessary for economic development. Moreover, the Indian Law and Order Commission found that tribal nations throughout our country would benefit enormously if locally based and accountable law enforcement officers were staffed at levels comparable to similarly situated communities off-reservation. In 2010, DOI established a High Priority Performance Goal (HPPG) initiative to reduce violent crime by at least 5 percent over 24 months on four reservations that were experiencing high rates of violent crime. In fiscal year 2010, all four locations received an increase in base funding to support additional sworn staff. The additional resources assisted in closing the staffing gap and bringing each location up to national sworn staffing levels as listed under the U.S. Department of Justice Uniform Crime Report staffing averages. The effort resulted in a 35 percent decrease in violent crime across the four sites. The Indian Law and Order Commission report states, “[d]espite the current budget reality, the results of the HPPG Initiative should not be forgotten: parity in law enforcement services prevents crime and reduces violent crime rates.”<sup>2</sup> NCAI also recommends an increase for BIA tribal courts.

*BIA Overall.*—NCAI appreciates recent support for some tribal programs over the last few years, especially for the Indian Health Service, contract support costs, and law enforcement. In the fiscal year 2015 President’s budget, DOI’s current appropriations would increase 2.6 percent, without BIA. For BIA to at least match the 2.6 percent increase over fiscal year 2014 for DOI’s current appropriation level would require an additional \$69.2 million. About 91 percent of the funding proposed that that would benefit Indian tribes in DOI is through BIA and Office of the Special Trustee for American Indians (OST) and 9 percent of funds to tribes (excluding fire) are in other bureaus.

<sup>2</sup>Indian Law & Order Commission. (November 2013). *A roadmap for making Native America safer: Report to the President & Congress of the United States*, Executive Summary, p. xxx.

(Dollars in thousands)

Agency	2015 Request	Tribes	Percent of Agency
US Geological Survey (USGS) .....	\$1,073,268	\$7,600	0.7
Fish & Wildlife Service (USFWS) .....	1,476,202	10,700	0.7
National Park Service (NPS) .....	2,614,599	13,500	0.5
Bureau of Land Management (BLM) .....	1,113,542	16,900	1.5
Dept. Wide Programs .....	876,053	35,000	4.0
Bureau of Reclamation (BOR) .....	1,042,995	186,500	17.9

The other Interior agencies certainly provide assistance to Indian tribes. The President's budget includes funds for tribes such other DOI budgets: 0.7 percent of the USGS budget, 0.7 percent of the USFWS budget, 0.5 percent of the NPS budget, and 18 percent of the BOR budget.<sup>3</sup> NCAI appreciates that, for instance, USGS is increasingly engaging with tribes to develop climate adaptation programs and working to meet tribes' needs for scientific and planning information.

The USFWS also is improving its work with tribes, such as with the North Pacific Landscape Conservation Cooperative (NPLCC). Increased tribal engagement is good, to the extent that non-BIA bureaus are assisting tribes, providing resources and upholding the Federal trust responsibility.

But BIA provides the primary resources for carrying out the core governmental services to about 2 million American Indians and Alaska Natives. Funding for tribal capacity building is critical. Individual projects, such as the NPLCC, do not provide the long-term capability that tribes need to be able to address climate issues. The \$9.947 million in the BIA's budget for Cooperative Landscape Conservation does not go far for 566 federally recognized tribes. Even as other agencies work to improve meeting their obligations to tribes, NCAI urges Congress to ensure that the BIA budget can provide the resources that modern and sophisticated tribal governments require.

#### INDIAN HEALTH SERVICES

NCAI requests that for fiscal year 2015, Congress truly restore the sequestration cuts remaining from fy 2013, and adjust for inflation and population growth. Though discretionary spending is not facing sequestration in fiscal year 2015, NCAI urges this subcommittee to continue to advocate for a permanent, full exemption from sequestration, as well as rescissions, for Tribal programs for fiscal year 2016 and beyond. NCAI supports the recommendations of the Tribal Budget Formulation Workgroup for fiscal year 2015 as well as the National Indian Health Board's testimony.

#### ENVIRONMENTAL PROTECTION AGENCY (EPA)

*Tribal General Assistance Program (GAP) Grants.*—GAP would receive a \$31 million increase in base funding in the President's budget, which would increase the average size of grants made to eligible tribes while providing tribes with a stronger foundation to build tribal capacity; and further the EPA's partnership and collaboration with tribes to address a wider set of program responsibilities and challenges. As the largest single source of the EPA's funding to tribes, the Tribal GAP grants assist tribes to establish the capacity to implement programs to address environmental and public health issues in Indian Country. NCAI supports this proposed increase.

#### CONCLUSION

Thank you for this opportunity to share our concerns on programs that fulfill treaty and trust obligations in the Interior, Environment, and Related Agencies Appropriations bill. We look forward to working with this subcommittee on a bipartisan basis once again this year.

<sup>3</sup> Analysis of Appendix A of the Fiscal Year 2015 Interior Budget in Brief, retrieved at <http://www.doi.gov/budget/appropriations/2015/highlights/upload/A001.pdf> and March 26 Testimony of Asst. Sec. Washburn before the Senate Committee on Indian Affairs, retrieved at <http://www.indian.senate.gov/sites/default/files/upload/files/032614%20Kevin%20Washburn%20FINAL.pdf>.

## PREPARED STATEMENT OF THE NATIONAL INDIAN CHILD WELFARE ASSOCIATION

The National Indian Child Welfare Association (NICWA) is a national American Indian/Alaska Native (AI/AN) nonprofit organization. NICWA has over 30 years of experience providing leadership in the development of public policy that supports tribal self-determination in child welfare and children's mental health systems. We urge Congress, as they make budgetary decisions for fiscal year 2015, to not forget the unique interest of AI/AN children and families. This testimony will provide recommendations for the following programs administered by the Bureau of Indian Affairs in the Department of the Interior: Indian Child Protection and Family Violence Prevention (\$43 million), Social Services (\$40.8 million), Welfare Assistance (\$80 million), and Indian Child Welfare Act Program (Tribal Priority Allocation—\$15.6 million; Self-Governance—\$16.5 million; Off-Reservation Program—\$5 million).

Tribes have an important relationship with their children and families; they are experts in the needs of AI/AN children, best-suited to effectively serve those needs, and most able to improve these children's child welfare outcomes (NICWA & Pew Charitable Trust, 2007). In addition, statistics show that AI/AN children face elevated rates of child abuse and neglect (Department of Health and Human Services, 2012). The key to successful tribal child welfare is a budget that avoids unnecessary restraint on tribal decisionmaking and accounts for the elevated need in tribal communities.

## PRIORITY PROGRAM RECOMMENDATION

*Indian Child Protection and Family Violence Prevention Act recommendation.*—Appropriate \$43 million for the three discretionary grant programs under this law: (1) \$10 million for the Indian Child Abuse Treatment Grant Program; (2) \$30 million for the Indian Child Protection and Family Violence Prevention Grant Program; and (3) \$3 million for the Indian Child Resource and Family Service Centers so that tribes will finally get this vital funding.

The Indian Child Protection and Family Violence Prevention Act (ICPFVP; Public Law 101-630), was enacted to fill gaps in tribal child welfare services—specifically child protection and child abuse treatment—and to encourage coordination between child abuse and domestic violence programs.

AI/AN women are more likely than any other racial group to experience intimate partner violence (IPV); 39 percent of AI/AN women report having experienced IPV at some point in their lives (Black and Breiding, 2008). Studies show that in 49 percent-70 percent of cases, men who abuse their partners also abuse their children (White Eagle, Clairmont, and Hunter, 2011). The ICPFVP programs are the only funds specifically authorized for tribes to address these issues. The three programs authorized under this line item provide funding for child abuse treatment and prevention; investigation of child abuse reports; family violence treatment services; and the establishment of BIA Indian child resource and family service centers to assist tribes with the investigation, prevention, and treatment of victims of child abuse and domestic violence. In spite of the great need, and these programs' authorization in 1991, only the BIA Indian child resource and family centers have ever received funding and that was only in one fiscal year.

This year the President introduced an important Indian Country budget initiative: the Tiwahe (Family) Initiative. This initiative aims to empower tribal communities in order to strengthen AI/AN families by "directing additional resources to support culturally appropriate social services and a more holistic approach toward family stability" (U.S. DOI Budget Justifications and Performance Information Indian Affairs fiscal year 2015 ("Greenbook"), 2014, p. IA-ES-2). This initiative will provide additional funding to the BIA Social Service Program, the Indian Child Welfare Act (ICWA) program, and to BIA job training and job placement programs. Omitting the funding for ICPFVPA programs leaves a gap in the President's initiative. For this reason, and as a part of this Tiwahe Initiative, the programs under this grant should be fully appropriated.

## OTHER PROGRAM RECOMMENDATIONS

*Social Services recommendation.*—Increase funding by \$5 million as recommended by the President's proposed Tiwahe Initiative for a total appropriation of \$40.8 million so that child protective services can be fortified.

The BIA Social Services line item funds contracted/compacted tribal social workers who help families get assistance and protect children and elders, BIA social work staff at regional and agency offices, support programs for AI/AN individuals, and training and technical assistance to tribal social service programs.

This line item is, therefore, an essential part of tribal child welfare systems. The Social Service line item helps AI/AN families meet their basic needs which prevents involvement with the child welfare system. It provides the only BIA funding available for child protective services in Indian Country (because the ICPFVPA remains unfunded).

The President has proposed a \$5 million increase in Social Service funding in his fiscal year 2015 budget as part of the Tiwahe (Family) Initiative. These funds are to be used “to add much needed additional social workers for both tribal and [BIA] operated programs” (Greenbook, 2014, p. IA-HS-2). These social workers are to be dedicated to child protection, and it is the hope of the President that this increase in capacity will allow tribal child welfare systems to “focus on long-term strategies to address the impact of family violence on the break-up of the families” and “to provide more prevention, intervention, and outreach activities” (Greenbook, 2014, p. IA-HS-2). We commend the President for the Tiwahe Initiative and this proposed increase in funding for tribal social services and ask that Congress fund Social Services at \$40.8 million as recommended by the President.

*Welfare Assistance recommendation.*—Increase current funding levels to \$80 million to provide a safety net for Native families and assist grandfamilies and other kinship caregivers in tribal communities.

The Welfare Assistance line item provides five important forms of funding to AI/AN families: General Assistance, Child Assistance, Non-Medical Institutional or Custodial Care of Adults, Burial Assistance, and Emergency Assistance. General Assistance, Emergency Assistance, and Child Assistance are particularly important to tribal child welfare programs.

*General Assistance* provides financial assistance for essential needs such as food, clothing, shelter, and utilities while individuals who are ineligible for all other financial assistance programs work towards independence as outlined in a self-sufficiency plan. AI/AN children are more likely to live in households that are below the poverty line. Thirty-four percent of AI/AN children live in households with incomes below the poverty line as compared to 20.7 percent of children nationwide (Maternal and Child Health Bureau, 2012). In addition, nearly 19 percent of the AI/AN labor force is unemployed on reservations (2006–2010 American Community Survey)—twice the rate for the total population. These funds are essential to the basic well-being of the families who receive them and also an important tool for child welfare agencies working to keep families together. These funds, like Emergency Assistance, also funded under this line item, often provide the financial assistance necessary to prevent neglect and the removal of a child.

*Child Assistance* provides payments on behalf of children who are placed outside their homes in foster, adoptive, or guardianship care. Because tribal governments have a responsibility to support the placement of AI/AN children that live on tribal lands under their jurisdiction who cannot remain safely at home, these funds are critical. Currently only three tribes have access to title IV-E, the funding stream States use to support out-of-home placements. Other tribes rely on Child Assistance funds for this purpose. Without these funds, tribes would have to place children in unsubsidized substitute care homes. This would put an undue burden on tribal foster families and make foster care recruitment in AI/AN communities all the more difficult.

The current funding level for these important services just begins to meet the need in tribal communities. For this reason, the funds should be increased by \$5 million. This amount will provide necessary support to AI/AN families at risk of being torn apart, to children in relative placements, and to AI/AN individuals and families who need a hand up.

*ICWA Funding recommendation.*—Increase the ICWA On or Near Reservation Program appropriations by \$5 million and the Self-Governance and Consolidated Tribal Government ICWA On or Near Reservation appropriations by \$5 million, for a total increase of \$10 million to help tribes meet the needs of their communities. Appropriate an additional \$5 million for the authorized, but unfunded, Off-Reservation ICWA Program to ensure ICWA protects all children.

At the time that ICWA was passed, Congress estimated that between \$26 million and \$62 million was required to fully fund tribal child welfare programs on or near reservations during the first years of the grant program (U.S. Senate Report 95–597). ICWA funding is used for family reunification and rehabilitation, case management, foster care recruitment and retention, and adoption services. As the President has recognized in his Tiwahe (Family) Initiative, increased ICWA funding is essential for strong AI/AN families and communities. This funding is designed to “prevent the breakup of Indian families or reunite them if break-up occurs” (Greenbook, 2014 p. IA-HS-3). This funding is also used to “expand the capabilities of tribes to intervene in involuntary court proceedings and ensure the children are not separated

from their cultural base” (Greenbook, IA–HS–3). Despite its importance to so many facets of tribal child welfare, it remains underfunded, even as tribes remain ineligible for other important child welfare funding like CAPTA State Grants, and Title XX Social Service Block Grants to which States have access.

Specifically, as part of the Tiwahe Initiative, the President recommends a \$5 million increase to ICWA on-reservation funding to be shared between Tribal Priority Allocation and Self-Governance/638/Consolidated Tribal Government Programs. This would amount to an approximate increase of \$2.5 million to each of these ICWA on-reservation programs. We commend the President for this initiative and for his recognition of the importance of ICWA funding to tribal communities and families. Spreading the \$5 million increase between both Tribal Priority Allocation tribes and Self-Governance/638/Consolidated Tribal Government Programs, however, will prevent a significant increase in actual ICWA funding for all tribes. ICWA is such a foundation to the Tiwahe Initiative that we recommend a \$5 million increase to each of the ICWA on-reservation funding programs. This would mean a \$5 million increase to the Tribal Priority Allocation as well as a \$5 million increase to Self-Governance/638/Consolidated Tribal Government Programs for ICWA purposes.

The protections of ICWA apply to AI/AN children on-reservation and children who live in urban areas. For this reason, ICWA authorizes child welfare funding for urban ICWA programs. From 1979–1996, funding was allocated for ICWA grants to urban organizations serving AI/AN peoples. This off-reservation ICWA program has not since been funded since, despite the fact that, according to the 2010 Census, 67 percent of AI/AN people lived off-reservation. Urban programs provide important ICWA services including recruitment of AI/AN foster homes, case management, identification of at-risk families for services, and in-home services that help children stay in their homes or be reunified with their parents. As a result of the loss of funding, the majority of these programs have disintegrated. It is for this reason that to truly fulfill the Tiwahe Initiative, funding for off-reservation ICWA programs must be reinstated and appropriated at \$5 million to ensure that all AI/AN children are protected by the ICWA.

#### INDIAN CHILD WELFARE ACT

	Fiscal year 2012 enacted	Fiscal year 2013 * enacted	Fiscal year 2014 enacted	Fiscal year 2015 President's Budget	Fiscal year 2015 recommended
On-Reservation: Tribal Priority Allocation .....	\$10,850,000	\$10,628,000	\$10,710,000	~\$13,128,000	\$15,628,000
On-Reservation: Self-Gov/638/Consol. Tribal Gov't Program .....	11,300,000	11,480,000	number not available	~\$13,980,000	16,480,000
Off-Reservation .....	0	0	0	0	5,000,000

\* Reflects sequestration effects.

#### PREPARED STATEMENT OF THE NATIONAL INDIAN EDUCATION ASSOCIATION

The National Indian Education Association (NIEA) was incorporated in 1970 and is the most representative Native education organization in the United States. NIEA's mission is to advance comprehensive and equal educational opportunities for American Indian, Alaska Native, and Native Hawaiian students. NIEA supports tribal sovereignty over education as well as strengthening traditional Native cultures and values that enable Native learners to become contributing members of their communities. As the most inclusive Native education organization, NIEA membership consists of tribal leaders, educators, students, researchers, and education stakeholders from all 50 States. From communities in Hawaii, to tribal reservations across the continental U.S., to villages in Alaska and urban communities in major cities, NIEA has the most reach of any Native education organization in the country.

Tribes and Native communities have a tremendous stake in an improved education system, because an improved system equates to better services for Native people and students. As tribes work to increase their footprint in education, there must be support for that increased participation. Established through treaties, Federal law, and U.S. Supreme Court decisions, this relationship includes a fiduciary obligation to provide parity in access and equal resources to all American Indian and Alaska Native students, regardless of where they attend school. National fiscal and policy concerns should not be addressed by decreasing funds and investment to Native students or the programs that serve them. Rather, Native education, includ-

ing those programs and services under the Department of the Interior (DOI), is one of the most effective and efficient investments the Federal Government can make.

As tribes and Native communities work with Congress for parity in access to increase their role and responsibility in administering education, Federal support for tribal governments and Native education institutions has continued to shrink as a percentage of the Federal budget. Historical funding trends illustrate that the Federal Government is abandoning its trust responsibility by decreasing Federal funds to Native-serving programs by more than half in the last 30 years. Sequestration only exacerbated those shortfalls.

#### THE STATE OF NATIVE EDUCATION

Partly as a result of insufficient access to resources, Native education is in a state of emergency. Native students lag far behind their peers on every educational indicator, from academic achievement to high school and college graduation rates. Just over 50 percent of Native students are graduating high school, compared to nearly 80 percent for the majority population nationally. For students attending Bureau of Indian Education (BIE) schools, rates are even lower. According to the latest results from the National Assessment of Educational Progress (NAEP), the BIE's tribally controlled schools (approximately 120 facilities) are among the worst performing schools in the Nation due to an array of issues often caused by inadequate access for tribal involvement as well as insufficient resources. Due to the inability of elementary and secondary schools to adequately prepare our children, only 40 percent of Native college enrollees in 2004 actually graduated college with a bachelor's degree by 2010. For Native students to succeed in post-secondary education and careers, they must have a strong education foundation, whether they attend public, tribally-controlled, or direct service BIE schools.

#### BUREAU OF INDIAN EDUCATION REFORM

For too many years, DOI made other programs priorities while Native education programs and the BIE were afterthoughts. In addition to the disparaging September 2013 Government Accountability Office (GAO) Report on the BIE school system, the work of this subcommittee and education partners has built momentum around much-needed BIE reform. NIEA is enthusiastic about the renewed collaboration among Secretaries Sally Jewell and Arne Duncan in the Departments of the Interior and Education (ED) and for their support to create the American Indian Education Study Group (Study Group). We are also excited to strengthen our work with BIE Director Dr. Charles "Monty" Roessel to ensure BIE moves in the right direction. We are already happy to see the hiring of a coordinator within the Bureau to start work on the 2014 Johnson O'Malley (JOM) student count, which was last officially updated in 1995.

However, much work lies ahead. The Study Group is currently behind schedule in producing their report, so it is important to maintain pressure for results. Further, as the Study Group works with tribal communities this spring and summer to release a report, NIEA hopes this subcommittee will analyze our recommendations and take concrete steps to support the reforms required for increasing the capacity of tribes to govern their education systems. These include (1) providing the BIE the ability to manage its budget; (2) strengthening tribal capacity to administer education services; and (3) providing budgetary support for programs, such as tribal grant support costs and school construction, so the BIE can provide safe environments for our students as well as sufficiently support tribes as they contract education services.

#### FISCAL YEAR 2015 RECOMMENDATIONS

##### *BIE Budget Authority*

For too long, bureaucratic issues among the Bureau of Indian Affairs (BIA) and the BIE have decreased the ability of the BIE to meet the educational needs of our youth. Congress and Federal agencies should make funding for BIE a priority to increase available resources for addressing the needed systemic changes and issues highlighted in the September 2013 GAO Report. DOI should transfer budget authority from the BIA to the BIE to increase efficiency and effectiveness, as BIE officials better understand needed funding within their programs.

As a result of BIA authority over the BIE budget, the BIE is often low in priority as compared to other programs. As a result of internal BIA fiscal year 2014 Operating Plan reallocations, the BIA reduced JOM Assistance Grants by \$170,000 as well as cut BIE higher education scholarships. NIEA is fully supportive of the hard work tribes and Native communities put forth to achieve full funding for contract

support costs in fiscal year 2014. However, such achievements should not come by forfeiting funds from critical education programs and services.

Furthermore, while the reduced lines were under tribal priority allocations, such reductions were not authorized by tribal leaders but were a result of internal redistributions. While the reductions are small as compared to the overall increase in the BIA budgets, rescissions without appropriate consultation are unacceptable. Providing the BIE the ability to develop its own budget would ensure the BIA cannot reallocate funds from the BIE as it would be a separate Bureau with its own budget authority.

*Strengthen Tribal Capacity—\$5 million*

Tribes should be provided more opportunity to collaborate and participate in their children's education systems. Since the late 20th Century, Congress has worked to strengthen tribal capacity to directly serve their citizens. The BIE should become a capacity builder to help tribes administer education services. While an authorization under the U.S. Department of Education for tribal capacity building in public schools on reservations has been funded since fiscal year 2012, the program only addresses one aspect of existing need.

The State-Tribal Education Partnership Program (STEP) in ED is a solid start for increasing collaboration among States and tribes for increasing the tribal role in a Native student's education. However, additional funding of \$5 million within both DOI and ED totaling \$10 million is needed to ensure more tribes can participate in providing education services via their tribal education agencies in local tribally-controlled grant schools. Because tribes and their education agencies understand their students' cultural and academic needs best, this local authority would allow tribes to efficiently and effectively reverse the negative academic outcomes currently pertaining to Native students.

*Capacity and Collaboration—\$5 million*

As the BIE is increasingly able to support tribes and their education agencies, BIE reform would be strengthened by providing funds for a competitive grant pilot that incentivizes capacity building in tribally-controlled grant schools. This grant program would be modeled on best practices from existing competitive grants in use within the Department of Education. For \$5 million, the BIE could participate in a pilot to help spur urgent and abrupt systemic reform that will substantially improve student success, close achievement gaps, improve high school graduation rates, and prepare students for success in college and careers.

The three-year competitive incentive-based grant, similar to existing Race to the Top initiatives for which BIE continues to be excluded, would provide resources for tribes to accelerate their local reforms and align education services to tribal education priorities that include language and culture as well as meet challenging academic standards. Further, performance metrics for the grant would include student attendance rates, graduation rates, college enrollment rates, measures on educator accountability, and performance on standardized assessments. In order to catalyze reform efforts and create a set of high-performing, tribally-controlled grant schools, the BIE would also provide on-going technical assistance to help build the capacity of those schools that applied for, but did not receive, a grant.

*Construction Funding—\$263.4 million*

Similar to previous years, NIEA is requesting increased funding for BIE school construction and repair with an allocation to be set at \$263.4 million. That level ensures funds for new school construction, facilities improvement and repair, and replacement school construction. NIEA was excited to see new funding appropriated by Congress in fiscal year 2014 and 2015 to begin work on the first phase of the Beatrice Rafferty School located in Maine. However, it is time bring all vested stakeholders to the table to work on a plan for providing enough resources to actually replace dilapidated BIE schools.

DOI Secretary Sally Jewell recently stated on March 25, 2014 before the House of Representatives' Appropriations Subcommittee on Interior, Environment, and Related Agencies that, "[DOI] is focusing more on the classrooms, than the buildings." This limited concentration is unacceptable. As the first DOI budget under her leadership, the administration's budget request for replacement construction continues to be inadequate. The administration must support efforts to drastically increase replacement funds and address the long-outdated list of more than 60 BIE school buildings in disrepair and unsatisfactory conditions. The Federal Government understands the need to bring all DOD schools to a good or fair rating by 2018, yet the BIE school system is ignored. While focusing on the classroom is to be applauded, no child can be expected to successfully learn while the structure around them is potentially dangerous.

*Tribal Grant Support Costs—\$73 million*

NIEA was happy to see IHS and BIA contract support costs fully funded under self-determination and self-governance this year. However, Public Law 100–297 grant or Public Law 93–638 self-determination contracted BIE schools were exempt from full funding, which will result in budget shortfalls. Full funding for tribal grant support costs in fiscal year 2015 and subsequent years is critical as these dollars help tribes expand self-governance and tribal authority over education programs by providing funds for administrative costs, such as accounting, payroll, and other legal requirements. The BIA currently funds only 65 percent of support costs in the 125 tribally controlled schools and residential facilities under the BIE purview. This forces schools to divert critical education funding in order to cover shortfalls in operational costs, which make it unrealistic to improve educational outcomes and bridge the achievement gap among Native and non-Native students.

## CONCLUSION

NIEA appreciates the opportunity to submit written testimony into the record and we look forward to increasing the success of the BIE and tribes as they work together to educate Native students. Thank you again and if you have any questions, please contact Ahniwake Rose, NIEA Executive Director, at [arose@niea.org](mailto:arose@niea.org).

## PREPARED STATEMENT OF THE NATIONAL INSTITUTES FOR WATER RESOURCES

Chairman Reed and Ranking Member Murkowski: I am Brian Haggard, Director of the Arkansas Water Resources Center at the University of Arkansas. Thank you for the opportunity to testify on behalf of the National Institutes for Water Resources (NIWR), in support of the Water Resources Research Act program. The program is funded as part of the U.S. Geological Survey's budget. I specifically want to thank you for the subcommittee's continuing strong support for the Water Resources Research Act.

This year is the 50th anniversary of the Act. In 1959, a Senate select committee was formed to investigate the adequacy of the Nation's water resources. As a result of its findings, a bill was introduced to create a national water resources research program designed to expand and provide more effective coordination of the Nation's water research. The bill authorized the establishment of water resources research institutes at land grant colleges in each State. On July 12, 1964, when President Lyndon B. Johnson signed the bill into law he said,

“The Water Resources Research Act of 1964, which I have approved today, fills a vital need...it will create local centers of water research. It will enlist the intellectual power of universities and research institutes in a nationwide effort to conserve and utilize our water resources for the common benefit.”

The Act authorized the establishment of Water Resources Research Institutes in each of the 50 States and Puerto Rico. Later, Institutes were authorized in Washington DC, Guam, the Virgin Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands and American Samoa. The Institutes were created to fulfill 3 main objectives:

- to develop through research new technology and more efficient methods for resolving local, State and national water resources problems;
- to train water scientists and engineers through on-the-job participation in research; and
- to facilitate water research coordination and the application of research results by means of information dissemination and technology transfer.

Today the Water Resources Research Institutes, in partnership with the U.S. Geological Survey, continue to fulfill the three roles assigned by Congress in 1964. They have funded cutting-edge water research, have conducted innovative information and technology transfer programs, and have provided training to over 25,000 students over their 50-year history.

The Water Resources Research Act program is a State-based network of institutes dedicated to solving problems of water quantity (supply) and quality in partnership with universities, local governments and the general public and is the only federally authorized research network that focuses on applied water resources research, education, training and outreach. The institutes are a direct, vital link between Federal water interests and needs and the academic expertise located within the States' research universities. It provides a mechanism for ensuring State, regional and national coordination of water resources research, the education of future water professionals, and the transfer of results and outcomes to State and Federal water profes-

sionals. The matching requirements of the program ensure that each State invests in water research and training.

The Water Resources Research Act established two grant components of the USGS Water Resources Research Institutes program, where Federal funds cannot be used to pay indirect costs at the universities. The first component is the base grant program which is divided up equally among the institutes. The Act requires that each Federal dollar must be matched by two non-Federal dollars, and this is the strictest match requirement of any Federal research program. Each Institute uses these funds to leverage research and/or student training through a statewide competitive grants process. The National Institutes for Water Resources requests the subcommittee to provide continued funding for the base grant program, which provides grants focused on water supply and quality, technology transfer, professional education, and outreach to faculty at universities within each State. The base program provides seed grants, which are used to develop future research proposals and secure additional external funds.

The second grant component is a national competitive grants program, supporting research on water resources problems that are regional or national in nature. In 2012 this program received 46 applications, which underwent rigorous peer review from a national panel. The national review panel selected a total of six projects from Alabama, Iowa, Minnesota, New York, Oregon and West Virginia, addressing water supply and quality issues facing our Nation.

The Water Resources Research Act is what holds all of this together. The Institutes specialize in identifying problems within their States, developing solutions to those problems, and engaging with the public to implement those solutions. One of the Institute program's greatest strengths is that the research funded by each Institute is tailored to that State's needs, based on priorities set by consultation with an advisory panel. These funded projects are State focused but also address water issues relevant to our Nation. The following are several examples of research conducted and projects managed by Institutes across the country.

My Institute, the Arkansas Water Resources Center, has focused on how water quality is changing over time, particularly in two watersheds where the poultry industry has been sued over elevated nutrients and aesthetic conditions—the Illinois River Watershed and Eucha-Spavinaw Basin. We used data collected through our monitoring program, as well as by the U.S. Geological Survey, to show how nutrient concentrations and loads in these critical watersheds have changed since the implementation of nutrient management practices in municipal wastewater treatment facilities and on the land. Our analysis clearly showed nutrients have decreased over time, moving closer to our water quality goals. The institutional stability of my center and its base funding made it possible to manage long-term databases and produce results.

The Rhode Island Water Resources Center has supported cutting-edge research on industrial pretreatment of wastewater before it discharge to municipal facilities. This research project produced a solution to the problem, developing a nano-technology based system capable of removing pollutants from industrial wastewater. The system uses grapheme oxide and carbon nanotubes which are capable of adsorbing high amounts of pollutants, and this polymer system is reusable. The research was applied in nature, solving a real-world problem in a sustainable way.

The Alabama Water Resources Research Institute hosted the 2013 annual water conference, focusing on the important role of Alabama's water resources in economic development. Over 300 participants attended this event, including Governor Bentley as the keynote speaker. This institute specializes in outreach activities, which has also included the Tallapoosa Basin Conference, the Apalachicola-Chattahoochee-Flint (ACF) Stakeholders Conference, municipal and legislative assistance in water resources planning, the Auburn University campus stormwater management plan, and co-sponsoring water policy forums throughout the State.

The Alaska Water and Environmental Research Center at the University of Alaska-Fairbank has been collecting and analyzing critical hydrologic data needed for planning a transportation corridor to the Ambler Mining District and the Umiat region north of Brooks Range. The river flow and ice measurements are essential information in the design bridges and environmental impact statements. This center has established itself as an entity capable of collecting and evaluating hydrologic data for projects in Alaska's most remote and challenging settings.

The California Institute for Water Resources has sponsored research on irrigation efficiency, which is critical component of water conservation strategies as our climate continues to change. The researchers supported by the institute are collecting data on transpiration, local weather conditions, and soil water retention and evaporation to identify trends that can be used to adjust irrigation methods for specific crop needs; these researchers are also analyzing nearly 40 years of irrigation survey

data to understand changes in irrigation methods across the State and over time. This research quantifies the amount of water used, on which crops it was used, and where those crops were located—the ultimate goal is to improve water conservation and sustain crop yields.

The Maryland Water Resources Research Center has supported research that will ultimately benefit the Maryland's two most important economic resources, Agriculture and the Chesapeake Bay. With increasing food markets and interest in biofuels, agriculture production is expanding and changing along with environmental impacts such as nitrogen, phosphorus and sediment input into the bay. This research projects developed low-cost anaerobic digesters that treat dairy manure while producing methane as a source of renewable energy—transforming animal waste into an environmental and economic benefit for the Chesapeake Bay region.

The Montana Water Center at Montana State University has funded research projects on the health of wetland ecosystems, and how fluctuations in the amount of evapotranspiration and groundwater available influence this important aquatic resource. Groundwater and evapotranspiration are two unknowns in any water budget and are often ignored in regional groundwater flow models. This research has used the Gartside Reservoir prairie fen to model groundwater availability and evapotranspiration and developed methods for defining aquifer conditions affecting evapotranspiration.

The New Mexico Water Resources Research Institute played a leadership role in developing the U.S.-Mexico Transboundary Aquifer Assessment Program, which allows the Interior Department and the U.S. Geological Survey to cooperate with the Arizona, New Mexico, and Texas Water Resources research Institutes, State water agencies, and other relevant entities to characterize, map and model hydrogeology of community groundwater supplies. This program provides essential information and a scientific foundation for State and local officials to address pressing water resources challenges in this border region, such as declining water levels, deteriorating water quality, and increasing demand.

The Oregon Institute for Water and Watersheds has focused on the emerging problem of Harmful Algal Blooms (HABs). These blooms are caused by blue-green algae (cyanobacteria) that naturally occur in surface water, but given the right environmental conditions and nutrient supply can multiply quickly into problematic blooms. As these algal blooms die off, toxins are released into waters posing an environmental and human health concern. Researchers at Oregon State University were funded by this institute to fill information gaps, modeling the formation of these blooms and increasing our understanding of environmental factors influencing the occurrence of these blooms in drinking water supply reservoirs.

Agricultural subsurface drainage has increased dramatically in South Dakota during the last several years. The South Dakota Water Resources Institute is using satellite-based remote sensing technology to compare, side-by-side, crop water use from fields with and without tile drainage. Understanding this difference in water use helps quantify crop yield responses to drainage, economic return on investment and impacts on the hydrology within each field. The information is being used by agricultural producers and natural resources managers from local, State and Federal agencies alike to help implement best management practices that maintain and improve agricultural production while minimizing negative environmental impacts.

For five decades the Water Resources Research Institutes have provided significant research results and impacts to our Nation, and proved successful at bringing new water professionals into the work force. NIWR recommends the subcommittee provide \$8,800,000 to the USGS for the Water Resources Research Institute Program for fiscal year 2015. The water institute directors recognize the fiscal challenges facing the Nation and Congress, but we want to support the USGS Coalition request that Congress appropriate at least the \$1.2 billion requested for the USGS in fiscal year 2015, a level that will support critical programs that improve the Nation's environment, health, safety, quality of life, and future economic growth.

Thank you, on behalf of all the institute directors and the National Institutes for Water Resources, for the opportunity to testify and for the subcommittee's strong support of the Water Resources Research Act program. It is greatly appreciated.

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PREPARED STATEMENT OF THE NATIONAL PARKS CONSERVATION ASSOCIATION

Mr. Chairman, Ranking Member Murkowski, and members of the subcommittee, thank you for the opportunity to submit testimony on behalf of the National Parks Conservation Association (NPCA). Since 1919, NPCA has been the leading independent voice in support of enhancing, protecting and promoting America's National Park System for people from all walks of life to learn from and enjoy—now and into

the future. On behalf of our 800,000 members and supporters from every State in the Union, I appreciate the opportunity to provide our views regarding the Park Service budget for the upcoming fiscal year. NPCA requests for fiscal year 2015 appropriated funding for the National Park Service of \$2,623,646,000, which is equal to the President's appropriated request but rejecting his request to reduce National Heritage Area Funding by \$9,087,000. This includes NPCA's priorities this year of meeting—at a minimum—the President's request for a \$47 million increase in park operations, and \$10 million in appropriated funds for the Centennial Challenge.

We fully appreciate the tremendous challenge you face in setting reasonable, responsible spending priorities for the varied Federal agencies and programs under your subcommittee's jurisdiction when the goal of substantially reducing the level of Federal spending has driven so much of the political discourse and agenda. We share the hope that the budget and appropriations cycle now underway for fiscal year 2015 might signal a return to a more orderly and reasonable process, particularly with the landmark centennial of the National Park System fast approaching.

Providing adequate funding is more than simply another expenditure; it is an investment in our Nation's future with tangible returns that are particularly significant now as we continue to recover from a long economic downturn. The Government shutdown demonstrated the economic importance of national parks to gateway communities. According to the Interior Department, these communities lost \$414 million in visitor spending alone during the 16-day shutdown. Investments in the Park Service budget support robust economic activity:

- Every dollar invested in the National Park Service yields ten dollars in economic activity;
- National parks support nearly \$27 billion in economic activity annually and nearly a quarter million private sector jobs; and
- Of the 25 most popular travel destinations in the United States, eight are units of the National Park System.

The budget situation for the National Park Service for the past several years has been like a roller coaster ride, headed mostly down. Over recent months and years, the Park Service and the national treasures entrusted to their care have been damaged by compounded budget cuts. So has the experience and enjoyment of the people who visit them. The October 2013 16-day Government shutdown came on top of an ongoing pattern of declining budgets followed by the damaging and indiscriminate across-the-board cuts mandated by the sequester. The budget to operate the national parks has been cut by nearly 8 percent in today's dollars compared to 4 years ago. That is on top of many years of chronic underfunding for park operations that have resulted in operations shortfalls ranging from estimates of from \$500 million to as much as \$800 million annually. Over the past decade, the National Park Service construction budget has been cut by over \$272 million, or 66 percent in today's dollars. This has compounded the years of underfunding, resulting in today's nearly \$12 billion backlog. That underfunding is due to actions and inactions over many congresses, and by both political parties.

The maintenance backlog is attributable to chronic funding deficiencies in several categories, including operations, transportation and construction. These deficiencies have forced park managers to make choices between what needs to be done and what absolutely must be done immediately to keep facilities up and running and visitors safe. The longer needed repairs and maintenance to facilities are put off, the more expensive and difficult they become.

The result of this long-term budget roller coaster, particularly during the sequester but not limited to it, has been:

- parks and park facilities opening later and closing earlier or more frequently;
- fewer park rangers and other staff protecting and maintaining parks;
- visitor centers operating with fewer rangers or closing altogether for lack of staff;
- compromised science and resource protection and decreased cyclical maintenance;
- fewer backcountry patrols to ensure visitor safety and prevent poaching and looting; and
- other impacts that compromise resources and public enjoyment and safety.

To be sure, park managers have done the best they can to weather the many rounds of budget reductions. There has been some level of savings through employee attrition, but superintendents will tell you that while operating a park with insufficient staff can be managed in the short term, it simply can't be sustained over the long run. At some point the consequences become evident, compromising the parks' ability to protect resources from damages, keep visitors safe and provide adequate visitor services. Director Jarvis recently testified before this subcommittee that the proposed fiscal year 2015 investment in park operations would return some seasonal

rangers to our parks, but pointed out that under the proposal only half of those lost seasonal rangers would return. Clearly, more work is needed to bring our national parks and the men and women who steward them back to where they once were.

The real question for fiscal year 2015 is whether progress will occur in getting the National Park System in the shape it should to begin its next century in a manner consistent with the pride Americans feel for our heritage and our national treasures. fiscal year 2015 is an opportunity for Congress to help answer that question, since it is a critical year to begin preparing for 2016. In light of that, the administration has proposed a multi-year centennial initiative that builds on the one proposed by the Bush administration. Recognizing the magnitude of the challenge posed by the backlog, the administration proposes that legislation be enacted to begin reducing the backlog on a mandatory basis. They also propose to renew the Centennial Challenge—a program familiar to this subcommittee from the Bush/Kempthorne era—in an amount identical to that proposed by the Bush administration. This subcommittee can play a significant role in promoting such an initiative and in educating others about why it is necessary, and we stand ready to help in that effort. A Centennial Initiative that attacks the backlog would produce needed construction jobs while restoring America's treasures. And the Centennial Challenge can help the national parks capitalize on the attention the centennial will bring to attract donations from private and other non-Federal sources. The fact that Presidents Bush and Obama both have supported renewing our parks in connection with the centennial provides further evidence of the nonpartisan appeal of the parks, and we hope that Congress will seize upon its role in formulating a legacy that will last for the next century.

As a down-payment on enactment of Centennial Challenge legislation, we ask that the subcommittee appropriate at least as much as the administration request—\$10 million—if not more. This subcommittee has noted the importance of matching funds and has drafted report language to that effect. The Centennial Challenge program would leverage important dollars to support signature projects at parks throughout the country. It's a wise investment.

As for park operations, we have consistently noted to this subcommittee NPCA's view that this account should be prioritized. The proposed operations increase would provide funding to enhance the visitor experience, better connect young people with their natural and cultural heritage, and put more rangers to work addressing overdue maintenance needs. We recognize as Director Jarvis did that the proposed increase is insufficient to return ranger levels to where they should be, but it is a welcome step in the right direction. There is a direct connection between those popular rangers, the enjoyment of visitors, and correspondingly the economies of surrounding communities that depend on those visitors having a safe and inspiring experience.

We also support the administration's request of \$192.2 million for the Land and Water Conservation Fund (LWCF), a critical tool for protecting our national parks. Since it was first enacted, with a dedicated stream of revenue in place from offshore oil and gas leasing in Federal waters, the LWCF has realized its full \$900 million envisioned level only once in 49 years. Park Service LWCF funding has declined from \$126 million in fiscal year 2010 to less than \$100 million in fiscal year 2014, a decline of more than 20 percent. We believe in the healthy, rewarding recreational opportunities that LWCF was intended to provide. The completion of existing national park units by purchasing inholdings from willing sellers will often make park administration and resource management more efficient and cost effective, thereby freeing up money for to other needs.

We also respect the constraints that both the PILT program and wildfire suppression needs have caused for this subcommittee's allocation, and hope they can be dealt with so that there are more dollars available to appropriate to our national parks and other pressing needs. We're pleased to be a supporter—among so many other diverse stakeholders—of the Wildfire Disaster Funding Act. We are urging Congress to move this important legislation forward.

We respect the importance of enhancing this subcommittee's 302(b) allocation so as chair of the Green Group appropriations team, I have spearheaded community efforts to emphasize this need.

Finally, we urge an extension of the Federal Lands Recreation Enhancement Act, which was extended last year through the end of fiscal year 2015 in the bill that reopened the Federal Government. Unfortunately, with the likelihood of authorizing legislation passing both houses this year in question, we ask that you another 1 year extension be included in this year's conference bill, to ensure that the National Park Service retains annual fee authority at the end of this calendar year.

Mr. Chairman, it seems as if there is always a good deal of talk on Capitol Hill about what the American people want and what the American people expect and

deserve, and so on. Recent events have made the views of the American people about their national parks as clear as ever. Their love affair with the national parks spans time, region, economic status and political persuasion. During the Government shutdown, we heard from the American people how much they love the parks and want them open and well-staffed. Polling we have previously shared with this committee conducted by Hart Research Associates and North Star Opinion Research indicated that 9 out of 10 likely voters agree that funding for our national parks should be held stable or increased. A bipartisan majority of Americans (73 percent) believe it is important that the parks are fully restored and ready for the national park centennial in 2016.

As that milestone 100th anniversary approaches, the national parks will be more and more at the forefront of people's minds, and more and more Americans will be drawn to visit a national park or park unit, as will many others from around the world. Will Americans be proud of what they find? Will pride in our heritage and shared experience be evident when they visit? If the parks they visit are not in a condition worthy of their legacy, who will they blame?

Overall, the budget for the National Park Service constitutes less than 1/15th of one percent of the entire Federal budget, and our research shows that the average American household pays roughly as much in taxes for their national parks as it would cost them to buy a large coffee at Starbucks. Surely we can find a way to meet this important Federal responsibility to restore our parks during the lead-up to the parks 100th anniversary. Now more than ever, taking care of the national parks should be a priority. We thank this subcommittee for its leadership and are eager to work with you to ensure our national parks are protected this year, and for generations to come.

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#### PREPARED STATEMENT OF THE NATIONAL RECREATION AND PARK ASSOCIATION

Thank you Chairman Reed, Senator Murkowski, and other honorable members of the subcommittee for the opportunity to submit written testimony pertaining to funding for the Land and Water Conservation Fund's (LWCF) State Assistance Program and the Urban Parks and Recreation Recovery Program (UPARR) in the fiscal year (FY) 2015 Interior Appropriations bill.

#### OVERVIEW OF FUNDING REQUEST

As outlined below, we encourage you to renew the Federal investment in the LWCF. However, given that the purpose of the Act is to help preserve, develop, and assure access to outdoor recreation facilities to strengthen the health of U.S. citizens, we urge you to make a greater investment in States and local communities by:

- Allocating a minimum of 40 percent of fiscal year 2015 LWCF appropriations to the State Assistance Program;
- Continuing the innovative, pilot "Competitive Grant Program" began in fiscal year 2014;
- Allocating up to \$25 million in funding for UPARR out of total fiscal year 2015 LWCF appropriations; and
- Ensuring that any amount allocated to either the pilot "Competitive" grant or UPARR program is not done at the expense of the existing core formula grants distributed to the States for public recreation.

#### ABOUT THE NATIONAL RECREATION AND PARK ASSOCIATION

The National Recreation and Park Association (NRPA), is a nonprofit organization working to advance parks, recreation and environmental conservation efforts nationwide. Our members touch the lives of every American in every community every day. Through our network of approximately 40,000 citizen and professional members we represent park and recreation departments in cities, counties, townships, special park districts, and regional park authorities, along with citizens concerned with ensuring close-to-home access to parks and recreation opportunities exist in their communities. Everything we support and do is focused through our three pillars: Conservation; Health & Wellness and Social Equity.

#### 40 PERCENT ALLOCATION OF TOTAL LWCF APPROPRIATIONS TO THE STATE ASSISTANCE PROGRAM

There is a common misconception that LWCF is merely a Federal land acquisition program. Nothing could be further from the truth, as the LWCF State Assistance Program provides dollar-for-dollar matching grants to States and local communities

for the construction of outdoor recreation projects. The land purchased with LWCF State Assistance funding remains the property of the State or local government, and the resources developed through the LWCF remain publicly accessible in perpetuity.

The LWCF provides numerous benefits to local communities across America, and it does so through a well-recognized and dedicated funding source—namely oil and gas leasing revenues. Over \$6 billion a year is provided through these leases, with a small fraction provided to the LWCF. Unfortunately an even smaller fraction is provided to the State Assistance Program. This is in large part due to the fact that current law mandates that a minimum of 40 percent of the total LWCF annual appropriations must be provided to the Federal land acquisition program without specifying an amount for the State Assistance Program.

As a result, States and local communities have historically received a very disproportionate share of the total LWCF appropriations, with little more than 10 percent of total LWCF funding going to the State Assistance Program since 1998. More recently, in fiscal year 2012, you provided approximately \$322 million for the LWCF, with \$45 million, or 13 percent, allocated to the State Assistance program. Further, in fiscal year 2013, when final discretionary spending was subject to “sequestration,” you provided \$305 million overall to the LWCF and \$39.9 million to the State Assistance Program—also 13 percent.<sup>1</sup> We appreciate that you’ve recently recognized the importance of the State Assistance Program and allocated a larger percentage of total LWCF appropriations to it in fiscal year 2014—pre-sequestration levels of \$45 million, as well as the innovative \$3 million “competitive grant” program.

For nearly 50 years, however, the bulk of the work to carry out purpose of the Act has fallen on local communities to handle alone. For the reasons outlined below, we are asking you to empower States and local communities to do more to preserve, develop, and assure access to outdoor recreation facilities to strengthen our Nation by allocating 40 percent of total LWCF appropriations to the State Assistance Program in fiscal year 2015.

#### LWCF STATE ASSISTANCE’S RETURN ON INVESTMENT AND RETURN ON OBJECTIVE

One of the key aspects of the LWCF State Assistance Program is the ability to create jobs. The outdoor recreation industry, as such is supported by LWCF State Assistance, is an economic powerhouse in the United States. According to the Outdoor Industry Association, the industry generates \$646 billion in consumer spending and supports over 6 million jobs annually.<sup>2</sup> Impressively, this section of the economy continues to grow even during the ongoing economic recession, and thus has enormous potential to immediately create new jobs. For example, the Outdoor Industry Association reported in October 2011 that the outdoor recreation industry grew at a rate of 5 percent annually between 2005 and 2011. Considering there are 7,800 State and over 100,000 locally managed parks throughout the country, it is obvious that outdoor recreation is most prevalent at the State and local level. In fact, the National Association of State Park Directors reports that America’s State park system contributes \$20 billion to local and State economies each year.<sup>3</sup> There is no doubt, that it is the LWCF State Assistance Program that provides the places, spaces, and opportunities for outdoor recreation which stimulates the outdoor industry.

When viewed through the lens of the importance of the American outdoor recreation industry, the LWCF State Assistance Program has, for more than four decades, achieved a proven return on investment (ROI) demonstrated by the fact that nearly \$4 billion in Federal support has leveraged over \$4 billion additional dollars in matching funds. But the benefits of this program, don’t stop there, as the State Assistance Program has not only provided a ROI, but has also done a tremendous job of providing an outstanding return on objective for the American taxpayer by ensuring access for all.

It is well known that not everyone has the ability to visit one of our treasured national parks, and even those who do so are unable to on a regular basis as national parks are often vacation destinations or once-in-a-lifetime trips. To the average American, however, the neighborhood park—down the street, open and accessible to the public, and without an admission fee—is the most important public space in their lives. Many of our country’s local places, spaces, and opportunities

<sup>1</sup>Amounts reflect amounts provided through appropriations and do not reflect sequestration reduction.

<sup>2</sup>Outdoor Industry Association, “The Outdoor Recreation Economy Report 2012”.

<sup>3</sup>NASPD Annual Report, March 2013.

for outdoor recreation are provided through this program, with more than 40,000 grant projects located in every county across America.

The State Assistance Program is the only Federal investment tool dedicated to ensuring that Americans have access to local public recreation opportunities. Because the LWCF State Assistance Program provides close-to-home recreation opportunities, millions of Americans, young and old, are annually connected with nature and provided the ability to be physically active and simply enjoy a life that they may otherwise be denied.

The LWCF State Assistance Program ensures that local communities, such as the Thurmont, Maryland and Talladega, Alabama have places where adults and children can go to recreate and enjoy the outdoors. It is a means by which this committee can provide investment to critically important local parks, including: Elmore State Park in Vermont; the new soccer field at Sisterhood Park in Anchorage, Alaska; and Lions Park in Bismarck, North Dakota. Each of the aforementioned communities benefited from State Assistance grant funding since 2012.

#### LWCF STATE ASSISTANCE PROVIDES HEALTH AND ENVIRONMENTAL BENEFITS

In addition to creating jobs and ensuring access for all, the LWCF State Assistance Program delivers tangible health benefits, contributing to the overall health and well-being of Americans.

The National Park Service (NPS) recognizes this through its Healthy Parks Healthy People U.S. initiative, which aims to increase public recognition of parks and public lands (including State, local, and regional park and trail systems) as places for the promotion of physical, mental, and social health. The CDC reports that childhood obesity has tripled in the last 30 years, less than 25 percent of adults engage in recommended levels of physical activity, and that obesity is a leading cause of chronic disease. As noted by the CDC, increased access to parks, green space, and recreation opportunities is essential to becoming a healthier Nation and reducing unsustainable healthcare costs.

The LWCF State Assistance Program also significantly contributes to protecting the environment and promoting environmental stewardship. LWCF State Assistance projects have a historical record of contributing to reduced and delayed stormwater runoff volumes, enhanced groundwater recharge, stormwater pollutant reductions, reduced sewer overflow events, increased carbon sequestration, urban heat island mitigation and reduced energy demands, resulting in improved air quality, increased wildlife habitat, and increased land values on the local level.

#### REVITALIZING URBAN PARKS AND RECREATION THROUGH FUNDING OF UPARR

While the LWCF has indeed benefited virtually every community in the country, many of our Nation's cities and urbanized counties face distinct challenges that require additional resources. Recognizing this fact as well as the importance of public parks and recreation to larger urban renewal and community development efforts, Congress established the Urban Parks and Recreation Recovery Program (UPARR) to provide matching grants directly to localities in metropolitan areas. Over the course of more than two decades UPARR provided \$272 million for nearly 1,500 projects in 380 communities. This enabled neighborhoods across the country to restore both outdoor and indoor recreation facilities; support innovative recreational programming and enhance delivery of services and programs that provided constructive alternatives to at-risk youth.

Despite its successes, UPARR has not been funded since fiscal year 2002, yet many of the urban open space and recreation challenges still exist today. NRPA is very pleased to see UPARR in the President's fiscal year 2015 budget and calls on Congress to update and fund this needed program to enable metropolitan areas to address quality of life, health and wellness, and conservation issues as they improve their communities and make them more attractive for families and businesses alike. Both LWCF State Assistance and UPARR are critical to providing Americans close to home recreation opportunities. The programs complement each other and NRPA implores Congress to fund UPARR from total LWCF appropriations but not at the expense of the already underfunded State Assistance Program.

#### MAINTAINING THE PILOT "COMPETITIVE GRANT" PROGRAM TO THE STATE ASSISTANCE PROGRAM

The final fiscal year 2014 Interior Appropriations package included an "additional" \$3 million of funding for a pilot "Competitive Grant Program" managed under the State Assistance Program. NRPA is pleased that NPS has sought our input as part of their efforts to craft this pilot initiative and is very optimistic that the first year of the program will prove a successful means of highlighting the inno-

vative projects and partnerships the State Assistance Program provides across America. We support the continuation of this pilot initiative, provided the funds allocated are not done at the expense of the existing core formula grants distributed to the States for public recreation.

Mr. Chairman and members of the committee, few programs can address so many national priorities as effectively as the LWCF State Assistance Program and UPARR do, with so few dollars and without negatively impacting the Federal budget. This subcommittee and Congress have the rare opportunity to achieve national goals without increasing spending or adding to the deficit, and can do so by adopting three simple recommendations: Allocate a minimum of 40 percent of LWCF funding to the State Assistance Program; continue the innovative "Competitive Grant" pilot program established in 2014, and address the need for improved infrastructure in urban areas by allocating a portion of the total LWCF funding to UPARR.

Thank you again for the opportunity to share NRPA's recommendations and your consideration of our request.

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#### PREPARED STATEMENT OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION

Mr. Chairman and members of the subcommittee, I appreciate this opportunity to present the National Trust for Historic Preservation's recommendations for fiscal year 2015 appropriations. My name is Thomas J. Cassidy, Jr. and I am the vice president for government relations and policy. The National Trust is a privately-funded nonprofit organization chartered by Congress in 1949. We work to save America's historic places to enrich our future. With headquarters in Washington, DC, 13 field offices, 27 historic sites, 746,000 members and supporters and partner organizations in 50 States, territories, and the District of Columbia, the National Trust works to save America's historic places and advocates for historic preservation as a fundamental value in programs and policies at all levels of government.

The Nation faces a challenging fiscal environment. The National Trust recognizes there is a need for fiscal restraint and cost-effective Federal investments. However, we do not believe that preservation, conservation and recreation programs should suffer from disproportionate funding reductions. We look forward to working with you, Mr. Chairman, as you address the ongoing needs for investments to sustain our Nation's rich heritage of cultural and historic resources that generate lasting economic vitality for communities throughout the Nation.

#### HISTORIC PRESERVATION FUND

The Historic Preservation Fund (HPF) is the principal source of funding to implement the Nation's historic preservation programs. Like the Land and Water Conservation Fund, its dedicated revenues are generated from oil and gas development on the Outer Continental Shelf.

The National Park Service distributes HPF grants that are matched by State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPOs). Inadequate HPF funding limits support for preservation activities such as survey, nomination of properties to the National Register of Historic Places, public education, and project review for undertakings under the National Historic Preservation Act and for the Federal Historic Rehabilitation Tax Credit (HTC). The HTC is the most significant Federal investment in historic preservation. It has catalyzed the rehabilitation of more than 39,600 buildings throughout the Nation. Since its creation more than 30 years ago, the HTC has created 2.4 million jobs and leveraged nearly \$109 billion in private investment.

The National Trust recommends at least \$50 million for the SHPOs and at least \$11 million for the THPOs. Such a modest increase in funding would recognize the continuing demand upon these agencies for preservation services, and addresses an increase in participation among THPOs from 131 tribes in fiscal year 2012 to potentially 156 tribes in fiscal year 2015.

We thank the subcommittee for including \$500,000 in the fiscal year 2014 Omnibus bill to launch an important new program of competitive grants for the survey and nomination of properties associated with communities currently underrepresented in the National Register of Historic Places and National Historic Landmarks. Recent studies have documented that less than 8 percent of such listings identify culturally diverse properties. We urge the subcommittee to provide up to \$5 million to expand this important new program that promises to identify and protect the places that tell the stories of all Americans.

We also want to call attention to the importance of the administration's request for \$6 million to provide grants to SHPOs and THPOs to digitize legacy survey data into an online National Inventory. This investment would improve access to historic

property records and help expedite Federal permitting of important infrastructure projects. We encourage the subcommittee to support this program included in the President's Opportunity, Growth and Security Initiative.

NATIONAL PARK SERVICE: OPERATION OF THE NATIONAL PARK SYSTEM, CULTURAL RESOURCES STEWARDSHIP

The National Park Service (NPS) is responsible for 401 units of the National Park System ranging from the battlefields where our ancestors fought and died to places that stir the soul like the Statue of Liberty and Ellis Island, the gateway for millions of new Americans. Three-quarters of our parks were created to protect our most important historic and cultural resources. Over the past two decades, more than 35 new parks have been added to our system of national parks. Many of these new parks preserve historic places and themes that are underrepresented within the National Park System.

We support the President's budget proposal of \$47 million above the fiscal year 2014 enacted level for National Park Service Operations. Of that increase, \$30 million is for the Administration's Centennial Initiative which includes \$16 million for repair and rehabilitation projects, \$8 million for a new program to hire youth and veterans at parks, \$4 million to engage youth in service and conservation projects and \$2 million to support expanded volunteer opportunities at parks. The increase would fund the staff, rangers and interpretation vital to the public who visit and enjoy our ever-growing National Park System including new units like Fort Monroe National Monument (VA), Harriet Tubman Underground Railroad National Monument (MD) and Cesar E. Chavez National Monument (CA).

*Construction.*—Of the nearly \$12.311 billion in deferred maintenance needed for the NPS, \$4.5 billion is for the maintenance backlog on 27,000 properties in National Park units listed on the National Register of Historic Places. According to a report issued in 2008 by the National Academy of Public Administration, more than 40 percent of historic buildings and structures in our national parks are in fair or poor condition. Without funding, the condition of these properties will continue to deteriorate and become more expensive to repair and preserve in the future. The National Park Service Construction account has been significantly reduced over the last few years. We support the President's fiscal year 2015 request of \$138 million, a slight increase over fiscal year 2014. We also support the President's request that this fund be used for the repair and stabilization of important historic structures as opposed to new construction.

We are also supportive of the President's proposed mandatory appropriation of \$200 million for the Second Century Infrastructure Investment and \$100 million for the Centennial Challenge. These proposals would provide funds for the maintenance and rehabilitation of significant cultural and historic resources within our national parks.

One promising new opportunity that will help the NPS and other Federal agencies with historic preservation responsibilities address the maintenance backlog of historic buildings is through a cooperative agreement between NPS, the other Federal land agencies, and several NGOs, including the Student Conservation Association and The Corps Network. Through this agreement, college interns, trade school students, and out of work youth and veterans would be trained in the preservation skills necessary to perform preservation work in the parks and other Federal lands. While learning these hands-on skills, participants will also perform cost-effective preservation work to support historic resources.

ENGAGING THE NEXT GENERATION

The National Trust supports the administration's fiscal year 2015 request of \$50.6 million for the Department's youth programs, a significant increase of \$13.6 million in programs over 2014 enacted funding levels. Of these funds, \$8 million is proposed to expand opportunities for youth education and employment across NPS parks and programs. As part of our commitment to advancing the goals of the 21st Century Conservation Service Corps, and interest in helping the Federal Government reduce the maintenance backlog of historic properties, the National Trust recently launched the HOPE (Hands-On Preservation Experience) Crew initiative where we will train youth in preservation skills while helping protect historic sites within NPS units. The first HOPE Crew project, in the Shenandoah National Park in collaboration with concessionaire Delaware North Companies, is rehabilitating the historic Skyland Stable in the Skyline Drive National Historic Landmark District. The National Trust hopes to launch 100 HOPE Crew projects by the NPS Centennial in 2016. Volunteer projects like this can reduce the maintenance backlog while also providing job skills and education for young people.

## NATIONAL PARK SERVICE: LEASING HISTORIC STRUCTURES IN NATIONAL PARKS

We appreciate the Committee's inclusion of report language in the fiscal year 2014 Conference Report applaud the efforts of NPS and private partners to successfully implement such leases and encouraging the broader use of this authority to mitigate the maintenance backlog of historic structures. Continued encouragement and oversight of the Service's actions to implement policy changes that would facilitate more leasing could catalyze even broader use of this important authority and increase the amount of non-Federal funding to abate the maintenance backlog.

## NATIONAL PARK SERVICE: NATIONAL HERITAGE AREAS

We recommend funding for National Heritage Areas (NHAs) at the fiscal year 2014 enacted level or higher. The administration's repeated proposals to reduce NHA funding, justified as "encouraging self-sufficiency," would severely impair the sustainability of the program and the individual NHAs that Congress has established. National Park Service Director Jon Jarvis has described National Heritage Areas as "places where small investments pay huge dividends." We agree.

During these challenging economic times, every program that receives Federal funding needs to justify its worth and deliver substantial benefits to the American public. NHAs more than meet this test. A recent report documents that since the program was created in 1984, the economic activity generated through NHAs supports approximately 148,000 jobs and \$1.2 billion annually in Federal taxes. The economic benefits of NHA's are realized through tourism and visitation, operational expenditures, and issuing grants and support. NHAs on average leverage every Federal dollar into \$5.50 of additional public and private investment.

## BUREAU OF LAND MANAGEMENT: NATIONAL LANDSCAPE CONSERVATION SYSTEM

The Bureau of Land Management's (BLM) National Landscape Conservation System (National Conservation Lands) includes 27 million acres of congressionally and presidentially designated lands, including National Monuments, National Conservation Areas, Wilderness, Wilderness Study Areas, National Scenic and Historic Trails, and Wild and Scenic Rivers.

As the Nation's newest system of protected lands, the National Conservation Lands encompass some of our country's most significant historic and cultural resources, yet the BLM's ability to steward these resources is undermined by insufficient funding. The National Conservation Lands are just one-tenth of BLM managed lands but they host one-third of all BLM's visitors. Without sufficient funding, the BLM struggles to complete essential resource protection, such as signing trails, inventorying and protecting cultural sites from looting and vandalism.

We support the administration's fiscal year 2015 request of \$66.534 million, a \$2 million increase over fiscal year 2014 enacted, in order to prevent critical damage to the resources found in these areas, ensure proper management and provide for a quality visitor experience. This funding level would enable BLM to hire essential management and law enforcement staff, monitor and protect natural and cultural resources, close unauthorized routes that damage fragile cultural sites and undertake needed ecosystem and species restoration projects.

## BUREAU OF LAND MANAGEMENT: CULTURAL RESOURCES MANAGEMENT

The BLM oversees the largest, most diverse and scientifically important collection of historic and cultural resources on our Nation's public lands, including 10 million artifacts, 358,000 documented cultural sites, 421 maintained historic structures and 87 properties listed on the National Register of Historic Places. The program provides for the review of 13,000 land use proposals each year, compliance with the Native American Graves Protection and Repatriation Act and government-to-government consultation with Indian Tribes and Alaska Native governments. In the last decade, this program has lost 19 percent of its FTEs due to the stagnant budget, yet it is challenged with even greater processing reviews for increased energy use, transmission lines and public recreation. If the funding for this program had kept pace with inflation since fiscal year 2003 it would receive funding of \$19.1 million instead of the fiscal year 2014 enacted \$15.1 million. We support the administration's fiscal year 2015 request of \$16 million, a modest increase of \$.87 million over fiscal year 2014 enacted levels of \$15.1 million. The increase provides for \$.13 million for fixed costs and \$.74 million to support efforts to fulfill BLM's statutory requirements for the inventory and protection of cultural resources. The increase would support 40 on-the-ground surveys, site protection and stabilization projects, and regional cultural resource inventory overviews that are necessary for planning large scale infrastructure projects across broad landscapes

## LAND AND WATER CONSERVATION FUND (LWCF)

The National Trust supports robust funding for the Land and Water Conservation Fund. Many of the Nation's most significant historic and cultural landscapes have been permanently protected through LWCF investments, including Gettysburg National Military Park, Martin Luther King Jr. National Historic Site, Canyons of the Ancients National Monument, and Harpers Ferry National Historic Park. Culturally significant projects in the fiscal year 2015 request include Ala Kahakai NHT (Hawaii), Rappahannock River NWR (Virginia), Agua Fria National Monument (Arizona) and several other national trails project. We strongly support the administration's request for Civil War land acquisition projects and American Battlefield Protection Program Grants.

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

The National Trust supports the administration's funding request of \$6.204 million for the Advisory Council on Historic Preservation (ACHP). We suggest the subcommittee include report language recommending the President appoint a full-time Chairman. Such a recommendation was made by the ACHP membership at its November, 2011 meeting, as did a task force of historic preservation organizations, including the National Trust. We believe a full-time Chairman would enhance the effectiveness of the ACHP.

Thank you for the opportunity to present the National Trust's recommendations for the fiscal year 2015 Interior, Environment and Related Agencies appropriations bill.

## PREPARED STATEMENT OF THE NATIONAL WILDLIFE FEDERATION

On behalf of the National Wildlife Federation (NWF), the Nation's largest member-based conservation advocacy and education organization, and our more than four million members and supporters, we thank you for the opportunity to provide fiscal year 2015 funding recommendations for the Department of the Interior and other agencies under the jurisdiction of this subcommittee.

We understand the difficult budget choices facing Congress and the Nation as we move forward under the constraints of the Budget Control Act of 2011 (Public Law 112-25), and applaud Congress for replacing part of sequestration in the Consolidated Appropriations Act of 2014. Disproportionate cuts to conservation programs are not consonant with the priorities of most Americans. These programs protect cherished lands and waters and conserve the natural resources that are vital to our Nation's continued economic vitality. Recent studies estimate that outdoor recreation and conservation account for \$1.06 trillion in overall economic activity and support 9.4 million jobs each year. Outdoor recreation alone generates more than \$49 billion in annual Federal tax revenue.

NWF is concerned about proposed funding reductions to many of the Federal Government's programs that protect and conserve fish and wildlife, sustaining and restoring important ecosystems, and maintaining clean air and water. Perhaps of even greater concern are efforts to rewrite the Nation's landmark environmental laws through the use of policy riders on the appropriations bill. National Wildlife Federation urges the subcommittee to make the necessary investments in our essential conservation and environmental programs and commitments in the fiscal year 2015 appropriations bill, and to pass a bill free of such riders.

National Wildlife Federation is overall supportive of the President's fiscal year 2015 budget request, which we view as balancing fiscal responsibility with continued investments in essential conservation and environmental programs. Following, we offer recommendations for specific budget items and programs.

## I. U.S. FISH AND WILDLIFE SERVICE

*State and Tribal Wildlife Grants*

The State and Tribal Wildlife Grants program is the Nation's core program for preventing wildlife from becoming endangered in every State. We are extremely concerned about the impact on the Nation's wildlife of the nearly 30 percent cut this program has suffered in recent years. We urge Congress to honor its commitment to this effort by maintaining funding at the fiscal year 2014 enacted level of \$58.695 million.

*Cooperative Landscape Conservation*

The Fish and Wildlife Service's Landscape Conservation Cooperatives represent an important tool for leveraging Federal, State, and private resources to achieve ef-

fective conservation outcomes and safeguard fish and wildlife resources from climate change. We urge Congress to address the real threats of climate change to fish and wildlife and support the President's request of \$17.7 million for this program.

#### *National Wildlife Refuge System*

The National Wildlife Refuge System is home to thousands of species of wildlife. With over 560 refuges, this system provides outdoor recreational and tourism opportunities for the 46.5 million Americans who visit refuges annually. And for every \$1 invested by Congress, refuges generate over \$4 in economic benefits to local communities. NWF, along with the Cooperative Alliance for Refuge Enhancement (CARE), endorses the President's fiscal year 2015 funding request of \$476.4 million for Operations and Maintenance for the National Wildlife Refuge System.

### II. U.S. GEOLOGICAL SURVEY

#### *Climate and Land Use Change*

The USGS Climate and Land Use Change program provides research that allows other land management agencies to make science-based decisions important to resiliency and adaptation regarding climate change. We support the President's requested funding level of \$149.1 million for Climate and Land Use, and of \$35.5 million for the DOI Climate Science Centers.

#### *Ecosystems*

The USGS Ecosystems program provides research that allows other land management agencies to make science-based decisions important to the conservation of our Nation's wildlife and the habitats they depend upon. We support the President's budget request of \$162 million for this program.

### III. BUREAU OF INDIAN AFFAIRS

#### *Trust Natural Resources Program*

The BIA Trust Natural Resources (TNR) Program represents the largest amount of Federal funding for tribal natural resource management. Over the last 12 fiscal years, funding for BIA has unacceptably lagged behind funding for other Interior agencies. Funding these programs should be a top priority of Congress for fiscal year 2015. In addition, we fully support the fiscal year 2014 enacted level of \$184.295 million for TNR. We are particularly supportive of the \$9.948 million requested funding for tribal participation in the Cooperative Landscape Conservation program to support tribal engagement in climate adaptation.

### IV. BUREAU OF LAND MANAGEMENT

#### *National Landscape Conservation System*

The National Landscape Conservation System comprises some 27 million acres of congressionally and presidentially designated lands and waters, including National Monuments, National Conservation Areas, Wilderness, National Scenic and Historic Trails, and Wild and Scenic Rivers. These lands are some of the best places to experience the rich history and scenic beauty of the American West. We ask Congress to support the President's fiscal year 2015 request of \$66.5 million for the National Conservation Lands in order to prevent critical damage to the resources found in these areas, ensure proper management, and provide for a quality visitor experience.

#### *Master Leasing Plan*

The Master Leasing Plan concept is a cornerstone of onshore oil and gas program reforms announced by the Department of the Interior in 2010 and represent a positive step in restoring recognition of the fish and wildlife values on public lands. National Wildlife Federation, as part of the Sportsmen for Responsible Energy Development coalition, strongly supports the administration's requested increase of \$4.6 million to strengthen the oil and gas leasing program within the Oil and Gas Management budget, \$1 million of which enables the agency to perform regional planning for leasing and development through the Master Leasing Plan concept.

### V. POWERING OUR FUTURE INITIATIVE

The Powering our Future initiative provides resources for six bureaus across DOI for renewable energy planning, leasing, and permitting activities. The initiative presents an opportunity for the Nation to facilitate large-scale clean energy projects without compromising crucial wildlife interests and investments. It facilitates efficient permitting, identification and review of wind energy areas, and efforts to

evaluate and protect the sage grouse, lesser prairie chickens, whooping cranes, golden eagles, and Indiana bats. NWF strongly supports the President's request of \$94.8 million for fiscal year 2015, an increase of \$3 million from fiscal year 2014 enacted. In addition, NWF supports legislative proposals, such as the Public Lands Renewable Energy Development Act, that would both incentivize and add certainty for renewable energy on public lands while paying back the land by providing resources for fish, wildlife, recreational opportunities, local communities, and States.

#### VI. U.S. FOREST SERVICE

##### *Forest Fire Disaster Funding*

In recent years, the U.S. Forest Service has been forced to dedicate a significant amount of funds in order to pay for wildfire suppression. NWF supports the President's efforts to address this problem by including wildfire emergency funding processes in his fiscal year 2015 budget that are similar to those of other natural disasters. Currently, Federal land management agencies must shift money away from vital agency programs in order to fund wildfire suppression costs. This practice negatively impacts land management programs including those that decrease long-term wildfire risk and costs and the associated loss to wildlife, habitat and recreation. We support legislative efforts to rectify this practice.

##### *Urban and Community Forestry Program*

The Urban and Community Forestry program improves the forests where people live, work, and play. With urban tree canopies in decline, the program is critical to support carbon sequestration, energy conservation, storm water management, and air quality, while also providing cooling benefits in urban areas. We support maintaining the fiscal year 2014 enacted level of \$28.04 million.

##### *Forest Service Research and Development*

The President's requested Research and Development budget for fiscal year 2015 is \$18 million lower than the fiscal year 2014 enacted level. A reduction of this magnitude would thwart the Forest Service's ability to effectively work on wildlife conservation and habitat risk assessment. We support maintaining the fiscal year 2014 enacted level of \$293 million.

#### VII. LAND AND WATER CONSERVATION FUND

The Land and Water Conservation Fund (LWCF) is a tool for the Federal Government to acquire both State and Federal land that is important to maintaining wildlife habitat as well as open space. National Wildlife Federation strongly endorses the President's fiscal year 2015 budget request of full funding for LWCF at \$900 million, with \$550 million in mandatory funding and \$350 million in discretionary funding. We support all efforts to ensure LWCF is funded at its maximum authorized level, including legislative efforts to provide robust and dedicated funding outside of the budget process. Likewise, NWF supports the President's request that \$15 million goes to improving access to public lands for sportsmen and outdoor recreationists

#### IX. ENVIRONMENTAL PROTECTION AGENCY

##### *Geographic Programs—Ecosystem Restoration Initiatives*

America's Great Waters are the lifeblood of our Nation. Sustained, consistent restoration funding is crucial for the successful implementation of multi-year ecosystem restoration plans. As such, we strongly support the President's requested increase in funding for the Chesapeake Bay Program Office (\$73.1 million requested, an increase of \$3 million from fiscal year 2014 enacted) and urge the subcommittee to maintain funding for other regional efforts, including but not limited to the Long Island Sound Program and Puget Sound Programs. We are concerned about the significant proposed funding decrease for the Great Lakes Restoration Initiative, and support maintaining the fiscal year 2014 enacted level of \$300 million.

##### *EPA National Estuary Program*

The National Estuary Program (NEP) works to restore and protect nationally significant estuaries. The program focuses not just on improving water quality, but on maintaining the integrity of the whole system—its chemical, physical, and biological properties, as well as its economic, recreational, and aesthetic values. NWF is glad to see funding maintained for this program, and supports the President's fiscal year 2015 request for \$26.7 million.

*Clean Water State Revolving Fund*

Since the 1970's, CWSRF projects have helped improve the quality of wastewater treatment in communities throughout the country. Yet the job is far from complete and the Nation faces trillions of dollars in funding needs to repair aging wastewater treatment systems and keep our rivers and streams pollution free. While we greatly appreciate the EPA's dedication to increasing green infrastructure options, we believe now, particularly when America's infrastructure is rated at D+ by the American Society of Civil Engineers, is not the time to cut resources from communities. NWF strongly opposes the \$430.9 million proposed cut to this program, and urges funding at the fiscal year 2014 level of \$1.44887 billion.

*Clean Water Act 319 Nonpoint Pollution Reduction Program*

When Congress recognized the need for greater Federal leadership in assisting with nonpoint source pollution reduction efforts, The Clean Water Act was amended to establish Section 319. Continued funding for the Nonpoint Source Management Program will provide State and local nonpoint source remediation efforts with the funds that are crucial to the implementation of these projects. As such we recommend that the subcommittee increase program funding from the \$164.9 million requested by the President to the fiscal year 2014 enacted level of \$159.2 million.

*Climate & Air Pollution Reduction Programs*

NWF supports EPA's priority goal of improving the country's air quality and taking action on climate change. We support the requested \$234.7 million for addressing climate change, an increase of \$45.2 million over fiscal year enacted, allowing the Agency to support a full range of approaches for reducing carbon pollution and the risks posed to human health and the environment from climate change.

*National Environmental Education Act (NEEA) Programs*

EPA's Office of Environmental Education implements highly successful, nationwide environmental education programs. We are grateful for the subcommittee's support of environmental education in previous years and urge you to sustain funding for the National Environmental Education Act (NEEA) programs at the Environmental Protection Agency at the recent level of \$9.7M.

## X. EVERGLADES

America's Everglades are one of the most unique ecosystems in the world. Protection of the remaining ecosystem and restoration of ecological function are critical for water supply, wildlife, water quality, recreation, tourism, and the economy of South Florida. A recent study indicates each dollar invested in restoring the Everglades will result in a four dollar return. Beginning in the 1980s, Congress made a commitment to restoring the Everglades by enacting the Comprehensive Everglades Restoration Plan. This subcommittee has made substantial progress in furthering that promise in recent years—funding construction of a 1-mile bridge along the Tamiami Trail and authorizing the next phase of bridging. We urge Congress to continue this investment and strongly support the President's budget request for \$62.4 million for the Everglades Comprehensive Environmental Restoration Plan.

## PREPARED STATEMENT OF THE NATIONAL WILDLIFE REFUGE ASSOCIATION

Chairman Reed, Ranking Member Murkowski, and members of the subcommittee: On behalf of the National Wildlife Refuge Association (NWRA) and its membership of current and former U.S. Fish and Wildlife Service (FWS) professionals, Refuge Friends organizations and concerned citizens, thank you for your support for the National Wildlife Refuge System (NWRS), particularly for the funding increase for fiscal year 2014. NWRA appreciates the opportunity to offer comments on the fiscal year 2015 Interior Appropriations bill and respectfully requests the following:

- \$476.4 million for the Operations and Maintenance (O&M) accounts of the NWRS, including \$5 million for the Pacific Marine Monuments;
- \$900 million for the Land and Water Conservation Fund (LWCF), with \$178.3 million allocated for the FWS, including \$1 million for Blackwater National Wildlife Refuge System (NWR) (Maryland); \$1 million for John Chafee NWR (Rhode Island); \$10 million for Everglades Headwaters NWR and Conservation Area (Florida); \$6.5 million for Silvio O. Conte National Fish and Wildlife Refuge (NFWR) (Connecticut, New Hampshire, Vermont, Massachusetts); \$5 million for Cache River NWR (Arizona); \$3 million for Flint Hills Legacy Conservation Area (Kansas); and \$2 million for Bear River Watershed Conservation Area (Wyoming, Idaho, Utah).

- \$75 million for the FWS Partners for Fish and Wildlife Program;
- \$13 million for the FWS Coastal Program;
- \$60 million for FWS for Preparedness and Hazardous Fuels Reduction (under the Department of the Interior (DOI));
- \$20 million for the National Wildlife Refuge Fund;
- \$16 million for the FWS construction account;
- \$58.7 million for the State and Tribal Wildlife Grants Program;
- \$35 million for the North American Wetlands Conservation Fund;
- \$4 million for the Neotropical Migratory Bird Fund;
- \$9.1 million for the Multinational Species Conservation Fund and \$13.5 million for Wildlife Without Borders;
- \$7.022 million for the FWS account in the National Fish and Wildlife Foundation (NFWF).

We understand our Nation's challenging fiscal climate, but cutting funding to programs that are economic drivers and job creators in local communities would only exacerbate the already difficult situation. For example, the NWRS averages almost \$5 in economic return for every \$1 appropriated and the Partners for Fish and Wildlife program returns nearly \$16 for every \$1 spent on projects. But budgets have not kept pace with rising costs, and the gap between the funding needed to maintain these programs and the funding appropriated has widened dramatically. To begin bridging that gap, NWRA urges Congress to fund these critical programs that leverage Federal dollars and serve as economic drivers.

#### NATIONAL WILDLIFE REFUGE SYSTEM—OPERATIONS & MAINTENANCE

NWRA chairs the Cooperative Alliance for Refuge Enhancement (CARE), a diverse coalition of 23 sporting, conservation, and scientific organizations representing more than 16 million Americans that supports increased funding for the Refuge System. CARE estimates the NWRS needs at least \$900 million annually to manage its 150 million acres, yet it is currently funded at roughly half that amount—at only \$3.15 per acre. The Refuge System cannot fulfill its obligation to the American public, our wildlife, and 46.5 million annual visitors without increases in maintenance and operation funds.

Budget cuts over the past 4 years have had a dramatic impact on the Refuge System, resulting in significant declines in habitat preservation and management, hunting, fishing, volunteerism and scientific research. Between fiscal year 2010 and fiscal year 2013, the Refuge System faced widespread declines in measured performance: the acres of forest and shrubland improved declined by 51 percent; wetland acres restored declined by 77 percent; and riparian miles restored declined by 19 percent. Meanwhile, the control of invasive animal populations decreased by 46 percent and acres treated for invasive plants decreased by 37 percent resulting in a 60 percent drop in acreage where invasive plant control was achieved. At the Wichita Mountains NWR in Oklahoma, two biotech positions remain vacant, including a seasonal position to fight invasive species, compromising years of gains made against invasive species on refuge grasslands and leaving private lands vulnerable to the spread of invasives.

NWRA believes it is very important for the FWS to partner with State agencies, through the State Wildlife Grant Program, and with private landowners to keep wildlife from becoming endangered. However, funding cuts threaten that very work. For instance, at the Imperial NWR in Arizona, grant funding opportunities are being bypassed due to lack of staff to develop proposals and oversee projects. The wildlife biologist vacancy at Imperial and vacancies at other refuges along the Colorado River prevented the refuge from applying for a Cooperative Recovery grant to restore 830 acres of marsh habitat, primarily for the endangered Yuma clapper rail. The refuges were unable to commit to the planning, execution, monitoring, and reporting requirements of this grant.

Along the Texas coast, the Aransas NWR is home to the highly endangered whooping crane, yet every aspect of the refuge's work is impacted by budget cuts. Prescribed burning—a vital management tool to provide food for the cranes and treat invasive species—is down by 65 percent this year. Unable to maintain facilities to ensure public safety and accessibility, the refuge has also curtailed visitor access, closing 12 of the 17 public facilities, including a fishing pier, boardwalks and photo blinds. And to top it off, the loss of visitor services staff has resulted in a decrease in volunteer support: last year volunteers donated 24,000 hours and occupied eight RV sites on the refuge but now only two RV sites are occupied.

During these years of challenging budgets, the Refuge System's potential to drive local economies and create jobs is of paramount importance. Banking On Nature, a report issued by the FWS in October 2013, shows that even during the worst re-

cession since the Great Depression, the overall return on investment increased substantially for the Refuge System. From 2006–2011 the Refuge System saw sales and economic output increase 20 percent to \$2.4 billion, visitation increase 30 percent to 46.5 million, average return on investment increase 22 percent to \$4.87 for every \$1 appropriated, and supported jobs increase 23 percent to 35,000. At the Ridgefield NWR in Washington, over \$6 is returned to the local economy for every \$1 appropriated and at the Wichita Mountains NWR in Oklahoma, the refuge returns a whopping \$44 for every \$1 appropriated.

#### STRATEGIC GROWTH

The Land and Water Conservation Fund (LWCF) is an essential tool for protecting the integrity of the Refuge System and is the primary funding source for land and conservation easement acquisition by Federal land agencies.

Increasingly, LWCF is being used to conserve working lands through the acquisition of easements that secure conservation protection while leaving the land in private ownership and on the tax rolls. Conservation easements are powerful tools that foster public-private partnerships with ranchers, farmers and foresters to conserve wildlife, habitat and a uniquely American way of life. Innovative landscape-scale initiatives using easements as a primary conservation tool have broad community and State support in New England's Connecticut River Watershed, the Flint Hills of Kansas, the Everglades Headwaters, Montana's Crown of the Continent, and the Dakota Grasslands. These iconic landscapes remain privately managed, generating tax income for local communities, securing our Nation's food, and balancing resource use and resource protection for wildlife.

In many cases, however, land acquisition is required to conserve intact and functional natural habitat. The Refuge System is responsible for safeguarding population levels of a range of species, including many species that require very specific habitat conditions, such as nesting grounds for sea turtle and isolated springs for endemic desert fish. Others require multiple habitat types during their life cycle. By acquiring critical habitat areas and linking conserved lands, the Refuge System enhances the overall integrity of the system and strengthens our network of habitat to give wildlife space and time to respond to changes, whether from climate or changing land use patterns.

The Refuge Association calls on Congress to fund LWCF at \$900 million per year, with \$178.3 million provided in fiscal year 2015 to the FWS for conservation easements and refuge in-holdings, including the following projects and those advocated by refuge Friends:

- Blackwater NWR (Maryland)—\$1 million;
- John H. Chafee NWR (Rhode Island)—\$1 million;
- Everglades Headwaters NWR & Conservation Area (Florida)—\$10 million;
- Cache River NWR (Arizona)—\$5 million;
- Silvio O. Conte NFWR (New Hampshire, Vermont, Massachusetts, Connecticut)—\$6.5 million;
- Flint Hills Legacy Conservation Area (Kansas)—\$3 million;
- Bear River Watershed Conservation Area (Wyoming, Idaho, Utah)—\$2 million.

#### PARTNERSHIPS

With 75 percent of all fish and wildlife species dependent upon private lands for their survival, the Partners for Fish and Wildlife program (Partners Program) is one of the most powerful tools for protecting wildlife where it lives. By building effective partnerships between public agencies and private landowners to conserve America's expansive working landscapes, the Partners Program has implemented nearly 29,000 restoration projects in the past 25 years, restoring over one million acres of wetlands, three million acres of uplands, and 11,000 miles of streams. The program has been instrumental in the success of such iconic landscape conservation projects as the Rocky Mountain Front and Blackfoot Challenge in Montana and the Flint Hills in Kansas, and is playing a key role in conserving greater sage-grouse habitat in the intermountain west.

The Partners program consistently leverages Federal dollars for conservation, generating nearly \$16 in economic return for every \$1 appropriated for projects. The Refuge Association and the landowner-led Partners for Conservation request \$75 million for fiscal year 2015. Such a funding level would result in an additional \$400 million worth of conservation across the Nation.

#### COMMITMENT TO REFUGE COMMUNITIES—REFUGE REVENUE SHARING

The Refuge System uses net income derived from permits and timber harvests to make payments to local communities to offset property tax revenue lost when the

federally-acquired lands are removed from local tax rolls, and relies on congressional appropriations to the Refuge Revenue Sharing program to compensate for the shortfall between revenues and tax replacement obligations. Unfortunately, declining revenues and lack of appropriations have resulted in the Service paying less than 50 percent of its tax-offset obligations since 2001. The negative impact on local communities is felt even more starkly in difficult economic times and severely strains relations between the Federal units and their local community, threatening the goodwill and partnerships that are keystones of successful conservation. NWRA requests \$20 million for the Refuge Revenue Sharing Program, which, in recognition of the President's proposal to zero out funding, is still less than half of what is needed. NWRA also calls for a review of the Refuge Revenue Sharing Act of 1935 as amended, and consideration of conversion to a Payment-in-Lieu of Taxes (PILT) program to be consistent with other Federal land management agencies and to provide Refuge communities with more equitable payments.

#### LEVERAGING AMERICAN VOLUNTEERISM

Refuges are vital places for the American people to actively connect with nature. Refuge volunteers contributed their time and expertise, totaling 1.4 million hours last year—the equivalent of 702 full time staff—a 20 percent boost to the Refuge System workforce of 3,400 employees. But this level of volunteer service is only possible when the System is adequately staffed to provide the necessary volunteer training and oversight, and smaller budgets mean cuts to volunteer opportunities. From fiscal year 2010 to fiscal year 2013, the System experienced an 8.7 percent reduction in the number of volunteers, at a time when the System needs their help the most to greet visitors, staff refuge nature stores, maintain Refuge grounds, provide interpretation and much more.

NWRA believes the National Wildlife Refuge System can meet its responsibilities to the American people with collaboration and sufficient funding and we urge Congress to help the FWS meet these obligations.

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#### PREPARED STATEMENT OF THE NATIVE HAWAIIAN EDUCATION COUNCIL

Aloha Chairman Reed and members of the Senate Committee on Appropriations, Interior and Environment subcommittee, Mahalo, *thank you*, for allowing us an opportunity to submit this request for appropriations.

We are seeking continued funding at pre-sequestration levels for the Native Hawaiian Education Program (NHEP) that targets the Native Hawaiian student population. The NHEP is an important part of fulfilling the trust relationship between the United States and Native Hawaiians, and it helps to improve the educational status of Native Hawaiians. It is an important element in the Native community's effort to control its education programs and policies and to achieve educational parity. NHEP aims to close the education achievement gap between Native Hawaiians and the general population, and also functions to fulfill the trust relationship between the United States and Native Hawaiians, the indigenous people of a once sovereign nation. During the time of their own sovereignty in the kingdom of Hawai'i, Native Hawaiians had a higher rate of literacy than citizens of the United States. The educational achievement gap has occurred during the intervening years since the loss of Native Hawaiian sovereignty, so that today Native Hawaiians are among the most disadvantaged groups in the State.

#### THE NHEP WORKS

NHEP has been effective over the years in meeting the goals of the program. For example, NHEA has been instrumental in preserving and protecting the Native Hawaiian language through funding projects that are designed to address the use of the Native Hawaiian language in instruction, one of the priorities named in the NHEA. The number of speakers nearly doubled in 18 years from 8,872 speakers in 1990 to 16,864 in 2008. (Source: Office of Hawaiian Affairs Data Book 2011 Tables 4.19 and 4.44)

The NHEP has funded programs that incorporate culture and indigenous teaching practices in the classroom that lead to better outcomes for Native Hawaiian students. An example is the improvement in the graduation rates for Native Hawaiians and math and reading scores. Graduation rates for Native Hawaiians between 2002 and 2010 rose from 70 percent to 72.2 percent. (Sources: Kamehameha Schools' Native Hawaiian Education Assessment Update 2009, Fig. 9 and Hawaii Department of Education (HI DOE) 2005–06 to 2009–10)

Similarly, math and reading scores have risen for Native Hawaiians. The percent of Native Hawaiians scoring “Proficient or Above” from 2007 to 2012 rose from 27 percent to 49 percent in math and from 41 percent to 62 percent in reading. (Source: HI DOE Longitudinal Data System)

School attendance rates in schools with student populations that are over 50 percent Native Hawaiian have increased from 90.1 percent in the 2000–01 school year to 91.3 percent in the 2011–12 school year. (Source: Kamehameha Schools’ draft Ka Huaka’i update, p. 58)

#### THE NEED STILL EXISTS

In spite of the gains that Native Hawaiians have made educationally, the need for innovative programs to assist Native Hawaiians to improve their academic performance still exists, since Native Hawaiians have not yet attained parity with the rest of the students in the State.

Timely high school graduation rates for students in the State rose from 77 percent to 79.6 percent in the same time period that it rose from 70 percent to 72.2 percent for Native Hawaiians. (Sources: Kamehameha Schools’ Native Hawaiian Education Assessment Update 2009, Fig. 9 and HI DOE 2005–06 to 2009–10)

Native Hawaiians still lag behind the rest of the State in academic performance; however the gap between the Native Hawaiians and others is decreasing. From 2007 to 2012 the increase in the percentage of Native Hawaiians scoring “Proficient or Above” in math rose 22 percentage points, while the increase for the State during the same time period was 21 percentage points. The increase for Native Hawaiians in reading was even more dramatic during that time period, increasing 21 percentage points compared to the State increase of only 11 percentage points. Unfortunately those gains were not enough to bring Native Hawaiians to parity. In 2012 Native Hawaiians were still 10 points behind the State in the percentage scoring “Proficient or Above” in math and 9 points behind in the percentage scoring “Proficient or Above” in reading.

#### PERCENT SCORING PROFICIENT OR ABOVE

	2007	2012	Change
Math:			
Native Hawaiians .....	27%	49%	22
State totals .....	38%	59%	21
Difference .....	-11	-10	
Reading:			
Native Hawaiians .....	41%	62%	21
State totals .....	60%	71%	11
Difference .....	-19	-9	

Source: Hawaii DOE Longitudinal Data System.

In the area of Native Hawaiian language immersion, although the gains have been tremendous, the nearly 17,000 speakers in 2008 only represent 6 percent of the approximately 290,000 Native Hawaiians in Hawai’i (2010 U.S. Census).

#### APPROPRIATIONS REQUEST

The pre-sequestration appropriations level for the NHEP was \$34 million. Sequestration reduced the amount by \$2 million to \$32 million, which is the amount entered into the President’s budget. For such a small program as the NHEP, the \$2 million reduction makes a significant negative impact on the program. We would like to continue to make gains in the educational achievement of Native Hawaiians, and request the pre-sequestration level of \$34 million so that we don’t lose the momentum of improvement.

NHEP funds programs to help improve the educational attainment of Native Hawaiians in ways that are linguistically and culturally aligned to the needs of our native students and communities in Hawai’i. Improving education, particularly for the most depressed groups, eventually leads to cost savings over time through decreased incarceration, poor health, and public assistance. (Barnett, W. S., and Ackerman, D. J. 2006. Costs, benefits, and the long-term effects of early care and education programs: Cautions and recommendations for community developers. *Journal of the Community Development Society*, 37(2), 86–100.) Academic achievement is also correlated with positive economic outcomes. (Belfield, C. 2008, June. The eco-

conomic investments of early education in Hawaii. Issue Brief. Flushing, NY: Queen's College, City University of New York.)

Please help us sustain the NHEP to its pre-sequestration level in order to continue the educational gains that have taken this program years to accomplish.

PREPARED STATEMENT OF THE NATIVE VILLAGE OF BARROW

The Native Village of Barrow makes the following recommendations with regard to the fiscal year 2015 Bureau of Indian Affairs budget:

- Fully fund Bureau of Indian Affairs contract support costs (CSC) at \$251 million as requested by the administration and place CSC funding on a mandatory, rather than a discretionary, basis.
- Support the administration's request for a \$5 million increase for social services (total of \$40.8 million) and for a \$5 million increase for the Indian Child Welfare Act (for a total of \$15.4 million)—called the Tiwahe Initiative.
- Support increased funding for tribal courts.
- Support increased flexibility for the Housing Improvement Program and oppose the administration's proposed funding cut.
- Increase the Bureau of Indian Affairs (BIA) resources for Information Technology for tribes.

*About the Native Village of Barrow.*—The Native Village of Barrow, the longest standing local government in Barrow, is a federally recognized tribe incorporated in 1940 under the Indian Reorganization Act of 1934 as amended for Alaska Natives in 1936 by the United States Congress. We work to meet a variety of tribal members needs including adult basic, secondary, and higher education; realty; wildlife; housing; Indian reservation roads; social services and child protection; environmental protection; and economic development. We provide these services through a Self-Governance funding agreement with the Bureau of Indian Affairs, various grants, and pull-tab gaming.

The Village of Barrow is situated within the North Slope Borough at the northern most tip of Alaska, 340 miles north of the Arctic Circle and only a few miles southwest of Point Barrow where the Beaufort and Chuckchi Seas join. We have a polar climate, dry and cold, with temperatures below freezing from early October through late May. The sun stays below the horizon from November 18 or 19 through January 22 or 23, and on the winter solstice there is twilight for only 3 hours.

*Contract Support Costs.*—We thank Congress, and particularly the Interior, Environment and Related Agencies Subcommittee, for your leadership in making it clear to the BIA and the Indian Health Service (IHS) that fully funding contract support costs (CSC) is a legal duty and for providing what we estimate is full funding for fiscal year 2014. Congress has asked tribes and tribal organizations, the BIA, IHS, the Office of Management and Budget and the relevant congressional committees to work together to come up with a long term solution to meet the legal requirements for contract support costs and to also streamline the CSC determination process. We join with others in Indian Country in feeling that the next logical step is for Congress to put CSC funding on a mandatory, rather than a discretionary, basis.

*Social Services and Tribal Courts Funding.*—The Native Village of Barrow's court has jurisdiction over an array of child welfare and juvenile wellness matters. Our social services office services to a population of 3,400 with only a handful of staff. We support the administration's request of an increase of \$5 million in the BIA budget for more social workers and for an additional \$5 million for tribal Indian Child Welfare Act (ICWA) programs. Together the BIA has termed this the Tiwahe (the Lakota work for family) Initiative. While these funds do not represent direct funding for tribal courts, the work of social workers and improved implementation of the ICWA would have positive implications for the work of our and other tribal courts.

Of the children in Alaska, 17.3 percent are American Indian/Alaska Native, but they constitute 51.1 percent of children in foster care in the State (Summer A., Woods S., and Donovan, J (2013). *Technical assistance bulletin: disproportionality rates for children of color in foster care*. Reno, Nevada: National Council of Juvenile and Family Court Judges.) The Native Village of Barrow Social Services Department has partnerships with a number of entities including Barrow Tribal Court, Arctic Women in Crisis, and the State of Alaska, among others and we need to continue building these collaborative efforts. We have Memorandum of Understanding with the State regarding the Indian Child Welfare Act.

For tribal courts specifically, the administration proposes level funding in the BIA budget (\$23.3 million). Given the impact of the Violence Against Women Act (VAWA), the Tribal Law and Order Act (TLOA) and the recommendations of the

TLOA Commission, a significant increase over \$23 million is certainly in order. In addition there may well be an amendment enacted to the VAWA that will authorize extended domestic violence jurisdiction to tribes in Alaska for which we will definitely need additional resources.

*Housing Improvement Program (HIP).*—The administration proposes only \$8 million for the Bureau of Indian Affairs' HIP program, about the same as the fiscal year 2014 enacted level but 36 percent below the fiscal year 2013 pre-sequestration level of \$12.5 million. The Native Village of Barrow does not receive HIP funds, finding the requirements for things including surveys prohibitively expensive when one compares it to the small HIP grants. The BIA states in its fiscal year 2015 Budget Justification that they want to “recommend a redesign of the Program” in 2014 and point especially to the inclusion in the program of young families, of tribes expanding eligibility criteria, and re-establishing a down payment assistance category (pp IA–HS–8–9). This is quite ambitious for a program that the administration last year tried to zero out, but we encourage that in redesigning the program that the cost of compliance with eligibility criteria not outstrip the funding it might provide.

*Information Technology.*—It is almost impossible to identify in the BIA budget what is available for tribes in the area of information technology, but it is something for which we need additional assistance. Under Tribal Government Oversight \$8.2 million is requested which, among other things, provides technical assistance to nearly 3,200 self-determination contracts (pp. IA–TG–6–7). There is also funding in the BIA budget request for \$546,000 for Interior Department Information Technology Transformation through the Department's Working Capital Fund ((IA–ES–13), but we are not aware that these are funds that directly assist tribes. We ask that the Interior Appropriations Subcommittee inquire the sources and amounts of funds for information technology assistance to tribes.

Thank you for your consideration of our requests.

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#### PREPARED STATEMENT OF THE NATURE CONSERVANCY

Chairman Reed, Ranking Member Murkowski and members of the subcommittee, thank you for the opportunity to submit recommendations for fiscal year 2015 appropriations. The Nature Conservancy (TNC) is an international, non-profit conservation organization working around the world to protect ecologically important lands and waters for nature and people. Our mission is to conserve the lands and waters upon which all life depends.

As we enter the fiscal year 2015 budget cycle and another year of a challenging fiscal environment, the Conservancy continues to recognize the need for fiscal austerity. The Conservancy also wishes to thank this subcommittee for the final fiscal year 2014 funding levels for Department of Interior and U.S. Forest Service conservation programs. Our budget recommendations this year reflect a balanced approach with funding levels consistent with the President's budget request or, in rare instances such as wildland fire or funding for the States, reflect specific program needs. Of particular note, we wish to work with this subcommittee and the authorizing committees on identifying permanent funding solutions for wildfire funding, the Land and Water Conservation Fund and the Payment in Lieu of Taxes Program. The Conservancy is concerned about the increasing impacts of wildfire suppression funding on Interior funding levels and urge the subcommittee to adopt the bipartisan and widely supported Wildfire Disaster Funding Act (S. 1875; H.R. 3992). This process of funding suppression for the Department of the Interior and the USDA Forest Service will create budgetary stability and accountability while liberating critically needed appropriations funds within the Interior allocation.

*Land and Water Conservation Fund (LWCF).*—The fiscal year 2015 President's budget proposes the establishment of a dedicated source of long-term funding for the Land and Water Conservation Fund. In the proposal, the President's budget includes \$350 million for LWCF activities through “current authority” or discretionary appropriations and then an additional \$550 million in “permanent authority” for LWCF funding. The budget then proposes to reach the \$900 million funding level in fiscal year 2015 through this blend of current and permanent funding. The Conservancy supports this phased shift to mandatory funding for the LWCF Program. However, consistent with last year and as noted above, we believe the administration must work closely with the relevant appropriations and authorizing committees to move this proposal forward. Additionally, the Conservancy supports the ongoing emphasis in the budget on both “core” projects and “collaborative” LWCF projects. Projects in the Longleaf Pine region will benefit greatly from this collaborative emphasis, along with projects in the California Southwest Desert, Upper Rio Grande,

the High Divide and National Trails. Our “core” and “collaborative” priorities this year include the Nez Pearce National Historic Trail/Henrys Lake ACEC (Idaho), Francis Marion National Forest (South Carolina), Silvio O. Conte NFWR (New Hampshire/Vermont/Connecticut/Massachusetts), and the working ranches of Florida’s Everglades Headwaters NWR & Conservation Area, North Dakota and South Dakota’s Dakota Grasslands Conservation Area, Montana’s Rocky Mountain Front Conservation Area and Kansas’s Flint Hills Legacy Conservation Area.

*Forest Legacy.*—We support a minimum of \$53 million for the Forest Legacy Program in current discretionary funding and the \$47 million in permanent funding (with our aforementioned caveats) with a focus on 4 projects—Hall Mountain (Idaho), Carter Mountain (Tennessee), Clear Creek Conservation Project (Montana) and Lake Alexander (Minnesota).

*Endangered Species.*—The Conservancy supports a funding level of at least \$50 million for the Cooperative Endangered Species Conservation Fund (CESCF), and also requests the subcommittee give consideration to the additional fiscal year 2015 President’s budget request of \$50 million in permanent funding per our earlier request for negotiations to occur between the administration and relevant congressional committees on a path forward for this funding.

*Colorado River Basin Recovery Programs.*—The Conservancy supports the President’s fiscal year 2015 budget request of \$5.05 million for USBR and \$1.39 million for FWS for the Colorado River Basin recovery programs, including endangered species funding for the Upper Colorado River Endangered Fish Recovery Program, recovery funds for the San Juan River Basin Recovery Implementation Program, and fish hatchery needs associated with the recovery plans.

*Wildlife Planning.*—The Conservancy supports the Western Governors’ Association’s (WGA) request for the subcommittee to consider issuing a recommendation to land management agencies within its jurisdiction to utilize State fish and wildlife data and analyses to inform the land use, land planning and related natural resource decisions of those agencies. As an example of strong State-led data systems, WGA has partnered in recent years with State wildlife agencies and the Federal Government to develop statewide GIS mapping tools to identify crucial wildlife habitat and migratory corridors. These geospatial mapping tools, which provide access to credible, broad-scale scientific data—compiled and analyzed by the States—are designed to reduce conflicts and surprises while ensuring wildlife values are better incorporated into land use planning, particularly for large-scale linear projects. WGA launched its West-wide GIS mapping tool called CHAT (Crucial Habitat Assessment Tool) in December 2013. CHAT is a non-regulatory decision-support system that knits together State wildlife data and analysis on a regional landscape level using a common framework. Our Arizona TNC Chapter has been very integrated in the development and enhancement of the Arizona data system (HabiMap)—a decision support system—which is the basis for our work on mitigation, habitat assessments and land planning in the State.

*Invasive Species.*—The Conservancy supports the President’s fiscal year 2015 Budget request of \$138.9 million for the FWS’ Fisheries and Aquatic Resource Conservation program, including \$4.4 million to address the invasion of Asian carp in the Great Lakes and priority watersheds, including the Missouri, Ohio and Upper Mississippi River.

*State Wildlife Grants.*—The Conservancy requests the fiscal year 2014 funding level—\$58.695 million—for this program. Strong Federal investments are essential to ensure strategic actions are undertaken by State and Federal agencies and the conservation community to conserve wildlife populations and their habitats. We are concerned about the impact of the fiscal year 2015 proposed cut on State fish and wildlife agencies nationally and request these funds be restored to the fiscal year 2014 level.

*Wildlife Conservation Programs.*—The variety of wildlife conservation programs conducted by FWS continue a long and successful tradition of supporting collaborative conservation in the United States and internationally. We urge the subcommittee to fund the President’s request for such established and successful programs as the North American Wetlands Conservation Fund (NAWCA), Neotropical Migratory Bird Conservation Fund (NMBCA), and the FWS Coastal Program. We support the President’s request for the Migratory Bird Joint Ventures and the FWS Migratory Bird Management Program. For the latter, we are particularly supportive of FWS’ efforts at developing updated eagle permitting regulations which will both support the development of renewable energy in our country and contribute to sustainable and growing populations of these iconic North American species. We support the President’s fiscal year 2015 request for the Partners for Fish and Wildlife Program and the requested increase in funding for Cooperative Landscape Conservation (\$17.7 million) and Adaptive Science (\$15.1 m). The latter will help sup-

port the Department of the Interior's (DOI) overall commitment to Landscape Conservation Cooperatives and will contribute to collaborative problem solving for some of our Nation's most challenging issues. We also request strong funding this year for the National Fish Habitat Initiative.

*International Programs.*—The international conservation programs appropriated annually within the Department of Interior are relatively small but are effective and widely respected. They encompass the U.S. Fish & Wildlife Service's (FWS) Multinational Species Conservation Funds, the FWS Wildlife Without Borders regional and global programs, the U.S. National Park Service International Program, and the U.S. Forest Service International Program (USFS-IP). We urge that these programs receive in fiscal year 2015, at a minimum, level funding with fiscal year 2014.

*Climate Change.*—The Conservancy appreciates the President's commitment to respond to the global climate challenge, and this subcommittee's sustained leadership in supporting cooperative, science-based programs to respond to the global climate challenge and to help ensure resilient land and seascapes.

*National Wildlife Refuge System.*—The Conservancy supports the Cooperative Alliance for Refuge Enhancement Coalition's request, consistent with the President's fiscal year 2015 Budget, of \$476.4 million for the Refuge System's Operations and Maintenance accounts. Found in every U.S. State and territory, national wildlife refuges conserve a diversity of America's environmentally sensitive and economically vital ecosystems, including oceans, coasts, wetlands, deserts, tundra, prairie, and forests. This represents the funding necessary to maintain management capabilities for the Refuge System.

*USFS & DOI Wildland Fire Management.*—The President's fiscal year 2015 budget proposes language similar to the Wildfire Disaster Funding Act (WDFDA—S. 1875; H.R. 3992) which would fund a portion of the USDA Forest Service (USFS) and the Department of the Interior (DOI) wildfire suppression costs through a budget cap adjustment under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. The enactment of WDFDA would not only significantly reduce the need for the USFS and DOI to transfer but also provide the subcommittee with added flexibility to allocate funding for activities that reduce fire risk and long-term suppression costs. The Conservancy supports adopting this language and funding suppression in fiscal year 2015 accordingly. The Conservancy appreciates Congress' emphasis on proactive hazardous fuels reduction and community preparedness along with a commitment to safe and cost-effective wildfire response strategies. In light of this approach and with the enactment of WDFDA, the Conservancy recommends investing in Hazardous Fuels at levels of \$479 million and \$178 million for USFS and DOI, respectively, and repeating the subcommittee's fiscal year 2012 instructions for allocating funds to priority landscapes in both the wildland-urban interface (WUI) and wildland settings. We also recommend the USFS State Fire Assistance program be funded at \$86 million.

*USFS Collaborative Forest Landscape Restoration.*—The Conservancy recommends increasing funding for the Collaborative Forest Landscape Restoration Program to \$60 million for the existing 23 and new projects. This important program works to restore large forest landscapes, provide jobs that sustain rural economies, reduce the risk of damaging wildfire, improve wildlife habitat and decommission unused, damaging roads. The Conservancy also recommends supporting the Landscape Scale Restoration proposal funded at \$24 million.

*Integrated Resource Restoration (IRR).*—The Conservancy appreciates the subcommittee support of the Integrated Resource Restoration pilot and continue to follow its implementation with the outcome expectation of increased restoration. The Conservancy believes it is premature to nationalize the IRR pilot, but supports continuation of the pilot for a fourth year.

*USFS Forest Health & Research.*—The Forest Health program is a critical resource supporting efforts to prevent, contain, and eradicate dangerous pests and pathogens affecting trees and forests. Further, this program leads Federal efforts to counter forest pests which have become widespread, including gypsy moth, hemlock woolly adelgid, white pine blister rust, thousand cankers disease, oak wilt, and many others. The Conservancy recommends funding the Federal and cooperative Forest Health programs at a combined level of \$111 million. The Forest and Rangeland Research program provides the scientific basis for policies that improve the health and quality of urban and rural communities, by providing protection from fire, detecting and managing forest pests and the pathways, improving water and air quality, among many other benefits. For Forest & Rangeland Research, the Conservancy requests the fiscal year 2012 level of \$304 million.

*Sage Grouse Conservation.*—The Conservancy supports the President's fiscal year 2015 budget request of \$15 million for the Bureau of Land Management's (BLM) focus on sage grouse conservation. Greater sage-grouse populations have experi-

enced a precipitous decline across the West in recent years due to a number of impacts and a well-aligned comprehensive effort is needed across public and private lands to reverse its decline.

*BLM Landscape Approaches to Land Management and Renewable Energy Development.*—The Conservancy supports the administration’s recommended fiscal year 2015 funding for BLM’s initiatives to implement landscape approaches to land management which include Rapid Ecoregional Assessments, Resource Management Planning and the Planning 2.0 initiative, Regional Mitigation Planning, coordination with LCCs, and the Assessment, Inventory, and Monitoring (AIM) Strategy. Many BLM programs contribute to these cross-cutting initiatives including: National Landscape Conservation System—(\$34 million request, \$2.1 million increase over fiscal year 2014); Resource Management Planning program (\$42 million request, \$5 million increase over fiscal year 2014); Wildlife and Fisheries management (65.2 million request); and Threatened & Endangered species management (\$21.6 million request). Additionally, the Conservancy supports continued funding for BLM’s renewable energy development program at \$29.1 million which includes implementation of the Western Solar Energy Program. Collectively, these efforts will help BLM manage its lands efficiently and effectively for energy development, species and habitat conservation, recreation, and other uses to maximize the public benefit from these lands.

*Environmental Protection Agency.*—EPA’s “geographic” programs including the Chesapeake Bay, Great Lakes, Gulf of Mexico, Puget Sound and Mississippi River programs make a significant contribution to protecting habitat and water quality in the large landscapes where they work. The Conservancy urges the subcommittee to continue funding for these programs at the fiscal year 2014 enacted level at a minimum.

Thank you for the opportunity to present The Nature Conservancy’s recommendations for the fiscal year 2015 Interior, Environment and Related Agencies Appropriations Bill.

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PREPARED STATEMENT OF THE NAVAJO NATION

APRIL 1, 2014.

Hon. JACK REED, *Chairman*,  
 Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President’s recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in “Conservation and Restoration” funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled “Conservation and Restoration”) to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS “Conservation and Restoration” funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS’s Region 2 in managing the San Juan Program’s diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled “National Fish Hatchery System Operations”) for endangered fish propagation and hatchery activities at the FWS’ Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program’s stocking program.

I request the subcommittee’s assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support

and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

STANLEY M. POLLACK, ASSISTANT ATTORNEY GENERAL,  
*Water Rights Unit, Navajo Nation Department of Justice.*

PREPARED STATEMENT OF THE NEW ENGLAND FOREST POLICY GROUP

Mr. Chairman, and distinguished members of the subcommittee, we are grateful for the opportunity to submit testimony today on behalf of the New England Forest Policy Group and the 85 conservation, forestry, and recreation interests listed below.

We respectfully request an increase in overall funding for the Land and Water Conservation Fund to the Authorized level of \$900 million, including \$100 million for the Forest Legacy Program, \$574.883 million for the Federal LWCF, \$100.117 million for the State Grants Program, and \$25 million for the Urban Park and Recreation Fund in the fiscal year 2015 Interior and Environment Appropriations bill. We also respectfully request a minimum of \$5 million for the Community Forest and Open Space Conservation Program, \$34.145 million for the North American Wetlands Conservation Act, \$58.7 million for the State and Tribal Wildlife Grants Program, \$10 million for the Recreational Trails Conservation Assistance Program, \$31 million for Urban & Community Forestry, \$48 million for the Cooperative Forest Health Program, \$29 million for Forest Stewardship, and \$15 million for Woody Biomass Utilization Grants.

These levels are based upon the administration's proposed fiscal year 2015 budget or level funding from fiscal year 2014, whichever amount is larger. In a few select cases they reflect the priority needs of New England to grow an underfunded program—most notably the Community Forest Program—to a level that will begin supporting the demonstrated need. The suite of conservation and forestry programs in this testimony has proven to provide great benefits to the communities of New England that depend upon our region's forests and to the Nation as a whole. Anything less than the requested funding will impact the effectiveness of the programs, particularly given that many of these programs have already experienced notable funding declines over the past 5 years.

The New England Forest Policy Group is an informal collaborative of diverse forestry, recreation, and conservation organizations and businesses united by our efforts to conserve and utilize the forested landscapes that characterize our region. New England's forests are the backbone of our forest products and recreation economies, and provide other services of incalculable value including water and biodiversity protection, climate mitigation, and flood resilience. As the most forested region in the country, New England's economy is strongly dependent on the health and integrity of its forests. Communities across the region depend on our wooded landscapes for their health and well being, as do the 60 million people within a days drive. New England's forests are 85 percent privately owned, mostly in relatively small parcels, and landowners are facing profound challenges from rising land prices, escalating development pressures, and other threats that have the potential to significantly diminish this irreplaceable landscape.

We strongly believe that programs vital to our region's future must be sustained, including forest conservation and stewardship, recreational planning, and utilization of our forests in new and innovative ways. New England has compelling need for the programs in front of your subcommittee.

As the subcommittee crafts its Interior & Related Agencies Appropriations bill, there are several key points we respectfully request you to consider:

1. *Overall Funding for the Land and Water Conservation Fund (LWCF) at \$900 million.*—Funding at the recommended \$900 million is critical for the conservation of the natural legacy of New England and the country. All six New England States will receive funding for critically important LWCF projects if the requested level of \$900 million is provided in fiscal year 2015. If this amount is not supported, many opportunities will be lost.

2. *New England Needs for Federal Land Acquisition under LWCF.*—In fiscal year 2015, less than half of New England's proposed projects are found in the highest priority "Discretionary" sections, which means that more than half of New England's fiscal year 2015 LWCF projects are not likely to receive funding unless close to full funding is appropriated.

a. *National Park Service LWCF Acquisitions—Collaborative Landscape Planning for National Trails at \$25 million total (\$11.2 million Discretionary & \$13.8 million Mandatory), including \$3.76 million for the Appalachian National*

*Scenic Trail in New Hampshire & Vermont and \$0.25 million for the New England National Scenic Trail in Massachusetts.*—The proposed fiscal year 2015 LWCF funds are necessary for conserving and expanding two iconic trail corridors in New England—the Appalachian National Scenic Trail and the New England National Scenic Trail. New England’s outdoor recreation economy is worth approximately \$43 billion/year and supports more than 330,000 jobs, according to the Outdoor Industry Association. In addition, our region’s trails provide healthy recreation for the people who live here and necessary urban respite for more than 60 million people overall.

b. *U.S. Fish and Wildlife Service LWCF Acquisitions—The Silvio O. Conte National Fish and Wildlife Refuge at \$5 Million (\$2 million Discretionary & \$3 million Mandatory).*—Securing protection of these ecologically rich watersheds and habitat corridors is a top regional priority. The Conte refuge encompasses the Connecticut River watershed—a critical four-State habitat corridor and a treasure trove of ecological diversity, recreation, and economic opportunity.

c. *National Park Service LWCF Acquisitions—Acadia National Park at \$0.76 million (Mandatory).*—This project will secure an inholding that provides high priority access and protection to the paddling gem, Round Pond, on the west side of Mount Desert Island.

3. *US Forest Service Programs of Special Importance to New England—USFS Forest Legacy and USFS Community Forest Program.*—These two programs in the Interior Appropriations bill are particularly important to New England given our region’s high percentage of private forestland ownership and the intense development pressures on these lands.

a. *USFS Forest Legacy needs full \$100 million Appropriation to meet New England’s needs.*—Forest Legacy has protected more than 1 million acres of forestland in New England since its establishment in the 1990 Farm Bill—a remarkable and vital accomplishment. Originally created to help address needs in New England and New York, this highly successful program has expanded to 53 States and territories without expanding the available funding. \$100 million would provide a solid start toward rebalancing available funds to the number of States now in the program and the rising number of applications and pressing conservation need.

New England has an outstanding group of Forest Legacy Projects in the Proposed fiscal year 2015 budget, including 2 of the top 10 projects nationally and 4 of the top 20 projects in the national rankings. However, the Program must receive the full \$100 million requested to ensure that all of New England’s projects are retained. New England’s full fiscal year 2015 interests include:

—\$4.56 million in “Discretionary” Forest Legacy funding for Dowsville Headwaters in Vermont; Gulf Hagas Whitecap in Maine; and partial funding for Whip-Poor-Will Woods in Connecticut.

—\$11.955 million in less secure “Mandatory” Forest Legacy funding for Whip-Poor-Will Woods in Connecticut (project funding is divided between Mandatory and Discretionary lists); Groton Forest Legacy Initiative in Vermont; Big Six Forest in Maine; Connecticut to Quabbin Reservoir in Massachusetts; Windham Region Working Forest in Vermont; and Oliverian Valley in New Hampshire.

b. *USFS Community Forest Program needs a minimum of \$5 million.*—The Community Forest Program is a 50–50 matching grant program to help local governments, tribes, and non-profit organizations expand the region’s proud tradition of locally owned and managed lands, such as town forests. The program has drawn strong interest nationally—in its first grant round in fiscal year 2012, the program drew 49 applications from across the country seeking \$14.53 million. This was far beyond the available funding of \$3.5 million, which included funding pooled from fiscal year 2010, 2011, and 2012 appropriations. Funding the Community Forest Program at the \$5 million level will much better match demand. Although this program is somewhat small on a national budgetary scale, it is critical to New England’s community character and economic vitality.

4. *North American Wetland Conservation Act (NAWCA) needs administration’s full request of \$34.145 million.*—The U.S. Fish and Wildlife Service’s premier wetland conservation program for habitat protection and restoration, NAWCA, is vitally important for our region. New England’s remarkable marshes and coastal and estuarine habitats support the region’s commercial and sport fisheries and myriad wildlife species. These lands are also important to protecting coastal communities—a

priority with the memory of events like Hurricane Irene and Superstorm Sandy still fresh. This funding is vital to support New England projects that conserve critically important wetland areas and improve flood resiliency.

5. *State and Tribal Wildlife Grants Program (SWG) at \$58.7 million.*—This important U.S. Fish and Wildlife Service program provides Federal grant funds for developing and implementing programs that benefit wildlife and their habitats, including species not hunted or fished, and provides core funding for research, habitat restoration, and monitoring under the State Wildlife Action Plans. \$58.7 million will keep funding level and ensure that States are not forced to make deep cuts into this critical work. Keeping species off the Endangered Species list helps landowners and is critical to the work of State Fish & Wildlife Agencies and to the 36 species on the eastern list.

6. *Rivers and Trails Conservation Assistance Program (RTCA) at \$10 million.*—RTCA partners to protect 700 miles of rivers, create 1,300 miles of trails, and conserve over 60,500 acres of open space annually. RTCA allows the U.S. National Park Service (NPS) to support private conservation organizations as well as local and State governments, usually in coalition, to foster important recreation, river protection, and land conservation efforts without the permanently adding lands and trails to Federal ownership.

7. *Cooperative Forestry Program (including Urban & Community Forestry at \$31 million, Cooperative Forest Health at \$48 million, Forest Stewardship at \$29 million).*—These programs fund landowner services provided by State Foresters and Cooperative Extension Foresters. The proposed funding levels reflect the critical needs for the Nation's private forestlands as recommended by the National Association of State Foresters. Levels lower than these will result in curtailing of vital services that help family forest landowners sustainably manage and protect their land—of real concern in a New England landscape that is predominantly in private family ownership. The programs provide key educational services to landowners and communities, and help ensure that our forested landscape remains healthy, resilient, and economically viable.

8. *Woody Biomass Utilization Grants Program at \$15 million.*—This program (which now includes the Community Wood Energy Program) will help communities use their wood resources for renewable energy. It funds grants to develop community wood-to-energy plans and acquire or upgrade wood-based energy systems. This program is ripe to benefit our forest-based communities.

9. *Urban Park and Recreation Fund (UPARR) at \$25 million (funded by LWCF's Mandatory Section).*—UPARR provides matching grants and technical assistance to urban communities. It helps provide Federal assistance for rehabilitation of critically needed recreation facilities and recreation planning. This program is essential to support healthy living and vibrant urban communities.

In closing, we thank the subcommittee for your continuing leadership on Federal land conservation matters and for the opportunity to provide this testimony. Signatory organizations represented by this testimony:

Ammonoosuc Conservation Trust (New Hampshire)	Connecticut Forest & Park Association
American Rivers	Connecticut Ornithological Association
Androscoggin River Watershed Council	Conservation Collaboratives, LLC
Appalachian Mountain Club	The Conservation Fund
Aspetuck Land Trust (Connecticut)	Conservation Law Foundation
Audubon Connecticut	Damariscotta River Association (Maine)
Audubon Society of Rhode Island	East Quabbin Land Trust (Massachusetts)
Audubon Vermont	Essex County Greenbelt Association (Massachusetts)
Back Forty Forestry, LLC	Fairfield County Regional Conservation Partnership (Connecticut)
Bear-Paw Regional Greenways (New Hampshire)	Forest*Care (Vermont)
Brookfield Open Space Legacy (Connecticut)	Forest Society of Maine
Cold Hollow to Canada (Vermont)	Forestland Group, LLC
Columbia Land Conservancy (New York)	Franklin Land Trust (Massachusetts)
Connecticut Fund for the Environment/Save the Sound	Friends of the Rachel Carson NWR (Maine)
Connecticut Land Conservation Council	
Connecticut River Watershed Council	

Friends of the Silvio O. Conte NFWR (New Hampshire, Vermont, Massachusetts, Connecticut)	New England Wild Flower Society
Friends of Pondicherry (New Hampshire)	New Hampshire Audubon
Greater Lovell Land Trust (Maine)	New York Biomass Energy Alliance
Green Mountain Club (Vermont)	North Woods Resource Group, Inc. (Vermont)
Highstead	Northern Forest Center
Housatonic Valley Association (Massachusetts, Connecticut, New York)	Northern Forest Canoe Trail
Kennebec Estuary Land Trust (Maine)	Northern Rhode Island Conservation District
Litchfield Hills Greenprint Collaborative (Connecticut)	Northland Forest Products, Inc.
Lower Connecticut River Valley Council of Governments (Connecticut)	Rangely Lakes Heritage Trust (Maine)
Lyme Timber Company	Open Space Institute
Mahoosuc Land Trust (ME)	Quabbin to Cardigan Partnership (Q2C)
Maine Appalachian Trail Land Trust	Redding Conservation Commission (Connecticut)
Maine Coast Heritage Trust	Rensselaer Plateau Alliance (New York)
Mass Audubon	RI Woodland Partnership
Massachusetts Land Trust Coalition	Ridegfield Conservation Commission (Connecticut)
Massachusetts Woodlands Institute	Sheepscot Wellspring Land Alliance (Maine)
Meadowsend Timberlands, Ltd (New Hampshire)	Shelburne Trails Club (New Hampshire)
Mill River Greenway Initiative (Massachusetts)	Society for the Protection of New Hampshire Forests
Monson Conservation Commission (Massachusetts)	Sudbury Valley Trustees (Massachusetts)
Mount Grace Land Conservation Trust (Massachusetts)	Trust for Public Land
Mt. Agamenticus to the Sea Conservation Initiative (ME)	Trustees of Reservations (Massachusetts)
Natural Resources Council of Maine	Vermont Land Trust
The Nature Conservancy	Vermont Renewable Fuels
New England FLOW	Vermont River Conservancy
New England Forestry Foundation	Vermont Woodlands Association
New England Mountain Bike Association	Whipstock Hill Preservation Society (Vermont)
	Wildlands Trust (Massachusetts)
	Wonalancet Preservation Association (New Hampshire)

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PREPARED STATEMENT OF THE NEZ PERCE TRIBE

Honorable Chairman and members of the subcommittee, thank you for the opportunity to provide testimony from the Nez Perce Tribe to this subcommittee as it evaluates and prioritizes the spending of the United States regarding the Indian Health Service (IHS), the Bureau of Indian Affairs (BIA), the Environmental Protection Agency (EPA), the Forest Service and the Fish and Wildlife Service in relation to the needs of tribal nations for fiscal year 2015.

As with any government, the Nez Perce Tribe does a wide array of work and provides a multitude of services to the tribal membership as well as the community at large. The Nez Perce Tribe has a health clinic with a satellite office, a tribal police force, a social services department, a comprehensive natural resource program that does work in forestry, wildlife management, land services and land management, habitat restoration, air quality and smoke management, water quality and sewer service, and one of the largest fisheries departments of any tribe in the Nation working on recovery of listed species under the Endangered Species Act. The Nez Perce Tribe conducts its extensive governmental functions and obligations through a comprehensive administrative framework, which is necessary for a sovereign nation that oversees and protects the treaty rights of the Nez Perce People in addition to providing the day to day governmental services to its members and the surrounding communities. The Nez Perce Tribe has long been a proponent of self determination for tribes and believes its primary obligation is to protect the treaty-reserved rights of the Nez Perce Tribe and its members. All of the work of the tribe is guided by this principle. As a result, the tribe works extensively with many Federal agencies and proper funding for those agencies and their work with, for and through tribes is of vital importance. This work cannot be accomplished unless the United States continues to affirm and follow through on its trust responsibility and properly fund programs.

## INDIAN HEALTH SERVICES

The Nez Perce Tribe currently operates a healthcare clinic on the Nez Perce Reservation, Nimiipuu Health. The main clinic facility is located in Lapwai, Idaho and a satellite facility of the main clinic is located 65 miles away in Kamiah, Idaho. Nimiipuu Health provided service to 3,820 patients last year. These 3,820 patients represented 47,673 visits which does not include pharmacy and laboratory visits but only medical provider visits. Our expenditure total for fiscal year 2013 was \$13,489,355. Our Purchased/Referred Care costs for outpatient services for fiscal year 2013 was \$4,320,830.

Although the Nez Perce Tribe supports the proposed \$200 million increase in funding over the fiscal year 2014 levels proposed by the President, it is important to note that this increase still lags far behind where funding should be to offset the growth in the programs and medical inflation and in reality funding should be higher. Also, the \$50 million dollar increase in funding proposed for purchased and referred care is vital, but it too falls well short of the true need in Indian Country as is illustrated by the spending needs of just the Nez Perce clinic. Finally, the tribe fully supports the \$617 million that has been proposed by the President to be allocated for Contract Support Costs. Requesting full funding of these obligations is an important and is appreciated.

## BUREAU OF INDIAN AFFAIRS

The tribe supports the funding levels for contract support costs proposed in the President's budget of \$251 million dollars as well as the increased funding overall for the Bureau of Indian Affairs. The tribe also supports the Presidential budget request to include a Carcieri fix to address legal issues that have arisen related to the transfer of land into trust. This Supreme Court decision has led to dozens of court challenges that now brings into question the status of trust land of all tribal governments, regardless of when they were federally recognized. This uncertainty will only stifle and impede economic development in Indian Country. A legislative amendment to restore the sovereign status of these lands to the state they were prior to this court decision is needed now.

The tribe supports the \$12 million dollar commitment in the President's budget to address child and family welfare in Indian Country and job training issues. This Tiwahe initiative is important as it recognizes the significant gap in culturally sensitive social service programs and the high unemployment due to lack of adequate job training that plagues reservation communities. Continued study and development of solutions to these issues is important to help address the systemic problems faced in this area.

In relation to the Bureau of Indian Affairs Public Safety and Justice budget, the tribe advocates for at least the \$351.9 million dollars in funding proposed in the President's budget. The Nez Perce Reservation covers 1200 square miles and covers five counties and has a mixture of tribal and non-tribal residents. The tribe provides a full service law and justice program, beginning with a fully trained and staffed police force, tribal court, prosecutor and related administrative functions. Currently, the Nez Perce Tribe contributes over \$718,000 per year to cover the shortfall in BIA funding for the tribe's law enforcement, \$195,000 for judicial services, \$339,000 for prosecutorial services, \$92,000 for public defender services and \$300,000 for prisoner boarding. This funding comes from tribal taxes on things such as tobacco levied by the tribe and tribal gaming revenues. The funding for these programs needs to be increased to account for the shortfalls in funding the tribe has to absorb to continue the operation of these vital services on the reservation.

In relation to education, the tribe requests \$42 million for Johnson O'Malley Funding, \$5 million for tribal education departments and \$88.2 million for tribal colleges such as the Northwest Indian College that operates a satellite campus on the Nez Perce Reservation. It should also be noted that scholarship funding provided by the BIA has remained static for the past decade while the cost of attending college has risen faster than can be accounted for by simple inflation. The tribe is currently working to set up an educational endowment to supplement the BIA education funds but the BIA funds need to be increased.

The tribe also relies on the BIA for funding for its work related to endangered species and protection of the tribe's treaty resources including Chinook and steelhead salmon. The funding has also been used to supplement the research efforts of the tribe relative to other sensitive species. The BIA Endangered Species Program should be restored at \$3 million dollars as it provides tribes with the technical and financial assistance to protect endangered species on trust lands but funding of this program has declined significantly over the last 8 years. Also, the BIA Natural Resource Tribal Priority Allocations should be increased to \$10 million as

this funding has remained flat for years at just under \$5 million. This expenditure will help increase tribal land and management capabilities.

In addition, the funding provided under the BIA Rights Protection fund is critical as it supports the exercise of off-reservation hunting and fishing for tribes like the Nez Perce and it should be funded at \$49.5 million dollars. The BIA single-line dollars do provide the foundation for core program administration and treaty rights protection activities, such as harvest monitoring and conservation enforcement. And of course, these efforts are central to the tribe's fisheries management responsibilities as established in the treaties and further delineated in litigation regarding implementation of hunting and fishing treaty rights. It is important to understand that this funding is not for equipment but is used for job creation and this funding has stayed static.

The Nez Perce Tribe utilizes the Pacific Coast Salmon Recovery Fund and it should be funded at \$110 million dollars. The Nez Perce funding received under this budget is used to rear 300,000 local stock coho smolts at Dworshak and Kooskia hatcheries in the Clearwater River Basin. We also truck an additional 550,000 coho smolts from a lower Columbia River hatchery (Eagle Creek Hatchery) up to the Clearwater for release. Based on passive integrated transponder (PIT) tag information, 15,000 coho adults from our Clearwater releases crossed Bonneville Dam in 2011 where they provided a fishery for tribal and non-tribal fisheries on the Columbia River. Over 5,000 swam on to cross Lower Granite Dam where they continued to provide a fishery, provide broodstock for the hatchery program and spawners in the wild. Continued appropriations for this fund will allow this successful work to continue.

The tribe also supports funding for the BIA Wildlife and Parks Tribal Priority Allocations of \$3 million dollars and \$6 million dollars as these funds allow for important work to be done on fish recovery through hatchery operation and maintenance. As stated earlier, the tribe has invested a large amount of its personnel and resources in the restoration and recovery of this important resource through its fisheries programs. The State of Idaho directly benefits from this work as well through its sports fisheries. These programs have been successful but more work needs to be done. The Tribal Management and Development Program also needs increased funding. The tribe recommends \$20 Million for base and programmatic funding. This program is critical for fish and wildlife management of the tribe.

#### FISH AND WILDLIFE SERVICE, FOREST SERVICE CULTURAL PROTECTION

The tribe relies heavily on funding sources within the Fish and Wildlife Service and the Forest Service. First, the Tribal Wildlife Grants program administered by the U.S. Fish and Wildlife Service is a cost effective expenditure for the Government. This small pot of money has resulted in huge returns from the tribe's perspective. Since 2005, we have received four such grants that have allowed us to work on such diverse issues as gray wolf monitoring, bighorn sheep research, and rare plant conservation. Continued funding for the Tribal Wildlife Grant program will allow recipient tribes to build capacity and maintain involvement in key conservation issues. It should be noted that this competitive grant does not simply dole out funds for projects but awards grants based on the quality of the proposal. As mentioned above, the tribe has received four grants under this program totaling \$800,000 based on the quality of our research work. Funding for these grants was reduced in fiscal year 2012 and fiscal year 2013. The tribe strongly urges this committee to increase this funding to \$8 million as it provides a large return in work for a small investment. It is also one of the few sources of funds tribes can tap into for wildlife research.

The tribe also supports increased funding for the work of the Forest Service in the protection of treaty reserved resources of tribes. There should be \$31.2 million dollars allocated for BIA Tribal Forestry Priority Allocations and \$23.3 million for BIA forestry projects. The Nez Perce Reservation and its usual and accustomed areas are rich in natural resources and encompass eleven different national forests. The tribe works closely with each forest administration to properly manage its resources on behalf of the Tribe. These range from protecting and properly managing the products of the forest to managing the vast wildlife in each one such as elk, deer, bighorn sheep and wolves. Increased funding is necessary so that the Forest Service can meet these trust obligations and continue to work with tribes such as the Nez Perce on a government-to-government basis. Finally, there should be \$15 million dollars allocated for the Tribal Historic Preservation Office Program and \$4 million dollars for repatriation to help ensure tribal remains and cultural properties are protected to the greatest extent possible.

## ENVIRONMENTAL PROTECTION AGENCY

The Nez Perce Tribe currently implements, on behalf of the Environmental Protection Agency, the Federal Air Rules for Reservations program (FARR) and receives funding from the State and Tribal Assistance Grants Program and Tribal General Assistance Grants. The \$31 million dollar increase in the President's budget for these grants is important and is supported by the tribe. The FARR program monitors air quality and regulates field burning throughout the Nez Perce Reservation. The tribe is located in Region 10 of the EPA and this increase in funding is needed for tribes to meet their air quality needs and operate programs under the delegation of the EPA.

In addition to the air quality program, the Nez Perce Tribe is working with other Idaho tribes on studying of fish consumption rates which is important in protecting the health of tribal members. Funding for this work is important. The tribe is also currently in facilitated discussions with the State of Idaho that are being funded through grants from the EPA. The facilitated discussions involve the tribe adopting water quality standards to improve the water quality on the Nez Perce Reservation. The tribe also relies heavily on contract support dollars for our water resource programs such as storage tank remediation and watershed restoration.

Thank you for the opportunity to provide testimony to the subcommittee. As you can see, the Nez Perce Tribe does a tremendous amount of work in a variety of areas. It is important that the United States continue to fund this work and uphold and honor its trust obligations to tribes.

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PREPARED STATEMENT OF NORTHERN WATER—THE NORTHERN COLORADO WATER  
CONSERVANCY DISTRICT

APRIL 8, 2014.

Hon. JACK REED, *Chairman*,  
Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in "Conservation and Restoration" funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled "Conservation and Restoration") to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS "Conservation and Restoration" funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

ERIC W. WILKINSON,  
*General Manager.*

## PREPARED STATEMENT OF THE NORTHWEST INDIAN FISHERIES COMMISSION

Mr. Chairman and members of the subcommittee, thank you for the opportunity to provide testimony on the Bureau of Indian Affairs (BIA) and the Environmental Protection Agency fiscal year 2015 appropriations. My name is Lorraine Loomis and I am the Vice-Chair of the Northwest Indian Fisheries Commission (NWIFC). The NWIFC is comprised of the 20 tribes that are party to the *United States v. Washington*<sup>1</sup> (*U.S. v. Washington*). I am providing written testimony for the record in support of funding to meet the many natural resources management responsibilities required of the tribes.

## SUMMARY OF FISCAL YEAR 2015 APPROPRIATIONS REQUESTS

## Bureau of Indian Affairs:

- Provide \$17.146 million for Western Washington Fisheries Management;
- Provide \$3.082 million for Washington State Timber-Fish-Wildlife;
- Provide \$4.844 million for U.S./Canada Pacific Salmon Treaty;
- Provide \$2.4 million for Salmon Marking;
- Provide \$6.582 million for Fish Hatchery Maintenance;
- Provide \$3.35 million for Fish Hatchery Operations;
- Provide \$246.0 million for Contract Support;
- Provide \$9.948 million for Cooperative Landscape Conservation; and
- Provide \$725,000 for Watershed Restoration.

## Environmental Protection Agency:

- Provide \$96.4 million for General Assistance Program; and
- Provide \$50.0 million for Puget Sound.

In February 2014 the treaty Indian tribes in western Washington celebrated the 40th anniversary of *U.S. v. Washington* (Boldt decision). The decision reaffirmed tribal treaty-reserved rights to half of the harvestable salmon returning to the State and was later expanded to include shellfish and some marine fish species. This landmark ruling is one of the greatest civil rights decisions in the history of the United States. Moreover, the ruling established the tribes as co-managers and brought responsible salmon management to Washington by requiring that salmon be managed river-by-river and that harvest limits be clearly defined.

Today, however, we find that the resource has diminished to the point that the tribes are catching fewer fish with a 50 percent share than they were at the time of the Boldt decision when they were catching less than 5 percent of the harvest. The treaty-reserved rights are at grave risk today as the resources they are dependent on are disappearing. Wild salmon and their habitat continue to decline despite massive reductions in harvest and a significant investment in habitat restoration. For this reason the western Washington treaty tribes brought to the Federal Government our Treaty Rights at Risk (TRAR) initiative asking that the Federal Government meet their obligations to the tribes and their treaties by taking charge of salmon recovery. We requested that the Federal Government implement their fiduciary duties by better protecting the tribes' treaty-reserved resources. The Federal Government has a non-discretionary obligation to provide adequate funding to the tribes to allow them to protect and preserve these treaty rights. Salmon are critical to the tribal cultures, traditions and their economies and by fulfilling these Federal obligations by addressing our TRAR—we will recover the salmon populations.

We are generally pleased with the President's fiscal year 2015 budget request, which includes and builds on many of the subcommittee's actions from the past few years. It continues funding for science and technology, including research and analysis for sustainable management of our natural resources and climate adaptation. On behalf of our 20 member tribes, I ask you to consider our requests for the BIA and the EPA that are further described below.

## JUSTIFICATION OF REQUESTS

*Bureau of Indian Affairs**Rights Protection Implementation Subactivity*

Tribes in the Great Lakes and Pacific Northwest with similar treaty-reserved rights have collectively identified that no less than \$49.5 million for Rights Protection Implementation (RPI) is necessary for essential tribal treaty rights management. We continue to support the President's emphasis to fund science and tech-

<sup>1</sup>*United States v. Washington*, Boldt Decision (1974) reaffirmed Western Washington Tribes' treaty fishing rights.

nology activities related to climate issues. This will provide our tribes the capability to identify, respond and adapt to the impacts of our changing climate. It will also support scientific research, monitoring and analysis that are essential to the management of natural resources. It is important that tribes be provided the maximum flexibility to develop specific science-based activities to meet their particular needs. We support a proportionate allocation of these funds that is consistent with and proposed in the fiscal year 2014 budget. A summary of the four accounts of interest to us within RPI are further identified below.

*Provide \$17.146 million for BIA Western Washington Fisheries Management.*—We respectfully request \$17.146 million, an increase of \$8.854 million over the President's request of \$8.562 million. The increase in fiscal year 2014 restored funding back to the fiscal year 2010 level and was very much appreciated. However, we once again ask Congress to address the remaining identified needs of the NWIFC and our member tribes. Funding for this program allows for continued treaty harvest management, population assessment, habitat protection and data gathering for finfish, shellfish, groundfish, wildlife and other natural resource management needs. Funds provide the necessary capacity for the treaty tribes to co-manage the resources with the State of Washington and to meet court required mandates.

*Provide \$3.082 million for BIA Washington State Timber-Fish-Wildlife.*—We respectfully request \$3.082 million, an increase of \$337,000 over the President's request of \$2.745 million. Funding for this program is provided to improve forest practices on State and private lands while providing protection for fish, wildlife and water quality. This will provide the necessary funding for tribal TFW programs to fully participate in the TFW process.

*Provide \$4.844 million for BIA U.S./Canada Pacific Salmon Treaty.*—We respectfully request \$4.844 million, an increase of \$549,000 over the President's request of \$4.295 million. The Pacific Salmon Treaty (PST) Act of 1985 charges the United States Section of the Pacific Salmon Commission with the responsibility for implementation of the PST, a bilateral treaty with Canada. Tribes assist in meeting the Federal Government's obligations in implementing the treaty by participating in cooperative research and data gathering activities. This will provide sufficient funding to ensure that the tribes can continue to participate effectively in the bi-lateral PST process.

*Provide \$2.4 million for BIA Salmon Marking.*—We respectfully request \$2.4 million, an increase of \$1.328 million over the President's request of \$1.072 million. Funding for this program was mandated in 2003 by Congress that required all salmon released from federally funded hatcheries be marked so they could be identified for conservation purposes. This allows tribes to mark salmon at tribal hatcheries and to use these marked fish to scientifically monitor salmon populations and watersheds in western Washington. This amount is required to fully implement more extensive selective fisheries targeted at these marked fish.

#### *Fish, Wildlife and Parks Subactivity*

*Provide \$6.582 million for BIA Fish Hatchery Maintenance.*—We support the President's request of \$6.582 million. Tribal fish hatcheries in western Washington are part of the largest fish hatchery system in the world. These hatcheries provide fish that significantly contribute to both non-Indian recreational and commercial harvest, as well as for tribal fisheries. Funding for this program is provided to tribes nationwide based on the ranking of annual maintenance project proposals. Today, hatcheries also play a large role in recovering pacific salmon, many of which are listed under the Endangered Species Act. A comprehensive needs assessment study was conducted in fiscal year 2006 by the BIA at the request of Congress which identified a level of need of over \$48.0 million in necessary hatchery maintenance and rehabilitation costs.

*Provide \$3.35 million for BIA Fish Hatchery Operations.*—We respectfully request \$3.35 million, an increase of \$1.575 million over the President's request of \$1.775 million. This increase reflects the needs of the western Washington treaty tribes. Funding for this program is provided to tribal hatcheries to support the rearing and releasing of salmon and steelhead for harvest by Indian and non-Indian fisheries. Hatcheries are a necessary part of fisheries management because of the lack of wild salmon production due to habitat degradation. They continue to play a vital role in supporting tribal fisheries and are now essential for maintaining the treaty right to harvest fish. Without hatcheries tribes would have very few fisheries and their treaty rights would be rendered meaningless.

#### *Other Subactivities and Accounts*

*Provide \$246.0 million for BIA Contract Support.*—We support the President's request of \$246.0 million. Funding for this function is provided to tribal organizations

to ensure they have the capacity to manage Federal programs under self-determination contracts and self-governance compacts. These funds are critical as they directly support our governmental functions, which allow us to fully exercise our right to self-govern. The amount requested is expected to fully fund the estimated need in fiscal year 2015.

*Provide \$9.948 million for BIA Cooperative Landscape Conservation.*—We support the President's request of \$9.948 million. Funding for this program will help provide the tribal capacity needed to participate and provide scientific input on climate change issues. This will also allow tribes to provide their perspective on climate change adaptation in the form of traditional ecological knowledge necessary to protect their treaty rights.

*Provide \$725,000 for BIA Watershed Restoration.*—We respectfully request \$725,000, an increase of about \$475,000 over the fiscal year 2014 operating plan. Funding for this program is contained in the Forestry Subactivity—Forestry Projects—Watershed Restoration account and supports our Salmon and Steelhead Habitat Inventory and Assessment Program. This allows us to continue to provide environmental data management, analysis, and reporting support. It also supports the on-going efforts to develop information sharing and exchange tools and would continue to support our tribes' ability to adequately participate in watershed resource assessments and salmon recovery work.

*Environmental Protection Agency*

*Provide \$96.4 million for EPA General Assistance Program.*—We support the President's request of \$96.4 million. This funding has built essential tribal capacities and remains critical to the tribes' ability to sustain their important water quality programs. Funding for this program continues to provide the capacity for tribal environmental protection programs nationwide. This allows tribes to address their most fundamental needs such as inadequate drinking water and basic sanitation.

*Provide \$50.0 million for EPA Puget Sound.*—We respectfully request \$50.0 million, an increase of \$25.0 million over the President's request of \$25.0 million. The Puget Sound Geographic Program provides essential funding that will help protect, restore and enhance Puget Sound, an estuary of national significance. Funding for this program will allow the tribes to participate in the necessary scientific work, implementation measures, and policy discussions on issues that affect our treaty rights. It allows the tribes to participate in implementing the Puget Sound Action Agenda and to also implement a wide range of projects aimed at improving the health of Puget Sound by 2020.

CONCLUSION

We are sensitive to the budget challenges that Congress faces. We respectfully urge you to continue to support our efforts to protect and restore our great natural heritage that in turn will provide for thriving communities and economies. Thank you.

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PREPARED STATEMENT OF THE NORTON SOUND HEALTH CORPORATION

The requests of the Norton Sound Health Corporation (NSHC) for the fiscal year 2015 Indian Health Service (IHS) budget are as follows:

- Appropriate an additional \$372,371 to staff and operate the newly opened Norton Sound Regional Hospital; the IHS is not provided the full agreed-upon amount.
- Direct the IHS to fully fund the Village Built Clinic (VBC) leases in accordance with section 804 of the Indian Health Care Improvement Act and allocate an additional \$8.5 million to VBC leases.
- Increase funding for injury prevention programs.
- Shield the IHS from sequestration in fiscal year 2016 and beyond.
- Place contract support costs on a mandatory funding basis.
- Place IHS funding on an advance appropriations basis.
- Support utilizing Medicare-like rates in the Purchased/Referred Care Program.

The Norton Sound Health Corporation is the only regional health system serving northwestern Alaska. It is on the edge of the Bering Sea, just miles from the Russian border. We are not connected by road with any part of the State and are 500 air miles from Anchorage—about the distance from Washington, DC, to Portland, Maine. Our service area encompasses 44,000 square miles, approximately the size of Indiana. We are proud that our system includes a tribally owned regional hospital which is operated pursuant to an Indian Self-Determination and Education Assist-

ance Act (ISDEAA) agreement, and 15 village-based clinics.<sup>1</sup> The logistics and costs associated with travel and transportation are a daily challenge, to say the least.

*Additional Funding Needed To Staff New Hospital Facility.*—NSHC gained beneficial occupancy of its new replacement hospital and ambulatory care center facility in Nome in June 2012, the construction of which was funded by the Recovery Act. The IHS and NSHC have successfully worked as government-to-government partners to construct and furnish the new facility. However, the IHS is providing us nearly \$400,000 less for our staffing package in fiscal year 2014 than was agreed to.

The replacement facility is almost three times the size of the former hospital and will allow for increased patient visits in the primary and acute care areas, including chronic disease prevention and management, and allow us to provide enhanced trauma and emergency services.

Now that the new facility is open, IHS has only to finish funding the expanded staffing needs for operation of the replacement hospital. The IHS has notified us that our fiscal year 2014 staffing package funding will be \$8,410,000. This is not the entire amount agreed to. The IHS is not providing the entire amount of funding for the 351 full time equivalents (FTEs) in the signed, validated Resource Requirements Methodology (RRM). Rather, the funding provided is for 348 FTEs, a difference of 3 FTEs or \$372,371 annually. That is a significant amount of funding over time—\$3.7 million in 10 years plus contract support costs.

Our new hospital is located in a medically underserved area and has one of the highest Health Professions Shortage Area scores in the Nation. NSHC has been greatly limited in its ability to recruit and hire medical professionals, instead having to focus primarily on hiring core operational staff. To fully realize the potential of the new replacement hospital, and to ensure that we can safely provide adequate and expanded healthcare services to the people in our region, we need the full amount agreed to by the IHS.

*Assistance Needed To End Chronic Underfunding Of Village Built Clinics.*—The NSHC healthcare system includes 15 Village Built Clinics (VBCs). The VBCs are essential for maintaining the IHS Community Health Aide Program (CHAP) in Alaska, which provides the only local source of healthcare for many Alaska Native people in rural areas. The CHAP program is mandated by Congress as the instrument for providing basic health services in remote Alaska Native villages. The CHAP program cannot operate without the use of clinic facilities.

The IHS has for many years consistently under-funded the leases of VBCs even though the IHS has had available appropriations to fully fund the leases. Lease rental amounts for the VBCs have failed to keep pace with costs—the majority of the leases for VBCs have not increased since 1989. The IHS has instead shifted its statutory responsibilities onto the villages and NSHC, which does not have adequate financial resources to maintain and upgrade the VBCs for CHAP staff. As a result, many of the VBCs are unsafe or have had to be closed, leaving some villages in Alaska without a local healthcare facility.

As indicated in our joint testimony with other Alaska healthcare providers to Congress in 2012, NSHC and many other tribal organizations in Alaska have discussed this issue with the IHS on several occasions, and have proposed solutions that the IHS continues to ignore. IHS continues to assert that it provides for VBC leases all of the funds that Congress has appropriated for the program. In our view, the amounts historically traceable to the VBC leases are not capped by statute and are not the only funds available for that program. The Indian Health Facilities appropriation is a lump sum appropriation that can be used for construction, repair, maintenance, improvements and equipment, and includes a sub-activity for maintenance and improvement of IHS facilities. The VBCs are IHS facilities acquired by lease in lieu of construction and should thus be eligible for maintenance and improvement funding. The IHS can also access other IHS discretionary funds to fully fund its VBC obligations.

For the fiscal year 2015, we urge that an additional \$8.5 million be appropriated to more fully fund VBC leases. We also ask that Congress direct the IHS to use existing fiscal year 2014 appropriations to fully fund the VBC leases in accordance with § 804 of the Indian Health Care Improvement Act.

*Injury Prevention.*—Injury prevention efforts are particularly important to the Norton Sound region; our extreme climate and the dangers of the Bering Sea result in an exceptionally high number of injuries, many of them severe. The National Center for Health Statistics reports that unintentional injury is the third leading

<sup>1</sup>We serve the communities of: Brevig Mission, Council, Diomed, Elim, Gambell, Golovin, King Island, Koyuk, Mary's Igloo, Nome, St. Michael, Savoonga, Shaktolik, Shishmaref, Solomon, Stebbins, Teller, Unalakleet, Wales, and White Mountain.

cause of death among American Indians and Alaska Natives, preceded by heart disease and cancer. The goal of the NSHC injury prevention program is to reduce unintentional injuries throughout the region. The success of the program truly depends on the partnerships formed to share resources and extend our reach. We work to provide safety education and resources in the areas of transportation (bike helmet safety, pedestrian safety, all-terrain vehicle (ATV) safety, etc.) and home environmental safety (promote the use of smoke alarms, carbon monoxide detectors, gun locks, elder fall prevention, etc.).

A positive development was the move in September 2013 of our Injury Prevention Program and Safety shop to our new hospital which has resulted in an increased sale and use of safety items—for instance, we sold at the Safety Shop three times as many ice cleats this year as the previous year. Within the last 6 months, the Safety Shop also sold 4 float coats, 6 snowmobile float coats, 4 snowmobile float bibs, 11 ATV helmets, 6 S.O.S. Survival kits and 22 visibility products. The Coast Guard donated 300 float coats to the region (the “Wear It Alaska” initiative) which has saved lives.

There is not an injury prevention line item in the IHS budget, although the IHS makes multi-year injury prevention grants to a limited number of tribes. We are in year 4 of a 5-year injury prevention grant; we took a 5 percent sequestration on our \$80,000 grant and are not guaranteed fifth year funding. We request that Congress increase funding for IHS programs that incorporate injury prevention and direct the agency to increase its injury prevention resources for tribes and tribal organizations.

*Protect the IHS From Sequestration.*—The Office of Management and Budget determined that the IHS’s appropriation is fully sequestrable, which resulted in a \$220 million cut in funding to the IHS for fiscal year 2013—roughly 5 percent of the IHS’s overall budget. IHS lost funding for programs like hospitals and health clinics services, contract health services, dental services, mental health and alcohol and substance abuse. Programs and projects necessary for maintenance and improvement of health facilities felt these same impacts. These negative effects were then passed down to every ISDEAA contractor, including NSHC. NSHC is already significantly underfunded, resulting in further cuts to the availability of health services we were able to provide to our patients, resulting in real consequences for individuals who have to forego needed care. We are grateful that Congress enacted legislation that has averted a sequestration in fiscal year 2014 and likely will do the same for fiscal year 2015. But beginning fiscal year 2016 the possibility of a sequestration will hang over IHS appropriations again.

We fail to understand why the responsibility for healthcare for Alaska Native and American Indian people was taken less seriously than the Nation’s promises to provide health to our veterans. The Veterans Health Administration (VA) was made fully exempt from the sequester for all programs administered by the VA. Also exempt are State Medicaid grants, and Medicare payments are held harmless except for a 2 percent reduction for administration of the program. We thus strongly urge the subcommittee to support amendment of the Balanced Budget and Emergency Deficit Control Act to fully exempt the IHS from any future sequestration, just as the VA and other health programs are exempt.

*Contract Support Costs.*—We thank Congress, and particularly the Interior, Environment and Related Agencies Subcommittee, for making it clear to the IHS and the Bureau of Indian Affairs (BIA) that fully funding contract support costs (CSC) is a legal duty and for providing what we expect is full funding for fiscal year 2014. The fiscal year 2015 IHS request of \$617 million for CSC is also a reasonable estimate of what will be full funding. The next logical step is for Congress to fund the CSC funding for the IHS and the BIA funding on a mandatory, rather than a discretionary, basis.

*IHS on an Advance Appropriations Basis.*—We support legislation that would place the IHS budget on an advance appropriations basis. The goal is for the IHS and tribal healthcare providers to have adequate advance notice of the amount of Federal appropriations to expect and thus not be subjected to the uncertainties of late funding and short-term continuing resolutions. Congress provides advance appropriations for the Veterans Administration medical accounts, and the request is for parity in the appropriations schedule for the IHS. Legislation to authorize IHS advance appropriations has been introduced—H.R. 3229 by Representative Young and S. 1570 by Senators Murkowski and Begich.

*Medicare-like Rates.*—The administration proposed in its budget justification that tribes the IHS, and urban Indian organizations utilizing the Purchased/Referred Care program be charged Medicare-like rates for non-hospital services, thus stretching the funding for that program. A Government Accountability Office report in 2013 concluded that IHS and tribal facilities would save millions of dollars and be able to increase care if the Medicare-like rate cap was imposed on non-hospital pro-

viders and supplies through the Purchase/Referred Care program. This revenue-neutral proposal would require legislation and would make a very positive difference in the amount of healthcare services that could be provided. We appreciate the \$18 million proposed increase in Purchased/Referred Care budget, but that is but a small slice of how much that program needs to be increased.

Thank you for your consideration of our request that adequate fiscal year 2015 IHS staffing funding be made available for the NSHC replacement hospital. We are very excited about the possibilities this facility brings for improved healthcare for the people of northwestern Alaska. We also appreciate the subcommittee's consideration of our other requests.

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PREPARED STATEMENT OF OPERA AMERICA | The National Opera Center

Mr. Chairman and distinguished members of the subcommittee, OPERA America is grateful for the opportunity to submit testimony on behalf of OPERA America, its board of directors and its 2,000 organizational and individual members. We strongly urge the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations to designate a total of \$155 million to the National Endowment for the Arts (NEA) for fiscal year 2015. This testimony and the funding examples described below are intended to highlight the importance of Federal investment in the arts, so critical to sustaining a vibrant cultural community throughout the country.

Opera is a continuously growing art form that can address the diverse needs and backgrounds of our communities. New opera companies are being established in communities that have never before had access to live performances. OPERA America's membership includes 129 professional company members representing 41 States. Over half of these companies were established after 1970 and over 40 percent were established since 1980, indicating the growth of opera throughout North America over the last 40 years.

In the 2011–2012 season, OPERA America members were involved with 45 world premieres. Since 1900, 880 new operatic works have been produced by professional opera companies in North America. Of that, 414 new operatic works have been produced since 2000. The growth in number and quality of American opera corresponds directly to the investment of the NEA's earlier investment in the New American Works program of the former Opera-Music Theater Program.

Beyond the opera house, opera companies are finding new and exciting ways to bring the essence of opera to other local theaters and community centers, frequently with new and innovative works that reflect the diverse cultures of the cities they serve. Strong partnerships with local schools, too, extend the civic reach of opera companies as they introduce children to another multi-media art form and discover promising young talent.

THE NEA IS A GREAT INVESTMENT IN THE ECONOMIC GROWTH OF EVERY COMMUNITY

Despite diminished resources, including a budget that has decreased by over \$20 million since 2010, the NEA awarded more than 2,100 grants in 2013, totaling more than \$112 million in appropriated funds, and reaching more than 38 million people who attended live arts events through NEA-supported programs. These grants help nurture the growth and artistic excellence of thousands of arts organizations and artists in every corner of the country. NEA grants also preserve and enhance our Nation's diverse cultural heritage. The modest public investment in the Nation's cultural life results in both new and classic works of art, reaching the residents of all 50 States and in every congressional district.

The return of the Federal Government's small investment in the arts is striking. In 2013, the American creative sector was measured by the Federal Bureau of Economic Analysis (BEA). The BEA and the NEA developed an "Arts and Cultural Production Satellite Account" which calculated the arts and culture sector's contributions to the gross domestic product (GDP) at 3.2 percent (or \$504 billion) of current-dollar GDP in 2011. Additionally, the nonprofit arts industry generates \$135.2 billion annually in economic activity, supporting 4.13 million full-time equivalent jobs in the arts and related industries.

On average each NEA grant leverages at least \$9 from other State, local, and private sources, generating roughly \$600 million in matching support. Few other Federal investments realize such economic benefits, not to mention the intangible benefits that only the arts make possible. Even in the face of cutbacks in the recent years, the NEA continues to be a beacon for arts organizations across the country.

The return on investments is not only found in dollar matches. The average city and county reports that nonprofit arts and culture organizations had 5,215 volun-

teers who donated 201,719 hours. These volunteer hours have a value of approximately \$4.5 million—a demonstration that citizens value the arts in their communities.

#### NEA GRANTS AT WORK

Past NEA funding has directly supported projects in which arts organizations, artists, schools and teachers collaborated to provide opportunities for adults and children to create, perform, and respond to artistic works. NEA funding has also made the art form more widely available in all States, including isolated rural areas and inner cities; indeed, NEA funded projects cross all racial, geographic, and socioeconomic lines.

NEA grants are awarded to opera organizations through its core programs: Art Works; Challenge America Fast Track Grants; and Federal/State Partnerships. In fiscal year 2013, the NEA awarded 84 grants to the opera field through grants for arts projects categories, totaling \$2,837,000.

The following are some examples of the impact of NEA funding on opera programs from the NEA's 2013 Art Works Program:

#### ANCHORAGE OPERA COMPANY—\$12,500; ANCHORAGE, ALASKA

To support “Soldier Songs,” a chamber opera by composer David T. Little. The work explores the plight of soldiers who face the challenge of reintegrating into “normal” life after having returned home from war. Told from the point of view of a single character during various stages of life, the work seeks to blur the tradition of linear narrative in opera. Accompanying the production will be several educational activities, including evening dress rehearsals, and teacher study guides that link the opera to the subjects of math, science, reading, and language arts. Pre-performance lecture-demonstrations will provide admission-free adult lectures by the creative team.

#### LYRIC OPERA OF KANSAS CITY—\$20,000; KANSAS CITY, MISSOURI

To support STAGES summer opera camp for youth. The program will feature training in design and technical aspects of performing arts production and will provide students with a significant hands-on experience to help prepare them for potential careers in the performing arts.

#### NASHVILLE OPERA ASSOCIATION—\$12,500; NASHVILLE, TENNESSEE

To support an audio recording of a revised edition of “Romulus Hunt,” a one-act opera by composer Carly Simon. Originally commissioned in 1993 by the Metropolitan Opera and the Kennedy Center, the semi-autobiographical dramatic work deals with operatic themes of love and betrayal as presented through the tribulations of a loving family fractured by divorce. Performances will occur at the Noah Liff Opera Center and recording will occur at Ocean Way Studios.

#### OPERA PARALLELE—\$15,000; SAN FRANCISCO, CALIFORNIA

To support the American premier of “Anya 17,” a recently commissioned opera by composer Adam Gorb and librettist Ben Kaye. The opera portrays human trafficking as experienced by the central character, Anya. The plot unfolds through a series of short, fast-paced flashbacks that detail how Anya is deceived into traveling abroad and sold as a prostitute.

#### OPERA THEATRE OF ST. LOUIS—\$90,000; ST. LOUIS, MISSOURI

To support the commission, development, and premier of “Shalimar the Clown” by composer Jack Perla and librettist/playwright Rajiv Joseph. Based on the novel by Salman Rushdie, the story takes place in the disputed region of Kashmir and focuses on the love story of a young Hindu woman, Boonyi, a dancer, and a Muslim man, Shalimar, an acrobat. The story is one of love, revenge, cultural clashes, and war.

More than half of OPERA America's member companies were established after 1970 (corresponding to the establishment of the NEA) and over 40 percent were established since 1980, indicating the growth of opera throughout in the last 40 years. In the 2010 and 2011 calendar years, OPERA America's members were involved with 35 world premieres and 369 new operatic works have been produced in North America since 2000.

Over 6.5 million people attended a live performance at one OPERA America's member companies during the 2011–2012 season, including educational and out-

reach programs and festivals. During this same season, member opera companies presented 3,133 mainstage, festival, educational, and other productions—almost 3 times and many productions as the previous season. The collective expenses of member opera companies totaled \$1.16 billion—almost double last year’s expenses. Total government support, including city, county, State, and Federal, amounted to \$37.5 million, representing approximately 3.8 percent of total operating income.

Despite overwhelming support by the American public for spending Federal tax dollars in support of the arts, the NEA has never recovered from a 40 percent budget cut in the mid-nineties and found its budget further decreased by \$22 million since 2010, leaving its programs seriously underfunded. We urge you to continue toward restoration and increase the NEA funding allocation to \$155 million for fiscal year 2015.

On behalf of OPERA America, thank you for considering this request.

#### PREPARED STATEMENT OF THE OREGON WATER RESOURCES CONGRESS

##### FISCAL YEAR 2015 BUDGET FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY’S CLEAN WATER STATE REVOLVING FUND LOAN PROGRAM

The Oregon Water Resources Congress (OWRC) is concerned about continued reductions to the U.S. Environmental Protection Agency’s (EPA) Clean Water State Revolving Fund Loan Program (CWSRF) and is requesting that appropriations for this program be increased to at least \$2 billion in fiscal year 2015. The CWSRF is an effective loan program that addresses critical water infrastructure needs while benefitting the environment, local communities, and the economy. OWRC is also concerned about various efforts by EPA to increase regulatory authority over water resources planning and urges the Senate to take action and prevent further jurisdictional overreach. EPA’s actions to increase its jurisdiction are counterproductive to collaborative planning and detract from the positive solutions achieved through the CWSRF program.

OWRC was established in 1912 as a trade association to support the protection of water rights and promote the wise stewardship of water resources statewide. OWRC members are local governmental entities, which include irrigation districts, water control districts, drainage districts, water improvement districts, and other agricultural water suppliers that deliver water to roughly one-third of all irrigated land in Oregon. These water stewards operate complex water management systems, including water supply reservoirs, canals, pipelines, and hydropower production.

##### FISCAL YEAR 2015 APPROPRIATIONS

We recognize that our country is facing difficult economic times and that we must make strategic investments with scarce resources. The CWSRF is a perfect example of the type of program that should have funding increased because it creates jobs while benefitting the environment, and is an efficient return on taxpayer investment. Oregon is facing record levels of unemployment and the CWSRF funded projects provide much needed construction and professional services jobs. Moreover, as a loan program, it is a wise investment that allows local communities to leverage their limited resources and address critical infrastructure needs that would otherwise be unmet.

Nationally, there are large and growing critical water infrastructure needs. In EPA’s most recent needs surveys, *The Clean Watersheds Needs Survey 2008: Report to Congress and Drinking Water Infrastructure Needs Survey and Assessment: Fourth Report to Congress*, the estimated funding need for drinking water infrastructure totaled \$335 billion (in 2007 dollars) and wastewater infrastructure needs totaled \$298 billion (in 2008 dollars). Appropriations for water infrastructure, specifically CWSRF, should not be declining but remaining strong in order to meet these critical needs.

In 2012 appropriations for the CWSRF program was approximately \$2.384 billion and declined to \$1.448 billion in fiscal year 2014. The President’s fiscal year 2015 budget proposes only \$1.018 billion for the CWSRF program; a \$430 million reduction from fiscal year 2014 enacted levels. We are concerned as we see this negative downward trend continuing.

OWRC is supportive of the President’s Climate Action Plan and related efforts to support actions that help address, mitigate, and adapt to severe weather events, like drought, that are related to climate change. We are, however, concerned about where the \$2 billion would come from and do not want any “realigning” to result in reduced funding for other important water infrastructure programs like CWSRF. There has not been an increase in funding for CWSRF since 2009; meanwhile, both

infrastructure needs and the costs to address those needs continue to grow each year. Continued funding reductions has led to delaying repairs or upgrades which in turn increase the potential for catastrophic failure and is counterproductive to the administration's desire to encourage asset management and sustainable water infrastructure. To the extent practicable, funding for climate change should be incorporated into existing programs with proven successes like the CWSRF.

We also continue to be highly supportive of the administration's desire to expand "green infrastructure" and are appreciative of the 20 percent green infrastructure target for fiscal year 2015. In fact, irrigation districts and other water suppliers in Oregon are on the forefront of "green infrastructure" through innovative piping projects that provide multiple environmental benefits, which is discussed in greater detail below. However, continually reducing the amount of funds available for these worthwhile projects is counterproductive to the administration's desire and has created increased uncertainty for potential borrowers about whether adequate funding will be available in future years. CWSRF is often an integral part of an overall package of State, Federal and local funding that necessitates a stronger level of assurance that loan funds will be available for planned water infrastructure projects. Reductions in the CWSRF could lead to loss of grant funding and delay or derail beneficial projects that irrigation districts have been developing for years.

Additionally, OWRC is pleased to see that EPA will continue "strategic partnerships" with the USDA's Natural Resources Conservation Services (NRCS) and other Federal agencies to improve water quality and address nonpoint source pollution. Oregon had four priority watersheds eligible for funding through the National Water Quality Initiative in 2013 and anticipates that additional watersheds will be included in the future. As Oregon is a delegated State, OWRC also feels strongly that the Oregon Department of Environmental Quality (DEQ) is best situated to develop and implement activities to improve these and other impaired waterways in the State. DEQ and its administration of the CWSRF has been an extremely valuable tool in Oregon for improving water quality and efficiently addressing infrastructure challenges that are otherwise cost-prohibitive.

#### CWSRF LOCAL SUCCESS AND NEEDS

Six OWRC member districts have successfully received loans from the CWSRF over the last several years and many more will apply if funds are available. Numerous irrigation districts and other water suppliers need to pipe currently open canals, thereby improving water quality by eliminating run-off into the canals and increasing water availability for fish and irrigators by reducing water loss from the delivery system. Four irrigation districts received over \$11 million funding in Oregon from the 2009 American Recovery and Reinvestment Act (ARRA) funding through the CWSRF for projects which created valuable jobs while improving water quality. These four projects were essential to DEQ not only meeting but exceeding the minimum requirement that 20 percent of the total ARRA funding for the CWSRF be used for "green" projects. Those districts' applications had been on DEQ's list of eligible projects for many years and would probably still be on that list had the ARRA funding not been made available. We provide that comment not to complain, but to emphasize the need for additional funding for this program.

What is being proposed for fiscal year 2015 is far short of what is needed to address critical water infrastructure needs in Oregon and across the Nation. This will lead to fewer water infrastructure projects, and therefore a reduction in improvements to water quality. The DEQ's most recent "Proposed Intended Use Plan Update #1—State fiscal year 2014," lists 18 projects in need of a total of \$45,265,547 in Oregon alone. The Federal capitalization grant funding that has been historically available to DEQ has not yet been awarded for fiscal year 2014; however, based on previous years it is doubtful that the fiscal year 2014 funding will be adequate to address and complete these much needed projects. Unfortunately, due to recent cutbacks and lack of availability of funds, no irrigation districts submitted applications for funding in 2014, but we are hopeful that with an increase in money available, more of our member districts will apply for funding to complete projects that will not only benefit the environment and the patrons served by the water delivery system, but also benefit the economy.

#### THE IMPORTANCE AND SUCCESS OF LOCAL WATERSHED PLANNING

Oregon's success in watershed planning illustrates that planning efforts work best when diverse interests develop and implement plans at the local watershed level with support from State government. Oregon has recently revised their CWSRF rules; thus making conservation easier and its benefits to be better achieved in the State. That is why OWRC is very concerned about EPA's recent efforts to revise

Clean Water Act Guidance without appropriate public process or legislative oversight. The proposed changes would greatly broaden EPA authority and illustrates an apparent desire to dictate watershed planning methods for the Nation using a top-down regulatory approach from a desk in Washington DC. This regulatory overreach will lead to uncertainty for landowners and water users, increased litigation and destroy collaborative efforts (including CWSRF projects) already underway in Oregon and across the Nation.

As the national model for watershed planning, Oregon does not need a new Federal agency or Executive Branch office to oversee conservation and restoration efforts. Planning activities are conducted through local watershed councils, volunteer-driven organizations that work with local, State and Federal agencies, economic and environmental interests, agricultural, industrial and municipal water users, local landowners, tribes, and other members of the community. There are over 60 individual watershed councils in Oregon that are already deeply engaged in watershed planning and restoration activities. Watershed planning in Oregon formally began in 1995 with the development of the Oregon Plan for Salmon Recovery and Watershed Enhancement, a statewide strategy developed in response to the Federal listing of several fish species. This strategy led to the creation of the Oregon Watershed Enhancement Board (OWEB), a State agency and policy oversight board that funds and promotes voluntary and collaborative efforts that “help create and maintain healthy watersheds and natural habitats that support thriving communities and strong economies” in 1999.

#### CONCLUSION

In conclusion, we applaud the CWSRF program for allowing Oregon’s DEQ to make targeted loans that address Clean Water Act issues and improve water quality but also help incentivize innovative water management solutions that benefit local communities, agricultural economies, and the environment. This voluntary approach creates and promotes cooperation and collaborative solutions to complex water resources challenges. Conversely, regulatory overreach destroys cooperation, creates mistrust and has a very negative effect on jobs and local economies. We respectfully request the appropriation of at least \$2 billion for the U.S. Environmental Protection Agency’s Clean Water State Revolving Loan Fund for fiscal year 2015.

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#### PREPARED STATEMENT OF THE OUTDOOR INDUSTRY ASSOCIATION

MAY 22, 2014.

Hon. JACK REED, *Chairman,*  
*Committee on Appropriations, Subcommittee on the Interior, Environment, and Related Agencies, U.S. Senate, Washington, DC.*

Hon. LISA MURKOWSKI, *Ranking Member,*  
*Committee on Appropriations, Subcommittee on the Interior, Environment, and Related Agencies, U.S. Senate, Washington, DC.*

Dear Chairman and Ranking Member: On behalf of the Outdoor Industry Association, and our more than 1,300 member companies, I write to urge you to support adequate and sustainable funding for the recreation and preservation programs of the Department of the Interior, the U.S. Forest Service and the Environmental Protection Agency. This year we celebrate the 50th anniversary of the Land and Water Conservation Fund and the Wilderness Act and are approaching the National Park Service Centennial in 2016. Now, more than ever, is the time to prepare our public lands and waters for the next century by investing in these very places that provide clean air and water, American jobs, attract international tourists, unite communities and make America a healthier, more prosperous place to raise a family and start a business.

The strength of our national economy is directly linked to the treasures that are our parks, forests, waterways, wildlife refuges, recreational trails and similar recreation assets. These public lands and waters are deeply popular with American families nationwide. Moreover, they represent a foundational infrastructure for recreation, just as important as highways are to the transportation industry or fiber optic lines are to the telecommunications industry. Diverse, accessible, and affordable places for every American to get outdoors and enjoy healthy lifestyles are crucial to the health and well being of the American people and our economy.

Rather than compounding our deficit problems, our national outdoor recreation system produces exceptional economic value and jobs in communities across the country. Our public lands and waters drive a recreational economy that spawns

\$646 billion in direct consumer spending, supports more than 6 million sustainable American jobs, and generates more than \$80 billion in Federal, State and local tax revenue. At the local level, resources invested in recreational trail infrastructure, river access and other open spaces have an impressive and sustainable return for local economies, especially those in rural areas. For every \$1 spent on the national parks, local communities see a \$10 return. We saw the reverse of this investment during last year's Government shutdown, when gateway communities lost upwards of \$76 million each day as nearby public lands were closed.

More than ever Americans are prioritizing the outdoors, with half of our population, 140 million people, recreating outside each year. Americans spend more on outdoor recreation than on pharmaceuticals, gasoline and motor vehicles and in 2013 outdoor product sales were up 10.3 percent. In fact, outdoor product sales grew more than 7 percent in both 2011 and 2012 while other industries were suffering from the recession. We need Congress to support the growing outdoor economy and the people and communities who rely on it.

In real terms, Federal spending on natural resources and recreation programs has declined over the last 20 years. This program area comprised less than 1 percent of the total Federal budget for fiscal year 2013. Natural resources, recreation, bicycling, and community development programs are, at best, paltry contributors to the Federal deficit yet they have been disproportionately targeted for cuts in the past. We believe this should be avoided as Congress begins consideration of the fiscal year 2015 Federal appropriations. These programs need to be recognized as shining examples of economic growth engines and the type of sound investment that the Federal Government should pursue.

To do this we ask Congress to fulfill the promise and obligation of the LWCF fund and to recognize the importance and value of the investments in the natural resources, recreation, conservation, and preservation programs found in the budgets for the Department of the Interior, the Forest Service, and the EPA. We urge Congress to prepare the National Parks System for its second century by funding backlogged maintenance and considering opportunities for public/private partnerships, and to fund any amount above 70 percent of the anticipated cost of wildfire suppression from an emergency fund outside of the land management agencies' budgets.

Please provide adequate funding for the our Nation's public lands and waters as outlined below:

- Department of the Interior—\$11.9 billion
- National Park Service Centennial
  - \$40 million increase—fiscal year 2015 appropriations
  - \$400 million in permanent funding each year for the next 3 years,
    - \$100 million—Centennial Challenge
    - \$200 million—National Park Service facilities improvements
    - \$100 million—Centennial Land Management Investment Fund
- Land and Water Conservation Fund (Total)—\$900 million
- Agriculture—National Forest System (USFS)—\$5.4 billion
- EPA—*Protecting America's Waters*—\$3.4 billion

Investments in green spaces and outdoor recreation infrastructure create healthy and productive communities that offer lasting, good jobs and draw businesses and entrepreneurs. There is no doubt that people use green spaces when they're available, well maintained and close at hand. A growing body of evidence demonstrates that access to parks, trails, and other places to play has significant economic and health benefits.

Outdoor recreation and the outdoor industry are a core economic sector in America, driven by innovation and technology. Sustainable, American jobs exist across the value chain—suppliers, manufacturers, retailers, sales representatives. Moreover, outdoor recreation is an industry that America dominates worldwide. The world looks to America as the leader in the protection of our public lands and waters and looks to American brands for innovative outdoor products, gear, apparel and footwear.

A healthy and diverse outdoor recreation economy promotes economic activity and jobs in every community—large & small, urban & rural—across America. Outdoor recreation and the places that Americans get outside— parks, trails, rivers and open space—are critical economic drivers and essential to a high quality of life. Cutting funding that supports those quality places directly and adversely impacts not just the outdoor industry, but a diversity of other industries and myriad associated businesses that chose their location, in large part, on accessible, healthy public lands and watersheds and outdoor spaces to be enjoyed by their workforce. Conversely, investing in these quality lands and waters promises significant economic growth for both the outdoor industry and the many associated businesses that choose to locate

near public lands and outdoor spaces in order to improve the quality of life experience for their employees.

Please promote a strong economy and happy, healthy families and communities by investing in our Nation's parks, trails, rivers and open spaces.

Respectfully,

KIRK BAILEY,  
*Vice President—Government Affairs.*

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PREPARED STATEMENT OF THE OUTDOORS ALLIANCE FOR KIDS

Chairman Reed, Ranking Member Murkowski, and members of the subcommittee: We, the undersigned members of the Outdoors Alliance for Kids (OAK), thank you for your past support of programs to connect children and youth with the outdoors, and we urge you to sustain funding for fiscal year 2015 programs at the U.S. Department of the Interior, Environmental Protection Agency, and U.S. Forest Service that increase engagement in the outdoors through outdoor education, community health and wellness, and environmental stewardship programs that engage children, youth and young veterans in the outdoors. We also urge you to maintain sufficient funding for agencies to adequately manage our public lands and waters.

OAK is a national strategic partnership of businesses and organizations representing more than 30 million individuals from diverse sectors of the economy with the common interest in expanding the number and quality of opportunities for children, youth, and families to connect with the outdoors. OAK supports public policies and investments that expand outdoor education opportunities, promote community health and wellness, and engage more youth in environmental stewardship. A list of OAK's organizational members can be found here.

We understand that we are in difficult fiscal times, but balancing the budget at the expense of programs and initiatives that ensure children and youth have opportunities to learn, get physically active, and increase their volunteerism in the outdoors will be a detriment to our great Nation. Environmental education provides critical tools for a 21st century workforce by giving students the skills to understand complex environmental systems and issues, and prepares students to compete globally and address environmental challenges and opportunities that impact our economy, health, and national security. Community health and wellness are critical investments for the local economy as well. The prevention of chronic diseases can save lives, as well as promote the physical and mental wellbeing of all Americans. Environmental stewardship can provide opportunities for young people to not only spend more time outdoors, but also to obtain basic job skills as the youth unemployment rates skyrocket. In addition to contributing to our Nation's robust outdoor recreation economy, youth volunteer and work programs help address a backlog of maintenance needs piling up on our public lands, address record youth unemployment, and prepare a diverse group of youth to be the next generation of natural resource employees.

These areas are vital to the success of the U.S. in the global economy, and to our ability to create a 21st century workforce that is healthy, skilled, and prepared to be the next generation of leaders. The outdoor industry alone provides 6.1 million jobs and \$646 billion in direct consumer spending each year. Outdoor recreation, such as that enjoyed in national, State, and local parks, provides millions of America's children, youth, and families with an opportunity to hike, bike, swim, paddle or simply commune with nature. The outdoor recreation economy generates \$39.9 billion in Federal revenue and another \$39.7 billion in State and local revenue annually.

OAK supports funding and initiatives to increase outdoor education, promote community health and wellness and provide young people with jobs, training, and service and volunteer opportunities that connect them to the outdoors and recreation. We urge the subcommittee to restore funding to allow land management agencies to adequately manage our public lands and waters and to provide robust funding for the following programs that get youth outdoors:

—*Department of the Interior.*—OAK supports the Department of the Interior's goal of providing 40,000 work and training opportunities over fiscal years 2014 and 2015. To this end, we urge you to support the administration's budget request of \$50.6 million for youth programs in the Bureau of Land Management, U.S. Geological Survey, Fish and Wildlife Service, National Park Service, Bureau of Indian Affairs, and the Bureau of Reclamation. A key component of the Department's efforts will be partnering with youth organizations through the 21st Century Conservation Service Corps (21CSC). The opportunities provided by 21CSC will encourage youth to assume responsibility for the stewardship and preserva-

tion of America's great outdoors, teach them basic job skills at a time when youth unemployment is near record levels and young people are missing out on critical early job experiences, and improve public health by helping young people develop and maintain active lifestyles. In addition, we urge you to fund the National Park Service Centennial Challenge, to support thousands of veterans, youth, and others to work to upgrade the National Park System for its 100th anniversary in 2016.

We also urge you to sustain funding for the operational accounts of the National Park Service, Bureau of Land Management, Bureau of Reclamation, Fish and Wildlife Service, and the U.S. Forest Service, all of which could fund partnerships with Conservation Corps.

—*Environmental Protection Agency.*—OAK urges the subcommittee to sustain funding for the National Environmental Education Act (NEEA) programs at the Environmental Protection Agency at the recent level of \$9.7 million. This program implements highly successful, nationwide environmental education programs. These programs support life-long environmental education and stewardship through several highly-leveraged, but under-resourced programs, including the National Environmental Education Training Program to provide professional development for teachers, the National Environmental Education Foundation to leverage public/private partnerships, and an environmental education grant program to support local environmental education providers.

We thank you in advance for your support for these critical programs and look forward to working with you and your staff in the coming year.

Thank you for your consideration of this request.

This testimony is submitted on behalf of the following 39 members of the Outdoors Alliance for Kids:

Alliance for Childhood	National Park Trust
American Canoe Association	National Parks Conservation Association
American Hiking Society	National Recreation and Park Association
American Society of Landscape Architects	National Wildlife Federation
American Youthworks	NatureBridge
Appalachian Mountain Club	North American Association for Environmental Education
Association of Outdoor Recreation and Education	O'Neill Sea Odyssey
Children & Nature Network	Outdoor Afro
Choose Outdoors	Outdoor Outreach
Conservation Legacy	Outdoors Empowered Network
GirlTrek	Public Lands Service Coalition
Hudson River Sloop Clearwater	Sierra Club
International Mountain Bicycling Association	The Corps Network
IslandWood	The Outdoor Foundation
Izaak Walton League of America	The Wilderness Society
Kids4Trees	Trout Unlimited
National Interscholastic Cycling Association	Trust for Public Land
National Military Family Association	Wilderness Inquiry
National Outdoor Leadership School	Winter Wildlands Alliance
	YMCA of the USA

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PREPARED STATEMENT OF THE PACIFIC SALMON COMMISSION

Mr. Chairman, and honorable members of the subcommittee, I am McCoy Oatman the Alternate Tribal Commissioner for U.S. Section of the Pacific Salmon Commission (PSC). The U.S. Section prepares an annual budget for implementation of the treaty. The integrated budget details program needs and costs for tribal, Federal, and State agencies involved in the treaty. The tribal participation in the Pacific Salmon Treaty process is funded in the Bureau of Indian Affairs (BIA) budget.

In order meet the increased obligations under the 2009–2018 Pacific Salmon Treaty Agreement the 25 affected tribes identified costs at \$4,800,000 for tribal research projects and participation in the U.S.-Canada Pacific Salmon Treaty process, an increase of \$520,000 over fiscal year 2014 enacted level. The funding for tribal participation in the U.S./Canada Salmon Treaty is a line item in the

BIA's budget under the Rights Protection Implementation, Wildlife and Parks, Other Recurring Programs Area.

Under U.S. Fish and Wildlife Service programs, the U.S. Section identified needs as follows:

USFWS participation in the treaty process is identified at a base level of \$417,000. The Pacific States Marine Fisheries Commission's Regional Mark Center receives support from the USFWS to provide data services to the PSC process. Those costs are identified at \$315,000. This funding level represents an increase of \$75,000 over fiscal year 2012 enacted levels for the Mark Center to make up for losses from other programs and allow the Mark Center to maintain the same level of service to the U.S. Section.

This base funding for the U.S. Fish and Wildlife Service supports critically important on-going work. The funding for Pacific States Marine Fisheries Commission's Regional Mark Center is utilized to meet Treaty requirements concerning data exchange with Canada. These program recommendations are integrated with those of the State and Federal agencies to avoid duplication of effort and provide for the most efficient expenditure of scarce funds.

A copy of the integrated U.S. Section Budget Justification will be made available to the subcommittee. The budget summary justifies the support needed to carry out necessary functions in implementing the treaty. Funding to support activities under the Pacific Salmon Commission comes from the Departments of Interior, State, and Commerce. Adequate funding from all three Departments is necessary for the U.S. to meet its treaty obligations. All of the funds are needed for critical data collection and research activities directly related to the implementation and are used in cooperative programs involving Federal, State, and tribal fishery agencies and the Department of Fisheries in Canada. The commitment of the United States is matched by the commitment of the Government of Canada.

The U.S. Section of the Pacific Salmon Commission is recommending an adjustment to support the work carried out by the 24 treaty tribes' that participate in the implementation of the treaty. Programs carried out by the tribes are closely coordinated with those of the States and Federal agencies. Tribal programs are essential for the United States to meet its international obligations. Tribal programs have taken on additional management responsibilities due to funding issues with State agencies. All participating agencies need to be adequately supported to achieve a comprehensive U.S. effort to implement the Treaty.

The U.S. Fish and Wildlife Service activities are necessary so the U.S. can maintain the critical database to implement the treaty. The work of the Regional Mark Processing Center includes maintaining and updating a coastwide computerized information management system for salmon harvest and catch effort data as required by the treaty. This work has become even more important to monitor the success of management actions at reducing impacts on ESA-listed salmon populations. Canada has a counterpart database. The database will continue to be housed at the Pacific States Marine Fisheries Commission.

Mr. Chairman, the United States and Canada established the Pacific Salmon Commission, under the Pacific Salmon Treaty of 1985, to conserve salmon stocks, provide for optimum production of salmon, and to control salmon interceptions. After more than 20 years, the work of the Pacific Salmon Commission continues to be essential for the wise management of salmon in the Northwest, British Columbia, and Alaska. For example, upriver Bright fall Chinook salmon from the Hanford Reach of the Columbia River are caught in large numbers in Alaskan and Canadian waters. Tribal and non-tribal fishermen harvest sockeye salmon from Canada's Fraser River in the Strait of Juan de Fuca and in Puget Sound. Canadian trollers off of the west coast of Vancouver Island catch Washington coastal Coho salmon and Puget Sound Chinook salmon. In the Northern Boundary area between Canada and Alaska, fish from both countries are intercepted by the other country in large numbers. The Commission provides a forum to ensure cooperative management of salmon populations. In 2008, the U.S. and Canada successfully concluded lengthy negotiations to improve this management, including the adjustments to the coastwide abundance-based management regime for Chinook salmon and a framework for abundance based management for southern Coho populations. The agreement is intended to last through 2018. The U.S. and Canada completed a revised Fraser River sockeye and pink chapter in 2013.

Before the treaty, fish wars often erupted with one or both countries overharvesting fish that were returning to the other country, to the detriment of the resource. At the time the treaty was signed, Chinook salmon were in a severely depressed state as a result of overharvest in the ocean as well as environmental deg-

radation in the spawning rivers. Under the treaty, both countries committed to rebuild the depressed runs of Chinook stocks, and they recommitted to that goal in 1999 when adopting a coastwide abundance based approach to harvest management. Under this approach, harvest management will complement habitat conservation and restoration activities being undertaken by the States, tribes, and other stakeholders in the Pacific Northwest to address the needs of salmon listed for protection under the Endangered Species Act. The 2008 Chinook agreement continues these commitments. The combination of these efforts is integral to achieving success in rebuilding and restoring healthy, sustainable salmon populations.

Finally, you should take into account the fact that the value of the commercial harvest of salmon subject to the treaty, managed at productive levels under the treaty, supports the infrastructure of many coastal and inland communities. The value of the recreational fisheries, and the economic diversity they provide for local economies throughout the Pacific Northwest and Alaska, is also immense. The value of these fish to the 24 treaty tribes in Washington, Oregon, and Idaho goes far beyond their monetary value, to the cultural and religious lives of Indian people. A significant monetary investment is focused on salmon as a result of listings of Pacific Northwest salmon populations under the Endangered Species Act. Given the resources, we can continue to use the Pacific Salmon Commission to develop recommendations that help to ensure solutions that minimize impacts on listed stocks, especially if we are allowed to work towards the true intent of the treaty: mutually beneficial enhancement of the shared resource.

Mr. Chairman, that concludes my written testimony submitted for consideration by your subcommittee. I want to thank the Committee for the support that it has given the U.S. Section in the past. Please feel free to contact me, or other members of the U.S. Section to answer any questions you or subcommittee members may have regarding the U.S. Section of the Pacific Salmon Commission budget.

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PREPARED STATEMENT OF THE PARTNERSHIP FOR THE NATIONAL TRAILS SYSTEM

Mr. Chairman and members of the subcommittee: The Partnership for the National Trails System appreciates your support over the past 20 years, through operations funding and dedicated Challenge Cost Share funds, for the national scenic and historic trails administered by the National Park Service. We also appreciate your increased allocation of funds to support the trails administered and managed by the Forest Service and for the trails in the Bureau of Land Management's National Landscape Conservation System. To continue the progress that you have fostered, the Partnership requests that you provide annual operations funding for each of the 30 national scenic and historic trails for fiscal year 2015 through these appropriations:

—*National Park Service*.—\$16.21 million for administration of 23 trails and for coordination of the long-distance trails program by the Washington office. *Construction*.—\$380,000 for the Ice Age Trail, \$240,000 for the Appalachian Trail, and \$200,000 for the Pacific Crest Trail.

—*USDA Forest Service*.—\$7.896 million to administer 6 trails and \$1.2 million to manage parts of 16 trails administered by the National Park Service (NPS) or the Bureau of Land Management (BLM). \$1 million for Iditarod Trail construction.

—*Bureau of Land Management*.—\$1.53 million to administer three trails and for coordination of the National Trails program and \$7.14 million to portions of 13 trails administered by the Park Service or the Forest Service and for operating five National Historic Trail interpretive centers. *Construction*.—\$300,000 for the Pacific Crest Trail.

—We ask that you appropriate \$4.5 million for the National Park Service Challenge Cost Share Program and continue to direct one-third (\$1,500,000) for national scenic and historic trails or create a separate \$1.5 million National Trails System Challenge Cost Share Program.

—We ask that you add \$500,000 to the Bureau of Land Management's Challenge Cost Share Program and allocate it for the national scenic and historic trails it administers or manages.

We ask that you appropriate \$57,695,000 from the Land and Water Conservation Fund for the acquisition of 53 tracts along seven national scenic and eight national historic trails described in the National Trails System Collaborative Landscape Planning proposal and allocate this funding to the:

—Bureau of Land Management: \$15,246,000 million;

—U.S. Fish and Wildlife Service: \$7,829,000 million;

—U.S. Forest Service: \$15,271,000 million; and

—National Park Service: \$25,002,600 million.

#### NATIONAL PARK SERVICE

The \$16.21 million we request for Park Service operations includes increases for some of the trails to continue the progress and new initiatives made possible by the additional funding Congress provided several years ago. Funding for the new Star Spangled Banner and Washington-Rochambeau Trails and \$400,000 for the Park Service to implement planning for the New England Trail is included.

We request an increase of \$626,000 to expand Park Service efforts to protect cultural landscapes at more than 200 sites along the Santa Fe Trail, to develop geographic information system (GIS) mapping, and to fund public educational outreach programs of the Santa Fe Trail Association. An increase of \$780,000 for the Trail of Tears will enable the Park Service to work with the Trail of Tears Association to develop a GIS to map the trail's historical and cultural heritage sites to protect them and to develop interpretation of them for visitors. We request an increase of \$346,000 to \$866,000 for the Ala Kahakai Trail to enable the Park Service to work with E Mau Na Ala Hele, the Ala Kahakai Trail Association, and other community organizations to care for resources on the land and with the University of Hawaii to conduct archaeological and cultural landscape studies along this trail.

We request an increase of \$193,000 to \$1,708,000 for the Appalachian Trail to expand the highly successful "Trail to Every Classroom" program of the Appalachian Trail Conservancy. The \$1,483,000 we request for the 4,200 mile North Country Trail will enable the Park Service to provide greater support for the regional GIS mapping, trail building, trail management, and training of volunteers led by the North Country Trail Association. The \$1,389,000 we request for the Ice Age Trail includes a \$535,000 increase to build partner and citizen capacity for protecting the natural and cultural resources on the Trail and Ice Age Trail lands and to provide NPS with a property manager for NPS-owned lands.

*Construction.*—We request that you appropriate \$380,000 for the Ice Age Trail, \$240,000 for the Appalachian Trail, and \$200,000 for the Pacific Crest Trail for trail construction projects.

Challenge Cost Share programs are one of the most effective and efficient ways for Federal agencies to accomplish a wide array of projects for public benefit while also sustaining partnerships involving countless private citizens in doing public service work. We request that you robustly fund the Park Service, Bureau of Land Management, and Fish and Wildlife Service Challenge Cost Share programs and appropriate \$4.5 million in Challenge Cost Share funding to the Park Service for fiscal year 2015 as a wise investment of public money that will generate public benefits many times greater than its sum. We ask you to continue to direct one-third of the \$4.5 million for the national scenic and historic trails to continue the steady progress toward making these trails fully available for public enjoyment. We suggest, as an alternative to this approach, that you create a separate National Trails System Challenge Cost Share program with \$1.5 million funding.

#### USDA—FOREST SERVICE

We ask you to appropriate \$7.896 million as a separate budgetary item specifically for the Arizona, Continental Divide, Florida, Pacific Crest, and Pacific Northwest National Scenic Trails and the Nez Perce National Historic Trail within the over-all appropriation for Capital Improvements and Maintenance for Trails. Recognizing the on-the-ground management responsibility the Forest Service has for 1024 miles of the Appalachian Trail, more than 650 miles of the North Country Trail, and sections of the Ice Age, Anza, Caminos Real de Tierra Adentro and de Tejas, Lewis & Clark, California, Iditarod, Mormon Pioneer, Old Spanish, Oregon, Overmountain Victory, Pony Express, Trail of Tears and Santa Fe Trails, we ask you to appropriate \$1.2 million specifically for these trails.

The Partnership's request of \$7.896 million includes \$1.5 million to enable the Forest Service and Florida Trail Association to continue trail maintenance, to control invasive species, do ecosystem restoration, and otherwise manage 4,625 acres of new Florida Trail land. The \$7.896 million request also includes \$2 million for the Pacific Crest Trail, \$2 million for the Continental Divide Trail, \$1 million for the Pacific Northwest Trail, \$826,000 for the Nez Perce Trail, and \$570,000 for the Arizona Trail. Some of the additional funds requested will enable the Forest Service to develop Comprehensive Management Plans for the latter three trails. We also request \$1 million of additional funding for construction of sections of the Iditarod Trail.

## BUREAU OF LAND MANAGEMENT

Although considerably more money is needed to fully administer the National Landscape Conservation System and protect its resources, we request that you appropriate \$68.809 million in base funding for the System. We ask that you appropriate as new permanent base funding \$250,000 for National Trails System Program Coordination, \$700,000 for the Iditarod Trail, \$230,000 for El Camino Real de Tierra Adentro Trail, \$350,000 for the Old Spanish Trail, and \$4,000,000 for the Bureau of Land Management to manage 4,645 miles of 13 other national scenic and historic trails. For trail maintenance we request \$300,000 for the Pacific Crest Trail and \$50,000 for the Nez Perce Trail; and request \$3,140,000 to operate five historic trails interpretive centers.

We ask you to provide \$5 million for the Bureau's Challenge Cost Share (CCS) program and to direct \$500,000 for National Trails System projects as you have done with the Park Service's CCS program.

To promote greater management transparency and accountability for the National Trails and the whole National Landscape Conservation System, we urge you to request expenditure and accomplishment reports for each of the NLCS Units for fiscal year 2014 and to direct the Bureau to include unit-level allocations within major sub-activities for each of the scenic and historic trails, and wild and scenic rivers—as the Bureau has done for the national monuments, wilderness, and conservation areas—within a new activity account for the National Landscape Conservation System in fiscal year 2015. The Bureau's lack of a unified budget account for National Trails prevents the agency from efficiently planning, implementing, reporting, and taking advantage of cost-saving and leveraging partnerships and volunteer contributions for every activity related to these national resources.

## LAND AND WATER CONSERVATION FUND

The Partnership strongly supports the President's Budget proposal to fully fund the Land and Water Conservation Fund at the authorized \$900 million, with \$350 million from discretionary sources and \$550 million in mandatory funds for the component programs funded under LWCF. Within this amount we request that you appropriate \$57,695,000 for the National Trails System Collaborative Landscape Planning proposal to acquire 53 tracts along 15 national scenic and historic trails detailed here:

Bureau of Land Management: \$15,246,000 million—7 tracts—15,859 acres

*Lewis and Clark National Historic Trail (Montana).*—\$11,704,000 for trail, landscape, habitat and recreation protection along the Upper Missouri River frontage, including key campsites from Lewis and Clark's historic expedition and breathtaking views along Missouri River.

*Nez Perce National Historic Trail (Idaho).*—\$3,000,000 for trail and resource conservation at one of the last remaining working ranches at Henry's Lake.

*Pacific Crest National Scenic Trail (Oregon, California).*—\$542,000 for trail and resource protection within the Cascade Siskiyou National Monument.

U.S. Fish and Wildlife Service: \$7,829,000 million—14 tracts—4,634 acres

*Captain John Smith Chesapeake National Historic Trail (Virginia).*—\$2,000,000 to protect the trail's historical resources in an area that would encourage public recreation and interpretation.

*Iditarod National Historic Trail (Alaska).*—\$90,000 for protection of 120 acres within the Innoko Wilderness Area in the Innoko National Wildlife Refuge and 1.6 miles of the Iditarod Trail.

*Lewis and Clark National Historic Trail (Washington).*—\$270,000 to allow 13 listed salmon and steelhead stocks to reverse their downward population trend in the Columbia watershed.

*Trail of Tears National Historic Trail (Tennessee).*—\$2,969,000 for seven tracts along the Mississippi river that will protect migration corridors within the Chickasaw and Lower Hatchie National Wildlife Refuges.

*California National Historic Trail (Idaho).*—\$2,500,000 to protect the largest breeding concentration of Sandhill Cranes as well as providing a haven for other waterfowl from a current farming threat.

U.S. Forest Service: \$15,271,000 million—10 tracts—7,701 acres

*Appalachian National Scenic Trail (North Carolina).*—\$3,906,500 to protect high priority, high elevation viewshed along the Appalachian Trail that connects with

North Carolina land purchased to the south to provide an extensive natural heritage area.

*Continental Divide National Scenic Trail (Montana).*—\$255,000 to achieve uninterrupted trail corridor enabling animal migration and human recreation.

*Trail of Tears National Historic Trail (Tennessee).*—\$585,000 to preserve one of the few remaining segments of Trail of Tears in its original condition along the Unicoi Turnpike.

*Old Spanish National Historic Trail (New Mexico).*—\$2,570,000 to finalize the protection of a 5-mile-long segment of the Old Spanish Trail as it enters Carson National Forest.

*Pacific Northwest National Scenic Trail (Washington).*—\$2,800,000 to conserve grizzly bear and Canadian lynx habitat while filling in a 2.5 mile gap of the Pacific Northwest Trail along Big Sheep Creek.

*Nez Perce National Historic Trail (Montana).*—\$1,050,000 to complete the consolidation of lands on Bloody Dick and Selway Creeks in the Beaverhead-Deerlodge National Forest.

*Pacific Crest National Scenic Trail (California, Washington).*—\$4,104,000 for trail, resource, and watershed protection near the headwaters of the Trinity River and through populous King County to increase public recreation.

National Park Service Budget Request \$25,002,600 million—22 tracts—5,349 acres

*Ala Kahakai National Historic Trail (Hawaii).*—\$3,900,000 for trail and resource conservation in the Great Crack.

*Appalachian National Scenic Trail (New Hampshire).*—\$4,260,000 to extinguish the threat of imminent development and to create a block of 2,000 acres of conservation land that protects an Appalachian Trail viewshed.

*Continental Divide National Scenic Trail (Colorado).*—\$308,000 to remove motorized use of 0.5 miles of the Continental Divide Trail and to restore 1 acre of habitat currently occupied by an access road and buildings in the scenic Rocky Mountain National Park.

*Ice Age National Scenic Trail (Wisconsin).*—\$3,700,000 to provide an urban access point to the Ice Age Trail in the city of St. Croix, and to enhance the geologic diversity of the trail by completing a continuous 4-mile segment through Wisconsin's Driftless Area.

*New England National Scenic Trail (Massachusetts).*—\$120,000 to significantly improve hiker safety and scenic viewshed by keeping hikers off 2.5 miles of busy road, and to contribute to the protection of a contiguous open space corridor extending from Erving State Forest to the east and Rattlesnake Mountain and Northfield Mountain and Mount Grace to the west.

*Captain John Smith Chesapeake National Historic Trail (Virginia).*—\$6,000,000 to permanently protect and open for public education and archaeological research a nationally significant American Indian site.

*North Country National Scenic Trail (Michigan).*—\$1,061,300 to protect a corridor along Tyler Creek that connects existing protected land and gets four miles of the North Country Trail off dangerous roads.

#### PRIVATE SECTOR SUPPORT FOR THE NATIONAL TRAILS SYSTEM

Public-spirited partnerships between private citizens and public agencies have been a hallmark of the National Trails System since its inception. These partnerships create the enduring strength of the Trails System and the trail communities that sustain it by combining the local, grass-roots energy and responsiveness of volunteers with the responsible continuity of public agencies. They also provide private financial support for public projects, often resulting in a greater than equal match of funds.

The private trail organizations' commitment to the success of these trail-sustaining partnerships grows even as Congress' support for the trails has grown. In 2013 the trail organizations fostered 1,144,407 hours of documented volunteer labor valued at \$25,337,171 to help sustain the national scenic and historic trails. The organizations also raised private sector contributions of \$11,151,247 for the trails.

#### PREPARED STATEMENT OF THE PERFORMING ARTS ALLIANCE

Mr. Chairman and distinguished members of the subcommittee, we thank you for the opportunity to submit this testimony on behalf of the Performing Arts Alliance (PAA). We urge the subcommittee to designate a budget of \$155 million to the NEA for fiscal year 2015. PAA member organizations include:

Alternate ROOTS	National Alliance for Musical Theatre
American Composers Forum	National Association of Latino Arts and Cultures
Association of Performing Arts Presenters	National Performance Network
Chamber Music America	Network of Ensemble Theaters
Chorus America	New Music USA
Dance/USA	OPERA America
Fractured Atlas	Theatre Communications Group
League of American Orchestras	

PAA is a national network of more than 33,000 organizational and individual members comprising the professional, nonprofit performing arts and presenting fields.

We submit this testimony to highlight the importance of the Federal investment in the arts in order to sustain a vibrant cultural community. The National Endowment for the Arts holds a significant Federal leadership role for the arts and culture in America. Its grants are investments in education, artistic development, the continuation and preservation of our country's artistic heritage, and the overall quality of life for American citizens. There are many reasons why we are asking you to support the agency:

- NEA grants support a range of educational and community engagement projects;
- NEA funds spread across the country and expand arts access;
- Federal funding for the arts leverages private funding; and
- Rural and underserved communities—as well as underserved populations—benefit from arts programs supported by NEA funds.

We share with you the following examples of constituents of PAA members who have received NEA grants in fiscal year 2014. Their work is a sample of the numerous ways in which the Endowment's support widens citizen access to the cultural, educational, social, and economic benefits of the arts in American communities.

*NEA grants support a range of educational projects*

American Jazz Museum in Kansas City, Missouri—a member of Association of Performing Arts Presenters and Chamber Music America—received Art Works support for its 2014 *18th and Vine Jazz Festival*. The Museum partners with the Metropolitan Community College-Penn Valley for this annual festival which brings jazz music training, workshops, and performance opportunities to local middle and high school and college student. During the festival, budding musicians hone their musical skills under the tutelage of world renowned jazz artists and learn about the history of this rich American art form from some of the history makers themselves.

Arts education also includes training in behind-the-scenes, technical aspects of the performing arts. OPERA America member Lyric Opera of Kansas City (Missouri) will operate its STAGES summer youth opera camp this year with support from an Art Works grant. STAGES provides youth with significant hands-on experience in design, lighting, and stagecraft, introducing them to the possibilities of a career in the field. Our Nation's performing arts organizations put people to work, and education programs like this offer youth—tomorrow's workforce—opportunities to learn the many trades within our sector.

Chorus America member Boston's Children's Chorus received an Art Works grant for its Premier Choir and Young Men's Ensemble, which provides rigorous, professional training for high school youth in music theory and choral performance, as well as performance opportunities. Another Chorus America member supported by the NEA is Young People's Chorus of New York City, an award-winning organization which offers music education and choral performance to children of all cultural and economic backgrounds, helping them reach their potential through artistic excellence.

*NEA grants preserve and continue our country's artistic heritage*

Performing arts organizations play a great role in preserving our Nation's artistic heritage. Other Minds in San Francisco—a member of Chamber Music America—is doing this with support from an Art Works grant for its New Music Preservation Project. The organization is converting archival live recordings of performances, interviews, and conversations with innovative composers and artists of 20th-century American music into digital media. The recordings will be available worldwide via [www.radiOM.org](http://www.radiOM.org). Fractured Atlas and Dance/USA member Lucky Plush Productions in Riverside, Illinois received Art Works support for the creation and presentation of *The Queue*, a new dance theater work exploring the physical comedy forms of the early 20th-century slapstick and Vaudeville. These are just a few examples

of how the NEA's support helps today's audiences connect to art forms and artists of previous times.

NEA grants also invest in the artistic heritages of the many cultures within American communities. Grants support projects that create opportunities for learning and dialogue while sustaining rich traditions. Relámpago del Cielo, Inc. in Santa Ana, California—a member of National Association of Latino Arts and Cultures—received Art Works support for its preservation of traditional Mexican performing arts through youth classes in music, folklore, and dance. It shares these traditions with the greater community via outreach presentations and educational activities. League of American Orchestras member South Dakota Symphony in Sioux Falls received Art Works support for its Lakota Music Project, an initiative developed with the United Sioux Tribes of South Dakota. The project's goal is to build bridges between Native Americans and non-Native Americans. It honors Native American musical traditions and aims to advance cultural understanding and create an environment of openness and collaboration through the music.

*NEA funds benefit every congressional district, expanding arts access to all people in all communities—both urban and rural*

Chamber Music America member Community MusicWorks in Providence, Rhode Island exists to create a cohesive urban community through music education and performance that transforms the lives of children, families, and musicians. Art Works funding supports their programs that reach students and families in Providence's underserved South Side neighborhoods. MusicWorks creates access to classical music training and encourages appreciation for the art form among program participants. Its weekly music lessons are accompanied by work around social justice issues, mentorship programs, and opportunities for students to create and present music programs that are relevant to their own community.

People of all physical abilities will be able to experience inventive contemporary dance due to NEA support given to San Francisco-based AXIS Dance Company—a member of Dance/USA. AXIS received Art Works funding to support its Dance Access and Dance Access/Kids! educational and outreach dance programs as the company tours. These programs offer “physically-integrated” dance classes for youth and adults with and without disabilities, and with NEA support, AXIS will be able to offer these classes to many around the country.

Perseverance Theatre—a member of Theatre Communications Group—creates professional theatre by and for Alaskans, such as the world premiere of *Rush at Everlasting* by Alaskan playwright Arlitia Jones. Production of this play was supported by an Art Works grant. It was also supported by the Alaska State Arts Council—a member of Association of Performing Arts Presenters (APAP)—a recipient of a fiscal year 2014 NEA State Partnerships grant. Approximately 40 percent of the NEA's budget is directed towards States via State partnerships such as this one which extend the NEA's Federal reach and impact, translating national leadership into local benefit. *Rush at Everlasting* will be presented in both Juneau and Anchorage.

With a similar mission, APAP member Lied Performing Arts Center in Lincoln, Nebraska is presenting a tour of singer/songwriter Susan Werner celebrating the lives and challenges of rural Nebraskan farmers. In partnership with the University of Nebraska-Lincoln's Institute of Agriculture and Natural Resources, the tour will also include an oral history project documenting Nebraska's agricultural heritage.

*The NEA supports arts organizations bringing awareness to important social issues*

The arts can create community dialogue around important social issues such as care for older Americans and gang violence. The Sojourn Theatre in Portland, Oregon—a member of the Network of Ensemble Theaters (NET)—will present its *The Islands of Milwaukee* free performance series this year with Art Works support. The performances will occur in public spaces and explore social connectedness among older adults throughout Milwaukee neighborhoods. The theatre company will collaborate with older adults in urban and suburban Milwaukee that are living alone, engaging them in the creation of the performances. Project partners include the University of Wisconsin-Milwaukee, the Milwaukee Department on Aging, and Interfaith Older Adult Programs.

With the support of a Challenge America Fast-Track grant, NET member Su Teatro in Denver, CO will present this season *PLACAS* by Paul S. Flores. Featuring actor and playwright Ric Salinas, *PLACAS* is a new multimedia play about the impact of gangs on an El Salvadoran family, portraying tattoo removal as a metaphor for healing and transformation. In addition to public performances, Salinas and Flores will lead workshops intended to serve former and current gang members, collaborating with Denver's Gang Rescue and Support Project (GRASP).

*NEA grants support artistic excellence and works that engage new audiences*

Arts organizations around the country are energizing audiences by refreshing classic works and presenting fresh, new productions and artists in their communities. This is bringing new and diverse participants out to experience the arts. Trinity Repertory Company in Providence, Rhode Island—a member of the National Association for Musical Theatre and Theatre Communications Group—is doing this with its new production of *Oliver!*, Lionel Bart’s musical based on Charles Dickens’ *Oliver Twist*. The company is re-visioning the show with a new adaptation of the book and score and with a set design that extends the scenery into the audience’s space, heightening their engagement.

National Performance Network member Sandglass Theatre in Putney, Vermont is bringing “world-class, cutting-edge, socially engaged puppetry and theatre” to southern Vermont audiences with Art Works support for its Arts and Issues 2014 presenting series. This series includes *Voices of Community* and *New Visions* events and productions: *Community* activities present a diverse roster of artists for residencies and community discussions on all aspects of diversity. *Visions* activities cross-pollinate puppetry with other performing arts genres and invite the audience into the artists’ discovery processes while purposefully creating intercultural and intergenerational dialogue.

Opera Theatre of Saint Louis—a member of OPERA America—will present this season 27 by American composer Ricky Ian Gordon and librettist Royce Vavrek. Supported by an Art Works grant, 27 will feature acclaimed mezzo-soprano Stephanie Blythe as the visionary American writer and art collector Gertrude Stein. This will be the company’s 24th premiere in 39 seasons; last season’s premiere, *Champion*, was also supported by the NEA. This production was attended at 98 percent capacity across its run and also attracted an audience that was markedly younger and more diverse than the traditional opera-goers.

NEA funding helps organizations present exceptional work to their audiences. Nashville Ballet—a member of Dance/USA—received Art Works funding to present Jiri Kylián’s *Petite Mort*. The Ballet had the pleasure of introducing Nashville to Kylián’s work which had never before been presented in the city. The entire program, which included Balanchine’s *Serenade* and a world premiere choreographed by Artistic Director Paul Vasterling to Ben Folds’ recent piano concerto, was enthusiastically received by audiences and critics alike, due also to the level of excellence at which the dancers performed. Ticket sales reflected this enthusiasm, and also reflected that there were 600 new households attending the performances.

Federal dollars invested in the National Endowment for the Arts realize significant returns both measurable and intangible. The artistic programming of the arts organizations supported by the NEA give vitality to their communities. They allow communities to: appreciate our Nation’s culture and heritage, unite to dialogue about and collaborate on social issues, and experience meaningful educational opportunities.

We, the members of the Performing Arts Alliance, urge you to designate no less than \$155 million to the NEA in fiscal year 2015. Thank you for your consideration of our request.

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 PREPARED STATEMENT OF PRESERVATION ACTION

Chairman Reed, Ranking Member Murkowski, and members of the subcommittee, on behalf of the members of Preservation Action, I appreciate the opportunity to present written testimony in support of the Department of Interior’s fiscal year 2015 \$2.6 billion budget for the National Park Service (NPS) and its historic preservation programs. As the Nation continues to rebuild our economy, historic preservation is a partner and part of the solution in creating economic vitality. We ask Congress to continue its investment as envisioned in the National Historic Preservation Act of 1966 and protect our historic and cultural resources by providing the appropriations for critical historic preservation programs.

Preservation Action is a national membership organization that represents preservationists from many sectors across the U.S. and its territories. Creating a national landscape of policies that protect our cultural heritage is fundamental to all we do. Historic preservation has provided lasting economic benefits in communities throughout the Nation. Studies show that historic districts maintain higher property values and a greater sense of community. Our mission is to make historic preservation a more widely recognized national policy. We do this through energized and engaged grassroots advocacy that connects to all levels of government.

As urban renewal swept across our country, unnecessarily destroying historic structures, Preservation Action was at the forefront of America’s preservation move-

ment working to protect historic places. For 40 years, Preservation Action has advocated for historic preservation policy including two of the most important tools—the Federal Rehabilitation Tax Credit and the Historic Preservation Fund.

Our Nation’s cultural resources and natural resources are important. And, as we look to the 50th anniversary of the Historic Preservation Act and the National Park Centennial, it is a critical time to support investments in our Nation’s rich heritage so that it remains for generations to come.

The National Historic Preservation Act of 1966 provided the direction and tools to protect our historic resources. “The spirit and direction of the Nation are founded upon and reflected in its historic heritage; the historical and cultural foundation of the Nation should be preserve as a living part of our community life and development in order to give a sense of orientation to the American people . . . the preservation of the irreplaceable heritage is in the public interest so that its vital legacy of cultural, economic, aesthetic, inspirations, economic, and energy benefits will be maintained and enriched for future generations of Americans.”

The members of Preservation Action believe in that vision provided by Congress nearly 50 years ago. And, we encourage Congress to provide funding for historic preservation to fully realize the importance of our natural and cultural assets and provide the funding and leadership to realize the full vision of the Historic Preservation Act.

#### HISTORIC PRESERVATION PROGRAMS

The Historic Preservation Fund (HPF) is the principal source of funding to implement the Nation’s historic preservation programs. Preservation Action supports funding for State and Tribal Historic Preservation Offices in the Interior Department fiscal year 2015 budget at the following levels:

- \$50 million for State Historic Preservation Offices;
- \$15 million for Tribal Historic Preservation Offices;
- \$6 million for survey, inventory and digitization of records;
- \$5 million for a competitive grant program for underrepresented populations;
- and
- \$10 million for rehabilitation of historic properties competitive grant program.

The NPS distributes HPF funding to State Historic Preservation Offices (SHPOs) and Tribal Historic Preservation Offices (THPOs). States also match HPF dollars at a 40 percent minimum.

SHPOs and THPOs administer much of the HPF program on behalf of the Department of Interior and the Advisory Council on Historic Preservation. SHPOs locate and record historic resources; nominate to the National Register of Historic Places; provide funds for preservation activities; comment on Federal rehabilitation tax credit projects; review all Federal projects for historic preservation impact; and provide technical assistance to Federal agencies, State and local governments and the private sector. THPOs carry out many of those functions on their tribal lands. THPOs are key in implementing tribal and Federal preservation laws on tribal lands, including federally-mandated archaeological clearances and evaluation and management of tribal historic properties.

The Certified Local Government (CLG) Program is another way the NPS and SHPOs support preservation in communities. Local, State, and Federal governments work together in the Federal Preservation Program to help communities save their irreplaceable historic character. SHPOs award at least 10 percent of their HPF allocation to CLG’s. The grants fund a variety of projects including: surveys, National Register nominations, rehabilitation work, design guidelines, educational programs, training, structural assessments, and feasibility studies. CLGs receive technical assistance and training through the partnership.

#### PRESERVATION IN ECONOMIC DEVELOPMENT

The Historic Rehabilitation Tax Credit (HTC), administered by SHPOs and the NPS, is the most significant Federal investment in historic preservation. Since its creation more than 30 years ago, the HTC has been a catalyst for development with the rehabilitation of nearly 39,000 buildings throughout the Nation. And, the HTC has created 2.4 million jobs and leveraged nearly \$109 billion in private investment. From the Mill No. 1 project in Baltimore, Maryland, Elm Terrace in Portland, Maine, to the Boyle Hotel redevelopment in east Los Angeles, historic preservation is helping communities rebound and recapture their economic vitality as well as provide creative uses for old buildings and stimulate job growth.

Because of the success of the program, Preservation Action and its national members urge Congress to realize the benefits of this program to economic development and to ensure its continuance.

## PRESERVING AMERICA'S RICH AND DIVERSE CULTURAL HERITAGE

In addition to our support for SHPO and THPO operating funding, Preservation Action fully endorses the Interior Department's program for competitive grants for the survey, outreach and pre-nomination activities of properties in underrepresented communities to the National Register of Historic Places and the National Historic Landmarks Program. It is important for our historic record to reflect the full spectrum of America's heritage—and this program would correct the underrepresentation. Studies report that fewer than 5 percent of listings in the National Register of Historic Places and National Historic Landmarks identify culturally diverse properties. While the current funding level of \$500,000 is a step in addressing this underrepresentation, it does not go far enough to tell the rich story of America's diverse heritage. Therefore, we ask the subcommittee to consider increasing the amount to \$5 million.

We also support an additional \$10 million to the HPF for a competitive grant program to support State and local level rehabilitation projects. Rehabilitation of historic structures has proven a success in driving neighborhood pride and redevelopment.

## DIGITIZATION OF AMERICA'S HERITAGE

Preservation Action believes that providing the public with access to accurate information on our historic resources is important to maintaining the record of America's heritage. Having easy access to digital records will help expedite Federal permitting, project review, and improve accessibility. Therefore, Preservation Action also supports the administration's request for \$6 million for legacy data digitization.

## NATIONAL HERITAGE AREAS

The National Heritage Areas (NHAs) are community driven heritage conservation places where natural, cultural and historic resources combine to form a cohesive, nationally important stories of America's diverse heritage. Currently, there are 49 National Heritage Areas designated by Congress. The Federal support for NHAs has been instrumental in spurring the grassroots efforts that reflect the unique resources, significance and values of each community. On average, for every dollar of Federal investment, NHAs bring \$5.50 in public and private investment.

NHA programs have demonstrated their ability to both support economic benefits in their communities through tourism dollars and tell underrepresented stories across the Nation. Preservation Action is concerned that the reduction of Federal funding proposed in the fiscal year 2015 budget for the heritage areas program impairs the sustainability of the program. Funding of \$18 million—the amount appropriated in fiscal year 2014—is the minimum needed to continue the cost effective impacts of the NHA program.

## CONCLUSION

Preservation Action has been a proud partner with a cross-section of Federal agencies and the NPS in protecting America's cultural and natural resources and in engaging the public in maintaining these valuable assets. We value the work of the employees across the NPS who protect our cultural and natural resources, engage communities, businesses and governments in heritage sites, education, and tourism, and the many offices that work in collaboration of historic preservation efforts and communications. Importantly, as we review Federal historic preservation policies and their impacts in communities, we value the partnership of the Advisory Council on Historic Preservation as well as the instrumental work SHPOs and THPOs conduct in preserving America's cultural heritage.

Thank you for including the voices of the preservation community as you consider the Department of Interior's fiscal year 2015 budget.

Thank you.

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PREPARED STATEMENT OF THE PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM)

APRIL 4, 2014.

Hon. JACK REED, *Chairman*,  
 Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper

Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in "Conservation and Restoration" funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled "Conservation and Restoration") to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS "Conservation and Restoration" funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

CHRIS OLSON,  
Vice President, PNM Generation.

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#### PREPARED STATEMENT OF RESTORE AMERICA'S ESTUARIES

Restore America's Estuaries (RAE) is a nonpartisan, nonprofit organization that has been working since 1995 to restore our Nation's greatest estuaries. Our mission is to restore and protect estuaries as essential resources for the Nation. Restore America's Estuaries is a national alliance of community-based coastal conservation organizations across the Nation that protect and restore coastal and estuarine habitat. Our member organizations include: American Littoral Society, Chesapeake Bay Foundation, Coalition to Restore Coastal Louisiana, Save the Sound—a program of the Connecticut Fund for the Environment, Conservation Law Foundation, Galveston Bay Foundation, North Carolina Coastal Federation, EarthCorps, Save The Bay—San Francisco, Save the Bay—Narragansett Bay, and Tampa Bay Watch. Collectively, we have over 250,000 members nationwide.

As you craft your fiscal year 2015 Interior, Environment and Related Agencies appropriations bill, Restore America's Estuaries encourages you to provide the funding levels below within the Department of the Interior, U.S. Fish and Wildlife Service (USFWS) and the U.S. Environmental Protection Agency (USEPA) for core programs which greatly support coastal community economies:

—\$15 million for USFWS Coastal Program.—Interior: USFWS: Resource Management: Habitat Conservation: Coastal Program

—\$27.2 million for USEPA National Estuary Program.—USEPA: Water: Ecosystems: National Estuary Program/Coastal Waterways

These non-regulatory investments strengthen and revitalize America's coastal communities by improving habitat and local water quality. Healthy coastlines protect communities from flood damage and extreme weather, improve commercial fisheries, protect vital infrastructure, and support tourism and recreational opportunities.

#### USFWS COASTAL PROGRAM

The Coastal Program (CP) is a voluntary, incentive-based program that provides technical and financial assistance to coastal communities and landowners to protect and restore fish and wildlife habitat on public and private lands in 24 priority coastal ecosystems, including the Great Lakes. The Coastal Program works with other Federal, State, local, and non-governmental partners and private landowners to deliver strategic habitat protection and restoration for the benefit of Federal trust species, including threatened and endangered species, migratory birds, inter-jurisdictional fish, certain marine mammals, and species of international concern.

Since 1985, the Coastal Program has:

- Partnered with more than 5,000 Federal, tribal, State and local agencies, non-governmental organizations, corporations, and private landowners.
- Restored 300,616 acres of wetland; 135,033 acres of upland; and 2,160 miles of stream habitat.
- Protected more than 2 million acres of coastal habitat.
- Provided technical assistance to a diverse range of conservation partners.

Support for the management and stewardship of our coastal ecosystems that bridge land and sea has never been more important due to the accelerating pace of environmental change now occurring. While environmental degradation of estuaries has continued in recent years, the Coastal Program has been a key program aimed at on-the-ground habitat restoration. Despite the program's relatively small cost, it is having a huge impact on-the-ground. A recent estimate by USFWS Coastal Program staff shows that the program leverages \$8 non-Federal dollars for every Federal dollar spent. This makes the Coastal Program one of the most cost-effective habitat restoration programs within the U.S. Fish and Wildlife Service.

Restore America's Estuaries has enjoyed a collaborative relationship with the Coastal Program for many years. The nature and scope of our partnership spans the national and local levels as we work with CP headquarters on long-term issues, and locally the program works with our member groups through regional CP staff to conduct on-the-ground habitat restoration.

As an example of a true partnership, the Coastal Program worked with RAE member Save The Bay—San Francisco as well as the San Francisco Bay National Wildlife Refuge to restore salt marsh on Bair Island. This project is helping to provide critical habitat for a variety of species, including the endangered California clapper rail and the salt marsh harvest mouse, and a number of birds that traverse the area on their journey across the Pacific.

On the East Coast, the Coastal Program assisted RAE member Chesapeake Bay Foundation to choose and prepare a site to plant redhead grass near the Magothy River in Maryland. This is a good example of the invaluable technical assistance that the Coastal Program is able to provide to a non-governmental organization, which can then better restore habitat for numerous migratory bird and inter-jurisdictional fish species.

In the Gulf, the Coastal Program worked side-by-side with RAE member Galveston Bay Foundation to construct geotextile tube offshore breakwaters on Snake Island Cove. This effort has led to the protection of 200 acres of estuarine marsh from erosion and the creation of a 65-acre calm shallow water area conducive to seagrass restoration.

The Coastal Program is also essential in efforts to restore fish passage of anadromous fish populations and restore riverine habitat. RAE member Conservation Law Foundation worked with the Coastal Program and other regional partners to support the removal of dams along the Penobscot River, as well as install fishways to restore native Atlantic salmon.

Restore America's Estuaries urges your continued support and funding for the USFWS Coastal Program. This program delivers habitat protection and restoration in priority coastal areas on both public and private lands through partnerships with other Service programs, Federal agencies, State and local agencies, tribal governments and native corporations, non-governmental organizations, universities, corporations, and private landowners.

The Coastal Program stimulates local economies by supporting jobs necessary to deliver habitat conservation projects including environmental consultants, engineers, construction workers, surveyors, assessors, and nursery and landscape workers. These jobs also generate indirect economic activities that benefit local hotels, restaurants, stores, and gas stations. The Program estimates that the average project supports 60 jobs and stimulates 40 businesses—this represents major local economic returns on the Federal investment.

Restore America's Estuaries urges your continued support of the Coastal Program and asks that you provide \$15 million for fiscal year 2015.

#### USEPA NATIONAL ESTUARY PROGRAM

The National Estuary Program (NEP) is a non-regulatory network of voluntary community-based programs that safeguards the health of important coastal ecosystems across the country. The program utilizes a consensus building process to identify goals, objectives, and actions that reflect local environmental and economic priorities.

Currently there are 28 estuaries located along the Atlantic, Gulf, and Pacific coasts and in Puerto Rico that have been designated as estuaries of national signifi-

cance. Each NEP focuses its work within a particular place or boundary, called a study area, which includes the estuary and surrounding watershed.

Each National Estuary Program demonstrates real environmental results through on-the-ground habitat restoration and protection. Their efforts reflect local environmental and economic priorities and involve the community as equal partners throughout the decisionmaking process. Collectively, NEPs have restored and protected more than 1.5 million acres of land since 2000.

Restore America's Estuaries urges your continued support of the National Estuary Program and ask that you provide \$27.2 million for USEPA National Estuary Program/Coastal Waterways. Within this amount for fiscal year 2015, no less than \$600,000 should be directed to each of the 28 NEPs in the field.

#### CONCLUSION

Restore America's Estuaries greatly appreciates the support this subcommittee has provided in the past for these important programs. These programs help to accomplish on-the-ground restoration work which results in major benefits:

—*Economic Growth and Jobs*.—Coastal habitat restoration creates between 17 and 33 direct jobs for each million dollars invested depending on the type of restoration. That is more than twice as many jobs as the oil and gas sector and road construction industries combined. The restored area supports increased tourism and valuable ecosystem services.

—*Huge Leverage*.—From 2005 to 2012, Federal investment in the USFWS Coastal Program leveraged non-Federal dollars at a ratio of 8 to 1. The NEPs leveraged non-Federal dollars at a ratio of 15 to 1. In a time of shrinking resources, these are rates of return we cannot afford to ignore.

—*Resiliency*.—Restoring coastal wetlands can help knock down storm waves and reduce devastating storm surges before they reach the people and property along the shore.

Thank you and we greatly appreciate you taking our requests into consideration as you move forward in the fiscal year 2015 appropriations process. We stand ready to work with you and your staff to ensure the health of our Nation's estuaries and coasts.

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#### PREPARED STATEMENT OF THE SAC AND FOX NATION

Mr. Chairman and members of the subcommittee, thank you for the opportunity to provide written testimony on the fiscal year 2015 Interior, Environment and Related agencies appropriations. Congratulations to Chairman Calvert as the new Chairman and to Congressman David Valadao, the newest member on this subcommittee. I am George L. Thurman, Principal Chief of the Great Sac and Fox Nation, home of Jim Thorpe, one of the most versatile athletes of modern sports who earned Olympic gold medals for the 1912 pentathlon and decathlon. On behalf of the Sac and Fox Nation thank you for the opportunity to present our requests for the fiscal year 2015 budgets for the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS).

A fundamental goal for Indian Country governmental services is parity with similarly situated governments or services. Although tribes have made some progress in addressing terribly inadequate public services that many Americans routinely take for granted, they are still experiencing what the U.S. Commission on Civil Rights called "A Quiet Crisis" of unmet Federal funding needs. Full funding of Contract Supports Costs (CSC) is a step in the right direction for tribes to be paid the costs of performing services under contract with the Federal Government enjoyed by non-tribal Federal contractors. It is not fair that the Federal Government's legal obligation to pay CSC requires reducing tribal funds to meet the Federal trust obligation to tribal nations.

In fiscal year 2013 tribal programs incurred cuts totaling over \$500 million under the sequestration. We were not able to recover the sequestered funding under the Murray/Ryan budget deal and the BIA and IHS Spending Plans further disappointed our expectations for budget equity during these fiscally strained times. We strongly urge Congress to fully restore sequestration cuts from fiscal year 2013 and exempt tribal funds from future sequestration. It threatens the trust responsibility and reduces portions of the budget that are not major contributors to the deficit.

## I. TRIBAL SPECIFIC REQUEST

\$4.95 Million to Fully Fund Operations of the Sac and Fox Nation Juvenile Detention Center (SFNJDC)—Bureau of Indian Affairs—Public Safety and Justice—Office of Justice Services—Detention/Corrections Account.

## II. NATIONAL REQUESTS—BUREAU OF INDIAN AFFAIRS

1. Public Safety and Justice—Law and Order—Detention/Corrections:
  - a. Increase the 2015 Request (\$192.9 million) by \$4.95 million for Detention/Corrections to fund the SFNJDC.
  - b. Fully fund all provisions of the Tribal Law and Order Act of 2010.
2. Restore 2013 Sequestered Cuts (\$119 million) to Tribal Program Funding.
3. +\$19.3 million over fiscal year 2014 for Tribal Priority Allocations Account.
4. \$4 million over fiscal year 2015 request to fully fund Contract Support Costs (CSC).
5. \$500,000 for Johnson O'Malley education assistance grants to support a new student count in 2015 and provides funding for the projected increase in the number of students eligible for grants.
6. Office of Self-Governance (OSG)—Provide increased funding to the OSG to fully staff the office for the increase in the number of tribes entering Self-Governance.

## III. NATIONAL REQUESTS—INDIAN HEALTH SERVICE

1. Restore 2013 Sequestered Cuts (\$220 Million) to Tribal Health Services.
2. Support IHS Mandatory Funding (maintain current services).
3. +\$30 million over fiscal year 2015 request to fully fund Contract Support Costs (CSC).
4. +\$50 million over 2015 request for Purchased and Referred Care.
5. Restore \$6 million to the Office of Tribal Self-Governance (OTSG) to fulfill legal requirements under title V of Public Law 106-260 which increased the responsibilities of OTSG.

## THE SAC AND FOX NATION JUVENILE DETENTION CENTER (SFNJDC)—BUREAU OF INDIAN AFFAIRS—PUBLIC SAFETY AND JUSTICE—OFFICE OF JUSTICE SERVICES—DETENTION/CORRECTIONS ACCOUNT

In 1996, the Sac and Fox Nation Juvenile Detention Center (SFNJDC) opened its doors as the first regional juvenile facility specifically designed for American Indians/Alaska Natives, as well as the first juvenile facility developed under Public Law 100-472, the Self-Governance Demonstration Project Act.

At that time, the Bureau of Indian Affairs made a commitment to fully fund the SFNJDC operations; however this commitment was never fulfilled. Even though the Nation continues to receive and use Federal dollars to address the issue of juvenile delinquency and detention for tribes in the Southern Plains Region and Eastern Oklahoma Region, it has never received sufficient funds to operate the facility at its fullest potential. Full funding to the facility by the Bureau would relieve financial burdens on area tribes to pay for detention services elsewhere and keep tribal youths close to home.

Full funding would allow the Nation to provide full operations including (but not limited to):

- Juvenile detention services to the 46 tribes in Oklahoma, Kansas and Texas;
- Rescue more of our at-risk youth and unserved youth in need of a facility like the SFNJDC;
- Re-establish programs we have lost due to inadequate funding such as: On-site Mental Health Counseling; Transitional Living, Vocational Training, Horticulture, Life Skills, Arts and Crafts, Cultural Education and Activities, Spiritual Growth and Learning;
- Offer job opportunities in an area that is economically depressed; and
- Fully staff and expand staff training to address high volume of staff turnover which will allow for continuity in operations and service delivery.

Most recently at the fiscal year 2016 Regional Budget Formulation Session, these tribes continue to support and endorse full funding for operation of the SFNJDC and included it as a priority in their "Top 10 Budget Increases" for the fiscal year 2016 BIA budget.

The current funding level represents only approximately 10 percent of what is needed to fully fund the Juvenile Detention Center. Additional funding in the amount of \$4,950,000, over what Sac and Fox already receives in base funding (\$508,000), would fully fund the facility at a level to address the need of juvenile

delinquency in the tri-State area and create opportunities for employment for more tribal members.

The SFNJDC is a 50,000+ square foot, full service, 24 hour, 60 bed (expandable to 120 beds) juvenile detention facility that provides basic detention services to all residents utilizing a classification system based on behavioral needs to include special management, medium and minimal security. Our facility was designed to provide programs including behavioral management, alcohol and substance abuse, spiritual and cultural growth and learning, self-esteem, arts and crafts, health and fitness, horticulture, nutrition, life skills, vocational technical training, counseling, educational programs and a Transitional Living Center.

Through a partnership with the local high school, students are afforded an education at the public school level, including a graduation ceremony and issuance of a certificate upon successfully achieving the State requirements. Additionally, the Sac and Fox Nation has an on-site justice center providing law enforcement and tribal court services and the Nation also operates an on-site health clinic which provides outstanding medical services that include contract service capabilities for optometry, dental and other health-related services.

The lack of adequate funding from the BIA and decreases in base funding have mushroomed into underutilization and erosion of the programs our facility was built to offer. Our current funding levels only allow us to provide an alcohol and substance abuse program, some health and fitness activities and a basic education program. We have lost our programs for vocational training, horticulture, life skills, arts and crafts, on-site counseling and transitional living. The passage of the 2010 Tribal Law and Order Act was applauded by the Sac and Fox Nation because we saw this as an opportunity for the Federal Government to finally step up to its pledge to fully-fund the SFNJDC and honor its treaty and trust obligations to our people. However, the lack of funding is also impeding the implementation of TLOA!

In 1996, the SFNJDC was built as a model facility in Indian Country. And nearly 20 years later there is still a need for such a facility to help our youth return to their traditional healing and spiritual ways. As a Self-Governance Tribe we operate our tribal government on the premise that we are the best provider of the services and know which services are most needed in our communities. We saw the increasing need in the 1990's for a facility like the SFNJDC and we acted on our instincts to help our youth by giving them a place to turn their lives around and the access to programs, services and holistic care they needed to recover and heal. Sadly, the number of Native American youth, and juveniles overall requiring detention has not decreased. The Sac and Fox Nation Juvenile Detention Center was built with the same ideals that the Tribal Law and Order Act Long Term Plan to Build and Enhance Tribal Justice Systems espouses today. The SFNJDC has the facility, staffing, ability, commitment and capacity to provide superior detention and rehabilitation services to Native American youth, as well as any youth in the tri-State area in need of our services. We do not understand the Federal Government's desire to fund the construction of more detention facilities while our beds remain empty.

With access to full funding for operations, the SFNJDC will have the stability to fulfill the mission the tribal leaders envisioned to help our youth once again find their way and recover from the ills that resulted in them coming to the Facility. With adequate funding we believe it is possible to thrive and benefit the lives of juveniles who enter our Center and are desperately in need of our help to develop and assist them to have a more healthy and productive future.

Thank you for allowing me to submit these requests on the fiscal year 2015 budgets.

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PREPARED STATEMENT OF THE SAN JUAN WATER COMMISSION

APRIL 1, 2014.

Hon. JACK REED, *Chairman*,  
 Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

—Appropriate \$706,300 in "Conservation and Restoration" funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restora-

tion Subactivity within the \$124,253,000 item entitled “Conservation and Restoration”) to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

—Appropriate \$200,000 in FWS “Conservation and Restoration” funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS’s Region 2 in managing the San Juan Program’s diverse recovery activities.

—Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled “National Fish Hatchery System Operations”) for endangered fish propagation and hatchery activities at the FWS’ Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program’s stocking program.

I request the subcommittee’s assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

L. RANDY KIRKPATRICK,  
*Executive Director.*

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PREPARED STATEMENT OF THE SEATTLE INDIAN HEALTH BOARD

Mr. Chairman and members of the Senate Interior, Environment, and Related Agencies Appropriation Subcommittee, my name is Ralph Forquera. I am the Executive Director for the Seattle Indian Health Board in Seattle, Washington. I also direct our Urban Indian Health Institute. I am an enrolled member of the Juaneño Band of California Mission Indians, a State-recognized Indian tribe. My tribe was one of 43 tribes and bands of California Indians terminated in 1958 through the California Rancheria Termination Act (Public Law 85–671).

The Indian Health Service has requested an inflationary increase for urban Indian health of \$646,000. This figure represents a 1.58 percent increase over the fiscal year 2014 enacted appropriation, far below medical inflation in the Nation. I ask the subcommittee to consider an increase of at least \$5 million to address the growing urban Indian population needs.

Urban American Indians now represent more than 7 out of 10 Americans self-identifying as having heritage in an American Indian or Alaska Native tribe, according to the 2010 United States Census. The permanent reauthorization of the 1976 Indian Health Care Improvement Act in the Affordable Care Act, claims, in its declaration of policy, an obligation to aid urban Indians. Subtitle IV of the Act (Previously title V) spells out a discrete authority to assist local, non-profit, Indian-governed organizations in enhancing access and assuring health improvements to meet the national goal of health parity for Indian people.

The movement of Indian people to American cities has been steady since first documented with the 1970 census. Analysis using the American Community Survey for the period 2006–2009 finds that more than 1 in 4 urban Indians have incomes at or below 200 percent of the Federal poverty level. This description likely undercounts the number of urban Indians in poverty, since the collection method for this national survey does not reach a sizeable portion of the urban Indian population, particularly those living in unstable households that are a common problem among poorer urban Indians. There is currently no specific assessment of urban American Indians and Alaska Natives. Our understanding is derived from Federal and State regularly scheduled data collection strategies and agency reporting standards that often do not specify Indian identity in their collection processes to document conditions and outcomes among the general population.

The Indian Health Service itself has not focused attention on a reporting mechanism explicit for addressing urban specific health concerns. Instead, the IHS has tried to include our work in their tribally-based reporting standards that, in my view, misrepresent the health disparities among urban Indians. This lack of information that could paint a more accurate portrayal of the health and social conditions that influence the health status of urban Indians leads to inappropriate and misguided policies that disrupt our ability to effectively serve our communities.

But regardless of the limitations of the data sources, evidence grows that health disparities are extensive for urban Indians and that factors that contribute to poor

health generally affect urban Indians across the Nation. For example, evidence of low academic achievement, high unemployment, high rates of mobility among the population, and a general over-representation in social metrics known to contribute to poor health are consistently found upon analysis. The fact that this evidence can be identified in work not explicit to urban Indians reinforces the fact that these social factors are crucial in perpetuating health disparities among urban Indians.

In the past several years, a growing awareness of how social factors influence health has drawn attention from policy makers, elected officials, and the general public. Key factors like low educational attainment and substandard or inadequate housing, particularly in cities indicate that urban Indians are often listed as living with conditions that adversely influence health. This reality places urban Indians at greater risk for health problems and early and unnecessary death and disability.

The Affordable Care Act calls for data to identify and track changes in the health status of groups like urban Indians. But to collect and analyze this information, funding is needed to build the infrastructure and support the personnel needed to gather data and perform the necessary analysis. Our Institute has discussed building this capacity with Centers for Medicaid & Medicare Services (CMS) and other Federal agencies but funding has not been forthcoming. Therefore, as noted, we do our best to find ways to use national and State data collection strategies and apply scientifically-sound methodologies to understand health conditions for urban Indians. While these methods are limiting, the preponderance of findings reinforce the disparities we see daily at my organization.

The question is frequently asked whether Indians living in cities retain eligibility for Indian health benefits. Legal analysis shows that Indians leaving reservations do not lose the right to the benefits and protections granted Indians by the Congress, but that the extent of these Indian-specific programs and services is subject to the level of funding devoted to them by the Congress. Over the decades, in spite of the dramatic shift in the Indian and Native population's living arrangements, resources to help urban Indians have fallen farther and farther behind.

There are some who have argued that only enrolled members of federally-recognized Indian tribes and those living on Indian reservations are eligible for Federal assistance. Currently, this policy is being applied to the Affordable Care Act as it affects the marketplace aspect of reform. This claim misinterprets the nature of the Indian trust relationship.

Back in 2005, I prepared a paper I would be happy to share with the subcommittee illustrating the historical and legislative history of aid for urban Indians in response to a question from the Senate Committee on Indian Affairs. This response became the foundation for the Congress to increase urban Indian health funding by \$7 million in 2008. However, other problems subsequent have since disrupted this appreciation for the need for greater financial aid for urban Indians and the current funding allocated for urban Indian health now represents only 0.92 percent of the overall Indian Health Service budget.

When the line item for urban Indian health was first established in 1979, about 1.48 percent of that year's IHS appropriation was directed for urban Indians. Over the decades, the percentage devoted for urban Indians has fluctuated around the 1 percent threshold until 2009, when the allocation dropped below 1 percent.

A further review of the IHS budget process finds that the agency has seldom requested additional funds for urban Indians. At best, the agency has sought inflationary increases that are generally far less than healthcare inflation has run over the decades including for fiscal year 2015. As each year passes, the inability to meet just the inflationary challenges has forced reductions in services. Since the agency responsible for advocating for the health of Indian people fails to request funding to aid urban Indians, it should not be a surprise that the agency is not actively seeking solutions and support for our work.

As an example, the recent reauthorization of the Indian Health Care Improvement Act requires that the IHS create a conferring policy similar to the tribal consultation policy to assure that the guidance of the urban contractors is given when considering policy or programmatic change. It is now more than 4 years after the law was enacted and a conferring policy has not been approved, leaving those of us who operate Urban Indian Health Organizations without a formal means of communicating our ideas or sharing our concerns with the Indian Health Service. In larger tribal consultation sessions, we are mostly overshadowed by the tribal leadership present. Essentially, the voices of the majority of Indian people are not reflected in Indian policy today.

It should also be noted that the urban Indian health program defined in subtitle IV of the Indian Health Care Improvement Act is a discrete authority intended to improve access to healthcare for Indians living in cities. This role was expanded in 1987 as increased evidence arose that the acceptability of healthcare service was

critically important to many urban Indians that carry the ill effects of past failed Federal actions toward Indians as a core belief. Given the continuing lack of attention toward urban Indians, this reality is still an important characteristic of the work we do on their behalf.

Few today remember the forced sterilization of Indian women during the 1970s or the sense of abandonment that accompanied the termination of tribes in the 1950s. Many today experience denial of help from IHS and tribal facilities that only treat members of federally recognized tribes. Others feel thwarted by the Bureau of Indian Affairs that does not recognize displaced Indians. My tribe, for example, has had its petition for re-acknowledgment rejected on several occasions by the Bureau of Indian Affairs, leaving members without benefits and protections granted those that have been restored to Federal recognition in the past several decades. These continuing actions reflect the reality that urban Indians are not seen as equals to those who were fortunate not to experience termination or who continue to reside on reservation lands. This treatment helps to foster the sense of second-class citizenry for urban Indians within Indian Country. Some tribes under self-governance compacts have recognized the discriminatory nature of these actions and, when financially feasible, offer some help.

It should also be noted that the lack of attention to the health and welfare of urban Indians is best illustrated by both the lack of funding, but also a lack of recognition and understanding of this portion of Indian Country. Little effort has been made by the Indian Health Service or others to describe the health status of urban Indians or to find ways to aid those urban communities with sizable Indian populations but lacking an urban Indian health organization. In fact, there are fewer urban Indian health organizations today than there were in the mid-1980s.

When the Indian Health Care Improvement Act was passed in 1976, the House Report accompanying the passage of the bill made the bold claim that "The most basic human rights must be the right to enjoy decent health. Certainly, any effort to fulfill Federal responsibilities to the Indian people must begin with the provision of health services. In fact, health services must be the cornerstone upon which rest all other Federal programs for the benefit of Indians. Without a proper health status, the Indian people will be unable to fully avail themselves of the many economic, educational, and social programs already directed to them or which this Congress and future Congresses will provide them." H.R. Report No. 94-1026, pt. I at 13 (1976) as reprinted in 1976 U.S.C.C.A.N. 2652, 2653. It is clear that this proclamation has not been fulfilled for urban Indians.

The inequity in funding for urban Indian health is an artifact of history. The reality of funding inadequacy reinforces the administrative policy of limiting both the work and the scarce resources to the more limited aspect of Indian Country—members of federally recognized tribes and those living on or near Indian reservations. However, Congress has the authority to allocate additional funds to assist urban Indians if they so choose.

As mentioned earlier, another hat I wear is as the Director for the Urban Indian Health Institute. I founded the Institute in July of 2000 to find ways to document and study health disparities among urban Indians to help build a case for needed resources. In 2004, the Institute published the first large scale national report, illustrating the severity of health problems faced by urban Indians. These findings were reinforced when an independent Urban Indian Health Commission funded by the Robert Wood Johnson Foundation, made similar claims in its 2007 report. (find reports at [www.uihi.org](http://www.uihi.org)). Additional reports and studies including several published in peer-reviewed professional journals verify the disparity in health experienced by urban Indians, but these findings have not successfully translated to the provision of the essential resources needed.

We recognize and respect the fact that Indians living on reservations who are enrolled in a federally-recognized Indian tribe have needs deserving of congressional support. But just caring for reservation Indians is insufficient in addressing the broad trust obligation that the Nation bears towards its indigenous citizens, especially since more than 7 out of 10 Indian and Native people now live in cities.

After spending more than three decades working to improve the health of urban Indians, I recognize that we face daunting challenges. Expectations that the Affordable Care Act will improve conditions for urban Indians fail to take into account the historic maltreatment and broken promises experienced by Indian people that large scale programs like the ACA will not correct. In this regard, it is my hope that this subcommittee will recognize and renew its commitment to assure that all Indian people, regardless of their place of residence or their standing as being federally-recognized, achieve the House's proclamation of the importance of good health in Indian affairs.

Thank you.

## PREPARED STATEMENT OF THE SHOALWATER BAY TRIBE

## SUMMARY

The Shoalwater Bay Tribe is located on Willapa Bay in southwestern Washington. Our tribe was formed in 1866 incorporating members of Lower Chehalis, Shoalwater Bay and Chinookan people. As a small but strong tribe, we strive to keep our language, culture and economic health active and viable. While very connected to our past, Shoalwater Bay tribal members work to expand our influence and increase awareness of our tribal culture while improving our health and way of life. We request that the subcommittee provide the following items in the fiscal year 2015 appropriations cycle.

- Make full Contract Support Costs funding mandatory spending.
- Reauthorize the Special Diabetes Program for Indians.
- Fund the IHS budget with advanced appropriations.

## MANDATORY FUNDING FOR CONTRACT SUPPORT COSTS

We are pleased that the administration has sought to fully fund contract support costs (CSC) under the Indian Self-Determination and Education Assistance Act (ISDEAA) in fiscal year 2015, and we urge Congress to support that goal. We also acknowledge that the administration's request is a direct response to Congress' actions with regard to fiscal year 2014 appropriations, which removed historical caps on CSC funding and rejected the administration's proposal—put forward without consultation and vehemently opposed by tribes—to individually cap contract support cost recovery at the contractor level. Contract support costs fund vital administrative functions that allow us to operate programs that provide critical services to our members. If contract support costs are not fully funded, however, our programs and services are directly impacted because we are forced to divert limited program funding to cover fixed overhead expenses instead. We therefore appreciate Congress' support in fiscal year 2014 and hope that it carries through to fiscal year 2015 and beyond.

However, the CSC funding problem is not yet solved. Full funding for CSC must not come with a penalty—namely, a reduction in program funding or effective permanent sequestration of Indian program funds. That result would have the same devastating effect on our service delivery as the failure to fully fund CSC. Yet Congress, in the Joint Explanatory Statement accompanying the fiscal year 2014 Consolidated Appropriations Act, noted that “since [contract support costs] fall under discretionary spending, they have the potential to impact all other programs funded under the Interior and Environment Appropriations bill, including other equally important tribal programs.” Moreover, without any permanent measure to ensure full funding, payment of CSC remains subject to agency “discretion” from year to year, even though tribes are legally entitled to payment under the ISDEAA. Noting these ongoing conflicts of law, Congress directed the agencies to consult with tribes on a permanent solution.

In our view, there is a logical permanent solution which Congress is empowered to implement: CSC should be appropriated as a mandatory entitlement. The Congressional Budget Office defines “Entitlement” as “A legal obligation of the Federal Government to make payments to a person, group of people, business, unit of government, or similar entity that meets the eligibility criteria set in law and for which the budget authority is not provided in advance in an appropriation act.” Further, “Spending for entitlement programs is controlled through those programs' eligibility criteria and benefit or payment rules.”<sup>1</sup> CSC meets every part of this definition except that the budget authority is currently provided and controlled through appropriation acts—as if CSC were a discretionary program. Under the Indian Self-Determination and Education Assistance Act, the full payment of CSC is not discretionary, but is a legal obligation of the United States. Indeed, the underlying purpose of the ISDEAA—to end Federal domination of Indian programs and allow for meaningful control by Indian tribes over their own destinies in the face of Federal bureaucratic resistance—will always be threatened so long as the mechanisms that allow the statute to function are considered “discretionary.”

From an appropriations standpoint, the fiscal year 2014 Joint Explanatory Statement recognized that the current fundamental mismatch between the mandatory nature of CSC and the current appropriation approach leaves both the House and Senate Committees on Appropriations in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.”

<sup>1</sup> Congressional Budget Office Glossary, available at <http://www.cbo.gov/publication/42904> (updated January 2012).

As the Joint Explanatory Statement also noted, “Typically obligations of this nature are addressed through mandatory spending.” The obvious solution then is to bring the appropriations process in line with the statutory requirements and to recognize CSC for what it is: a mandatory entitlement, not a discretionary program. We therefore strongly urge the Congress to move to appropriate funding for CSC on a mandatory basis.

#### REAUTHORIZE THE SPECIAL DIABETES PROGRAM

While the entitlement funding for the Special Diabetes Program for Indians (SDPI) is not part of the IHS appropriations process, those funds are administered through the IHS. With the recent enactment (Public Law 113–93) of a 1 year extension of the SDPI as part of the Medicare “doc fix” bill, it is funded through fiscal year 2015 at \$150 million, minus a 2 percent reduction (\$3 million) due to the sequestration of non-exempt mandatory programs (Public Law 112–240). This funding level has not increased since 2004. The SDPI has proven highly effective in Indian Country, and has produced excellent results. For example, in the 4 years preceding the last report on the SDPI in 2011, the average blood sugar level dropped nearly a percentage point overall, corresponding to a 40 percent decline in the risk of eye, kidney, and nerve complications due to diabetes. We ask that you support ongoing efforts to reauthorize this program for a 5-year period at increased funding levels.

#### FUND THE IHS THROUGH ADVANCED APPROPRIATIONS

An important goal for Shoalwater Bay—and for all of Indian Country—is the reliable, advance appropriation of the IHS budget 1 year in advance. The goal is for the IHS and tribal healthcare providers to have adequate advance notice of the amount of Federal appropriations to expect and thus not be subjected to the uncertainties of late funding and short-term Continuing Resolutions. Under advance appropriations funding is provided in the initial year for 2 years and thereafter for 1 year, but it is a year in advance. Because the funding does not count against the subcommittee’s funding cap or the Budget Resolution score until the year in which it is to be obligated, that initial second year of funding does not have a negative effect on the subcommittee or Budget Resolution. Congress provides advance appropriations for the Veterans Administration medical accounts, and the request is for parity in the appropriations schedule for the IHS. Bills that would authorize IHS advance appropriations have been introduced—H.R. 3229 by Representative Don Young and S. 1570 by Senators Murkowski and Begich. We request that you support the effort to authorize and to appropriate funding for Indian Health Service advance appropriations.

Thank you for your consideration of our concerns and requests. We are happy to respond to questions or provide any additional information you may request.

#### PREPARED STATEMENT OF THE SOCIETY FOR HISTORICAL ARCHAEOLOGY (SHA)

##### Request:

- \$46.925 million for State Historic Preservation Offices (SHPOs).
- \$8.985 million for the Tribal Historic Preservation Offices (THPOs).
- \$500,000 for grants for survey and National Register/National Landmark nominations for underrepresented populations.

These programs are funded through withdrawals from the U.S. Department of the Interior’s National Park Service Historic Preservation Fund (HPF) (16 U.S.C. § 470h).

#### ABOUT SHA AND ITS MEMBERS

SHA is the largest organization in the world dedicated to the archaeological study of the modern world and the third largest anthropological organization in the United States. It promotes scholarly research and knowledge concerning historical archaeology, and is specifically concerned with the identification, excavation, interpretation, and conservation of sites and materials on land and underwater. SHA and its more than 2,300 members strongly support the protection of cultural and historical resources and sites around the Nation.

#### FUNDING SHPOS AND THPOS IS CRITICALLY IMPORTANT TO PROTECTING U.S. ARCHAEOLOGY

In 1966, Congress, recognizing the importance of our heritage, enacted the National Historic Preservation Act (16 U.S.C. § 470, et seq.) (NHPA), which established historic preservation as a Federal Government priority. Historic preservation recog-

nizes that what was common and ordinary in the past is often rare and precious today, and what is common and ordinary today may be extraordinary in the future.

Instead of using Federal employees to carry out the Act, the Department of Interior and the Advisory Council on Historic Preservation opted to partner with the States and use SHPOs and THPOs to, among other tasks, review all Federal projects for their impact on historic properties. In order for the review process to work smoothly and for historical archaeological sites to be protected, SHPOs and THPOs must have adequate funding. Proper financial support for their work allows SHPOs and THPOs to review and approve projects in a timely basis, moving projects forward in an efficient manner and protecting irreplaceable cultural and historical resources and sites.

#### CONCLUSION

SHA would like to thank you, Chairman Reed, and all the Members of the Senate Appropriations Subcommittee on Interior, Environment and Related Agencies for the opportunity to submit testimony.

SHA would also like to thank the subcommittee for its commitment to historic preservation.

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#### PREPARED STATEMENT OF THE SOCIETY OF AMERICAN FORESTERS

The Society of American Foresters (SAF), with more than 12,000 professionals working across all segments of the forestry profession, promotes science-based, sustainable management and stewardship of the Nation's public and private forests. SAF appreciates this opportunity to submit written public testimony on fiscal year 2015 appropriations because proper funding for the U.S. Forest Service (USFS) and the Department of Interior (DOI) is vital to conserving and improving the health and productivity of our Nation's forests.

Society as a whole relies on the 751 million acres of forests in the United States to provide clean and abundant air and water, recreational opportunities, forest products, wildlife habitat, and scenic beauty. As our reliance continues to grow, pressures on forests from wildfires, drought, insects, disease, and invasive species have risen to unprecedented levels. Land management agencies must manage these mounting threats while still providing for multiple uses and important ecosystem services. Maintaining this balance demands that Federal land managers identify innovative ways to maximize the rate of return when considering investments to improve the health of America's forests.

The following highlights SAF's top priorities in the fiscal year 2015 budget process. These priorities impact a range of programs within USFS and DOI. Recognizing fiscal constraints, these requests will assist forest managers in sustaining our Nation's forests and providing a multitude of benefits for generations to come.

#### SAF TOP PRIORITIES

1. Adoption of a new approach to wildfire suppression funding that features flexible spending caps for emergency wildfire suppression costs in addition to funding USFS and DOI Hazardous Fuels Programs at a level that is sufficient to conduct fuels reduction projects to reduce wildfire risks on Federal, State, and private lands.
2. Increased funding levels for USFS Research and Development (R&D) to no less than \$231 million and no less than \$72 million for the Forest Inventory and Analysis Program (FIA).
3. Funding the Forest Health Management Program (FHP) as a consolidated USFS State and Private Forestry budget line item at no less than \$111 million.
4. Continued support for the Collaborative Forest Landscape Restoration Program (CFLRP) at no less than \$40 million.
5. Removal of the Bureau of Land Management Forest Ecosystem Health and Recovery Fund sunset provision set to go into effect at the end of fiscal year 2015.

SAF represents forestry and natural resources professionals working on public and private forests across America. SAF members are eager to work with Federal agencies and Congress to identify reasonable solutions to facilitate increasing the pace of management on Federal lands.

Since 1910, forest area in the U.S. has been relatively stable, with a slight increase in the last two decades.<sup>1</sup> The current volume of annual timber growth is 32 percent higher than the volume of annual removals, but SAF is concerned that 90 percent of the timber harvested in the Nation came from private forestlands.<sup>2</sup>

SAF is pleased that the administration recognizes the need for management of Federal lands, and set a harvest target of three billion board feet for fiscal year 2015. With 65 to 82 million acres in the National Forest System (NFS) in need of restoration and total U.S. timber harvests at the lowest levels since the 1960s, SAF encourages USFS to seize this opportunity to implement more projects on Federal lands.<sup>3</sup> USFS can work with rural communities to get these projects started now without adding the potential for complications and confusion that could arise with the expansion of the Integrated Resource Restoration (IRR) line item beyond the pilot phase. SAF members are convinced that this volume target can be reached using existing mechanisms and infrastructure. The increased volume output will help to satisfy increased demand for construction and wood products while also improving the health and resilience of our Nation's forests.

#### SAF BUDGET RECOMMENDATIONS

Simply appropriating dollars for Federal land management agencies is not enough. Successful implementation of USFS and DOI programs is predicated on finding an alternative to how fire suppression activities are managed and funded. In the span of only 2 years—fiscal year 2012 and 2013—USFS and DOI were forced to transfer more than \$1 billion that Congress had appropriated to other priority programs to fund fire suppression. Changing the fire funding structure and committing to fund the Hazardous Fuels Programs at USFS and DOI will prevent future transfers and assist the agencies in achieving important land management objectives.

SAF encourages the subcommittee to avoid transfers in fiscal year 2015 by including language similar to the bipartisan Wildfire Disaster Funding Act, introduced in the House and Senate (H.R. 3992 & S. 1875) in the fiscal year 2015 House Appropriations Bill.

A balanced approach to averting threats posed by fire is imperative. The Hazardous Fuels line items in the USFS and DOI budgets are integral to restoring forest health and resilience and reducing the costs of wildfire suppression. SAF members appreciate this subcommittee's consistent support for wildfire management and encourage the subcommittee to allocate funds to address fire risks inside and outside the wildland urban interface. Directing funds to treat areas outside of the wildland urban interface will reduce the costs associated with suppression and, in certain instances, the intensity of wildfires after outbreak. SAF supports consolidating hazardous fuels funding in the USFS and DOI Hazardous Fuels Programs with \$479 million allocated for USFS and \$178 million allocated for DOI.

Investments in forestry research are investments in the future health and sustainability of the Nation's forests. USFS R&D conducts essential research on disturbances, forest ecosystems, species and forest resilience, treatment methods for controlling forest insects, diseases, and invasive species, renewable energy development and woody biomass conversion technology, and forest products and technology. SAF is concerned that the forestry research capacity in the U.S. continues to decline, threatening U.S. competitiveness and the ability of forest managers to meet tomorrow's challenges with current science and technical information. SAF supports a funding level of \$231 million for USFS R&D with particular emphasis on prioritizing research efforts and transferring knowledge to forestry professionals working in the field.

USFS R&D Forest Inventory and Analysis (FIA) program is the backbone of U.S. forestry, providing the only national census of forests across all ownerships. Through FIA, USFS (partnering with State forestry agencies and the private sector) collects and analyzes forest data to assess trends on issues such as forest health and management, fragmentation and parcelization, and forest carbon sequestration. The data and information collected by FIA serves as the basis for: identifying trends in

<sup>1</sup>U.S. Forest Service (USFS). 2007. *U.S. Forest Resource Facts and Historical Trends*. Available online at <http://fia.fs.fed.us/library/brochures/docs/Forest%20Facts%201952-2007%20English%20rev072411.pdf>; last accessed April 2015.

<sup>2</sup>U.S. Forest Service (USFS). 2010. *National Report on Sustainable Forests—2010*. Available online at [http://www.fs.fed.us/research/sustain/2010SustainabilityReport/documents/2010\\_SustainabilityReport.pdf](http://www.fs.fed.us/research/sustain/2010SustainabilityReport/documents/2010_SustainabilityReport.pdf); last accessed April 2015.

<sup>3</sup>U.S. Forest Service (USFS). 2010. *National Report on Sustainable Forests—2010*. Available online at [http://www.fs.fed.us/research/sustain/2010SustainabilityReport/documents/2010\\_SustainabilityReport.pdf](http://www.fs.fed.us/research/sustain/2010SustainabilityReport/documents/2010_SustainabilityReport.pdf); last accessed April 2015.

forest ownership; assessing fish and wildlife habitat; evaluating wildfire, insect, and disease risk; predicting the spread of invasive species; determining capital investment in existing forest products facilities and selecting locations for new forest product facilities; and identifying and responding to priorities identified in State Forest Action Plans. FIA data also evaluates forest disturbance risks, such as wildfire, insects and disease, and spread of invasive species. SAF members urge this subcommittee to reverse the spending cuts to FIA and requests funding in fiscal year 2015 at a level of at least \$72 million.

USFS State and Private Forestry (S&PF) allocations support sustainable forestry on public and private lands. SAF strongly supports funding S&PF programs to work in cooperation with the States to provide assistance to private landowners who own more than 50 percent of the forestland in the United States. The consolidated S&PF Forest Health Management programs (FHP) manage forest health through direct action on the NFS lands and provide assistance to other Federal agencies, State and local agencies, and private landowners to prevent and mitigate insect and disease outbreaks as well as the spread of invasive species. SAF recommends funding FHP at the fiscal year 2012 enacted funding levels of \$111 million to continue monitoring and responding to forest health concerns.

SAF remains committed to the Collaborative Forest Landscape Restoration Program (CFLRP). CFLRP encourages collaborative, science-based ecosystem restoration on priority forest landscapes.<sup>4</sup> In 4 years, the 23 selected projects have reduced hazardous fuels, generated timber receipts, and provided a boost to rural economies.<sup>5</sup> To ensure CFLRP's continued success, SAF supports a \$40 million dollar funding level and consideration of additional funds for the program if available.

In closing, SAF would like to highlight an issue of concern. SAF members were delighted with the return of the Bureau of Land Management Public Domain Forestry Program (PD) to fiscal year 2012 funding levels as a part of the 2014 Omnibus Appropriations Bill. However, SAF members are troubled by the pending loss of the Forest Ecosystem Health and Recovery Fund, commonly referred to as the 5900 account. This fund allows PD and BLM Oregon and California Railroad Grant Lands (O&C) to use a portion of the receipts from sales of timber and wood products on BLM lands not returned to the neighboring counties to fund management activities. This permanent operating fund created in the Appropriations Act of 1993 expires at the end of fiscal year 2015.

After fiscal year 2015, all receipts generated from these sales currently used to continue management and restoration activities on PD and O&C lands will be returned to the Federal treasury. This loss of revenue will leave few dollars in the tight PD budget for planning, preparing, implementing, and monitoring forest ecosystem restoration activities. SAF recognizes that permanent operating fund accounts should be periodically evaluated for continued relevance or possible elimination, but BLM's use of the 5900 account reduces the budgeted dollars required to operate PD. SAF recommends this account be reauthorized and not allowed to expire at the end of fiscal year 2015.

Thank you for your time and consideration of these important requests. SAF and its extensive network of forestry and natural resources professionals stand ready to assist with further development and implementation of these efforts.

PREPARED STATEMENT OF THE SOUTHERN UTE INDIAN TRIBE

JANUARY 16, 2015.

Hon. JACK REED, *Chairman*,  
Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: On behalf of the Southern Ute Indian Tribe, I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

<sup>4</sup>U.S. Forest Service. 2012. *Collaborative Forest Landscape Restoration Program*. U.S. Forest Service Web site. Accessible online at <http://www.fs.fed.us/restoration/CFLR/index.shtml>; last accessed April 2015.

<sup>5</sup>U.S. Forest Service 2014. *Fiscal year 2015 President's Budget Justification*. Available online at <http://www.fs.fed.us/aboutus/budget/2015/FS15-FS-Budget-Justification.pdf>; last accessed April 2015.

- Appropriate \$706,300 in “Conservation and Restoration” funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled “Conservation and Restoration”) to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS “Conservation and Restoration” funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS’s Region 2 in managing the San Juan Program’s diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled “National Fish Hatchery System Operations”) for endangered fish propagation and hatchery activities at the FWS’ Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program’s stocking program.

The tribe requests the subcommittee’s assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. The tribe recognizes and appreciates that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

JAMES L. OLGUIN,  
*Chairman.*

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PREPARED STATEMENT OF THE SOUTHWESTERN WATER CONSERVATION DISTRICT

APRIL 8, 2014.

Hon. JACK REED, *Chairman,*

Hon. LISA MURKOWSKI, *Ranking Member,*

*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: The Southwestern Water Conservation District was established by the Colorado legislature to conserve and protect the waters of the San Juan and Dolores Rivers and their tributaries.

Following this mandate, I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program in the amount of \$1,392,100.00 consistent with the President’s recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in “Conservation and Restoration” funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled “Conservation and Restoration”) to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS “Conservation and Restoration” funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS’s Region 2 in managing the San Juan Program’s diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled “National Fish Hatchery System Operations”) for endangered fish propagation and hatchery activities at the FWS’ Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program’s stocking program.

On behalf of our District board, I request the subcommittee’s assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize

and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

BRUCE WHITEHEAD,  
*Executive Director.*

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PREPARED STATEMENT OF THE SQUAXIN ISLAND TRIBE

On behalf of the tribal leadership and members of the Squaxin Island Tribe, thank you for the invitation to submit our funding priorities and recommendations for the fiscal year 2015 budgets for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS). Squaxin Island Tribe requests that tribal program funding throughout the Federal Government be exempt from future sequestration cuts. Further we ask that the legal obligations to pay full Contract Support Costs (CSC) not be at the expense of reducing tribal program funding and that tribal programs not be subjected to across the board rescissions not imposed on other beneficiaries of the Federal Government. For the fiscal year 2015 budget, we submit the following requests:

TRIBAL SPECIFIC REQUESTS

1. \$500,000 Shellfish Management Program—BIA.
2. \$2 Million to Build and Operate an Oyster and Clam Nursery for Southern Puget Sound—BIA.
3. \$1.5 Million Increase for Northwest Indian Treatment Center (NWITC) Residential Program in IHS.

NATIONAL REQUESTS AND RECOMMENDATIONS—BUREAU OF INDIAN AFFAIRS

1. Restore 2013 Sequestered Cuts (\$119 million) to Tribal Program Funding.
2. +\$4 million over fiscal year 2015 request to fully fund Contract Support Costs (CSC).
3. +\$19.3 million over fiscal year 2014 for Tribal Priority Allocations Account.
4. Fully fund all of the provisions of the Tribal Law and Order Act of 2010 that authorizes additional funding for law and order programs that affect Indian Tribes;
5. \$500,000 for Johnson O'Malley education assistance grants to support a new student count in 2015 and provides funding for the projected increase in the number of students eligible for grants.
6. Office of Self-Governance (OSG)—Provide increased funding to the OSG to fully staff the office for the increase in the number of Tribes entering Self-Governance.

NATIONAL REQUESTS AND RECOMMENDATIONS—INDIAN HEALTH SERVICE

1. Restore 2013 Sequestered Cuts (\$220 Million) to Tribal Health Services.
2. Support IHS Mandatory Funding (maintain current services).
3. +\$30 million over fiscal year 2015 request to fully fund Contract Support Costs (CSC).
4. +\$50 million over 2015 request for Purchased and Referred Care.
5. Restore \$6 million to the Office of Tribal Self-Governance (OTSG) to fulfill legal requirements under title V of Public Law 106-260 which increased the responsibilities of OTSG.

The Squaxin Island Tribes supports the fiscal year 2015 budgets requests of the Affiliated Tribes of Northwest Indians, Northwest Portland Area Indian Health Board and the Northwest Indian Fisheries Commission.

SQUAXIN ISLAND TRIBE BACKGROUND

We are native people of South Puget Sound and descendants of the maritime people who lived and prospered along these shores for untold centuries. We are known as the People of the Water because of our strong cultural connection to the natural beauty and bounty of Puget Sound going back hundreds of years. The Squaxin Island Indian Reservation is located in southeastern Mason County, Washington and the tribe is a signatory to the 1854 Medicine Creek Treaty. We were one of the first 30 federally-recognized Tribes to enter into a Compact of Self-Governance with the United States.

Our treaty-designated reservation, Squaxin Island, is approximately 2.2 square miles of uninhabited forested land, surrounded by the bays and inlets of southern

Puget Sound. Because the Island lacks fresh water, the tribe has built its community on roughly 26 acres at Kamilche, Washington purchased and placed into trust. The tribe also owns 6 acres across Pickering Passage from Squaxin Island and a plot of 36 acres on Harstine Island, across Peale Passage. The total land area including off-reservation trust lands is 1,715.46 acres. In addition, the tribe manages roughly 500 acres of Puget Sound tidelands.

The tribal government and our economic enterprises constitute the largest employer in Mason County with over 1,250 employees. The tribe has a current enrollment of 1,040 and an on-reservation population of 426 living in 141 homes. Squaxin has an estimated service area population of 2,747; a growth rate of about 10 percent, and an unemployment rate of about 30 percent (according to the BIA Labor Force Report).

#### TRIBAL SPECIFIC REQUESTS JUSTIFICATIONS

1. *\$500,000—SHELLFISH MANAGEMENT.*—The Squaxin Island Tribes faces a budget deficit to maintain and operate the shellfish program at the current level. To effectively grow and develop the program, an annual minimum increase of \$500,000 to address the shortfall and ensure the continuance of this program is requested.

Shellfish have been a mainstay for the Squaxin Island people for thousands of years and are important today for subsistence, economic and ceremonial purposes. The tribe's right to harvest shellfish is guaranteed by the 1854 Medicine Creek Treaty. It is important to remember that these rights were not granted by the Federal Government. They were retained by the tribe in exchange for thousands of acres of tribal lands. On December 20, 1994 U.S. District Court Judge Edward Rafeedie reaffirmed the tribe's treaty right to naturally occurring shellfish. Rafeedie ruled that the tribe(s) has the right to take up to 50 percent of the harvestable shellfish on Washington beaches.

The Squaxin Island Natural Resources Department (SINRD) is charged with protecting, managing and enhancing the land and water resources of the tribe, including fish and shellfish habitat and species. In so doing, the Department works cooperatively with State and Federal environmental, natural resources and health agencies. The shellfish management work of the SINRD includes working with private tideland owners and commercial growers; surveying beaches; monitoring harvests; enhancing supply (prepping, seeding, monitoring beds) and licensing and certifying harvesters and geoduck divers. We estimate that 20 percent of treaty-designated State lands and 80–90 percent of private tidelands are inaccessible to us due to insufficient funding.

In fiscal year 2011, the shellfish program represented only \$250,000 of the \$3.3 million budget. The result is we are unable to fully exercise our treaty rights due to lack of Federal support for shellfish.

2. *\$2 Million—Build and Operate an Oyster and Clam Nursery for Southern Puget Sound.*—In the past few years, problems with seed production have developed in the shellfish industry. These problems have been primarily caused by weather and or other environmental factors, and their effects on the industry have resulted in the lack of viable and large enough seed for growers. The Squaxin Island Tribe recognizes that it is uniquely positioned to develop a new nursery to serve the shellfish growers of the South Puget Sound region. A shellfish nursery is a capital project that is both proven and a cost effective technology that takes small oyster and clam seeds and provides a safe and controlled environment for the seeds to grow to a size that can survive integration onto a regular beach placement. We have an ideal location for a nursery because it will not be disturbed by residents or recreational boaters.

Our efforts will be an extension of another project that was created through a U.S. Department of Agriculture appropriation nearly two decades ago for the Lummi Tribe, which created an oyster and clam hatchery in Northern Puget Sound. The Lummi project over years has been very successful and they have supplied not only their own beaches but other tribes' in their region as well. The project would benefit not just Squaxin Island Tribe. It would further improve the quality and quantity of seed and make the seed process more effective for tribal and non-tribal growers. The users of the facility would be the Squaxin Island Tribe, other Tribes, and non-tribal clam and oyster businesses that have been largely unable to find sites for this type of operation.

The tribe's project will be a joint venture with the Lummi Nation, in that Lummi would be a primary larvae supplier. The project, with the expected grow-out and expansion of the industry attributable to the improved supply of seed, would offer jobs

in a depressed employment area. Once established, the venture would be fully self-sustaining through sales of the product grown and at the nursery.

This project would be a capital cost of approximately \$2 million. The tribal in-kind contribution to the efforts would include land and shoreline and operating costs. Comparable land and shoreline, if privately owned, would be easily valued in the millions.

3. *\$1.5 Million Increase for Northwest Indian Treatment Center (NWITC) Residential Program in IHS "D3WXbi Palil" meaning "Returning from the Dark, Deep Waters to the Light"—NWITC has not received an adequate increase in its base Indian Health Service budget since the original Congressional set-aside in 1993.*—The Squaxin Island Tribe has been operating the Northwest Indian Treatment Center (NWITC) since 1994. Ingenious in creativity, the center offers a wide variety of cultural activities and traditional/religious ceremonies, making it a natural place to heal—body, mind and soul. Fittingly, the center was given the spiritual name "D3WXbi Palil" meaning "Returning from the Dark, Deep Waters to the Light." Since the original Congressional set-aside in 1993, NWITC has not received an adequate increase in the base Indian Health Service budget. It is critical to increase the NWITC's annual base in order to sustain the current services to the Tribes of the Northwest. An increase of \$1.5 million would restore lost purchasing power and meet the need to add mental health and psychiatric components to the treatment program through other funding agents. This increase would allow NWITC to continue its effective treatment of Native Americans.

NWITC is a residential chemical dependency treatment facility designed to serve American Indians from tribes located in Oregon, Washington and Idaho who have chronic relapse patterns related to unresolved grief and trauma. NWITC is unique in its integration of tribal cultural values into a therapeutic environment for co-occurring substance abuse and mental health disorders. It is a 28 bed, 30–60 day residential facility.

Welcomed and hailed by tribal Leaders who felt the urgent need for such a facility, NWITC is centrally located in Grays Harbor County between Olympia and Aberdeen, on 2.5 acres in the small rural town of Elma, Washington. NWITC accepts patients that are referred through outpatient treatment programs, parole and probation services, hospitals, assessment centers and child and family service centers. Medical care is provided through local Indian Health Service clinics and other medical service providers. NWITC has responded with an overwhelming success rate of nearly 65 percent.

In 2011, the NWITC served 225 patients from 28 tribes and added intensive case management and crisis support to alumni in order to continue to promote positive outcomes for clients. Despite funding challenges, NWITC has continued to develop and deliver innovative, culturally appropriate services to meet increasingly complex demands.

The Treatment Center's traditional foods and medicines program is supported through a partnership with the Northwest Indian College and is funded through grants from the Washington Health Foundation, the National Institute of Food and Agriculture, The Potlatch Fund and several tribes. Weekly hands-on classes focus on traditional foods and medicines, including methods for growing, harvesting, processing, and preparation. Twice a month, tribal elders, storytellers, and cultural specialists speak as part of the program. A monthly family class allows patients to share what they are learning with their loved ones. Patients gain hands-on experience by working in three on-site teaching gardens. This program serves as a model for other tribal communities.

Although we are submitting testimony on the fiscal year 2015 BIA and IHS budgets, we must comment on the fiscal year 2013 sequestration which disproportionately impacted tribal programs. The BIA and IHS tribal funding incurred a disproportionate share of cuts; IHS \$220 million and BIA \$119 million. This act continues to undermine Indian treaty rights and the Federal obligations and trust responsibility to American Indian and Alaskan Native people. The ongoing contribution of tribal nations to the U.S. economy is the land on which this Nation is built.

It is ironic that we were forced into a lifestyle and to give up our land, and that which we retained or have since regained is threatened by the promises you made and have since reclaimed!

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PREPARED STATEMENT OF THE ST. REGIS MOHAWK TRIBE

The requests of the St. Regis Mohawk Tribe for the fiscal year 2015 Indian Health Service (IHS) budget are as follows:

- Ensure that Contract Support Costs continue to be fully funded by moving the program to mandatory entitlement spending.
- Support reauthorization of the Special Diabetes Program for Indians.
- Place IHS funding on an advance appropriations basis.

The St. Regis Mohawk Tribe is located astride the U.S. Canadian border in northern New York. Traditionally the keepers of the Eastern Door of the Iroquois Confederacy, we have continued as a government for our people since before the arrival of Europeans on U.S. shores. We cooperate with the United States on a nation-to-nation basis, and today operate our own environmental, social, policing, economic, health and educational programs, policies, laws and regulations. We operate our own medical clinic, and provide a variety of services from mental healthcare, nutrition care, pharmacy and laboratory services, outpatient services, dental care, pregnancy care, and other services.

#### ENSURE CONTRACT SUPPORT COSTS RECEIVE FUNDING VIA MANDATORY SPENDING

We are pleased that the administration has sought to fully fund contract support costs (CSC) under the Indian Self-Determination and Education Assistance Act (ISDEAA) in fiscal year 2015, and we urge Congress to support that goal. We also acknowledge that the administration's request is a direct response to Congress' actions with regard to fiscal year 2014 appropriations, which removed historical caps on CSC funding and rejected the administration's proposal—put forward without consultation and vehemently opposed by tribes—to individually cap contract support cost recovery at the contractor level. Contract support costs fund vital administrative functions that allow us to operate programs that provide critical services to our members—programs like those described above. If contract support costs are not fully funded, however, our programs and services are directly impacted because we are forced to divert limited program funding to cover fixed overhead expenses instead. We therefore appreciate Congress' support in fiscal year 2014 and hope that it carries through to fiscal year 2015 and beyond.

However, the CSC funding problem is not yet solved. Full funding for CSC must not come with a penalty—namely, a reduction in program funding or effective permanent sequestration of Indian program funds. That result would have the same devastating effect on our service delivery as the failure to fully fund CSC. Yet Congress, in the Joint Explanatory Statement accompanying the fiscal year 2014 Consolidated Appropriations Act, noted that “since [contract support costs] fall under discretionary spending, they have the potential to impact all other programs funded under the Interior and Environment Appropriations bill, including other equally important tribal programs.” Moreover, without any permanent measure to ensure full funding, payment of CSC remains subject to agency “discretion” from year to year, even though tribes are legally entitled to payment under the ISDEAA. Noting these ongoing conflicts of law, Congress directed the agencies to consult with tribes on a permanent solution.

In our view, there is a logical permanent solution which Congress is empowered to implement: CSC should be appropriated as a mandatory entitlement. The Congressional Budget Office defines “Entitlement” as “A legal obligation of the Federal Government to make payments to a person, group of people, business, unit of government, or similar entity that meets the eligibility criteria set in law and for which the budget authority is not provided in advance in an appropriation act.” Further, “Spending for entitlement programs is controlled through those programs' eligibility criteria and benefit or payment rules.”<sup>1</sup> CSC meets every part of this definition except that the budget authority is currently provided and controlled through appropriation acts—as if CSC were a discretionary program. Under the Indian Self-Determination and Education Assistance Act, the full payment of CSC is not discretionary, but is a legal obligation of the United States. Indeed, the underlying purpose of the ISDEAA—to end Federal domination of Indian programs and allow for meaningful control by Indian tribes over their own destinies in the face of Federal bureaucratic resistance—will always be threatened so long as the mechanisms that allow the statute to function are considered “discretionary.”

From an appropriations standpoint, the fiscal year 2014 Joint Explanatory Statement recognized that the current fundamental mismatch between the mandatory nature of CSC and the current appropriation approach leaves both the House and Senate Committees on Appropriations in the “untenable position of appropriating discretionary funds for the payment of any legally obligated contract support costs.” As the Joint Explanatory Statement also noted, “Typically obligations of this nature

<sup>1</sup> Congressional Budget Office Glossary, available at <http://www.cbo.gov/publication/42904> (updated January 2012).

are addressed through mandatory spending.” The obvious solution then is to bring the appropriations process in line with the statutory requirements and to recognize CSC for what it is: a mandatory entitlement, not a discretionary program. We therefore strongly urge the Congress to move to appropriate funding for CSC on a mandatory basis.

REAUTHORIZE THE SPECIAL DIABETES PROGRAM

While the entitlement funding for the Special Diabetes Program for Indians (SDPI) is not part of the IHS appropriations process, those funds are administered through the IHS. With the recent enactment (Public Law 113–93) of a 1 year extension of the SDPI as part of the Medicare “doc fix” bill, it is funded through fiscal year 2015 at \$150 million, minus a 2 percent reduction (\$3 million) due to the sequestration of non-exempt mandatory programs (Public Law 112–240). This funding level has not increased since 2004. The SDPI has proven highly effective in Indian Country, and has produced excellent results. For example, in the 4 years preceding the last report on the SDPI in 2011, the average blood sugar level dropped nearly a percentage point overall, corresponding to a 40 percent decline in the risk of eye, kidney, and nerve complications due to diabetes. We ask that you support ongoing efforts to reauthorize this program for a 5-year period at increased funding levels.

FUND THE IHS ON AN ADVANCE APPROPRIATIONS BASIS

We support legislation that would place the IHS budget on an advance appropriations basis. The goal is for the IHS and tribal healthcare providers to have adequate advance notice of the amount of Federal appropriations to expect and thus not be subjected to the uncertainties of late funding and short-term Continuing Resolutions. Under advance appropriations 2 years of funds is approved in the first year, but the second year’s worth of appropriations is not counted against the subcommittee’s allocation nor the Budget Resolution until the year in which it is obligated. Thereafter funding is appropriated 1 year at a time, but it is 1 year in advance. This contrasts with forward funding which does require a one-time extra (3/4 of a year) funding that does count against the subcommittee’s allocation and the Budget Resolution. Congress provides advance appropriations for the Veterans Administration medical accounts, and the request is for parity in the appropriations schedule for the IHS. Legislation to authorize IHS advance appropriations has been introduced—H.R. 3229 by Representative Young and S. 1570 by Senators Murkowski and Begich. We ask that you support the effort to fund IHS on an advanced basis.

Thank you for your consideration of our requests. We will be glad to provide any additional information the Committee may request.

PREPARED STATEMENT OF THE STATE OF NEW MEXICO

APRIL 29, 2014.

Hon. JACK REED, *Chairman*,  
 Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President’s recommended budget. I request that the subcommittee:

- Appropriate \$706,300 in “Conservation and Restoration” funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled “Conservation and Restoration”) to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
- Appropriate \$200,000 in FWS “Conservation and Restoration” funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS’s Region 2 in managing the San Juan Program’s diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled “National Fish Hatchery System Operations”) for endangered fish propaga-

tion and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

SCOTT A. VERHINES, P.E.,  
*New Mexico State Engineer.*

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PREPARED STATEMENT OF THE SUQUAMISH TRIBE

Dear Chairman Reed and Ranking Member Murkowski: The Suquamish Tribe asks that you support economic development, job creation, and our national heritage by appropriating increased funding for the Historic Preservation Fund (HPF) for fiscal year 2015. We agree with the National Association of Tribal Historic Preservation Officers that the appropriation needs to be \$15 million for Tribal Historic Preservation Officers (THPOs) and \$50 million for State Historic Preservation Officers (SHPOs).

Historic Preservation Officers funded through the HPF form the backbone of our Nation's historic preservation programs. Together these programs provide the tools needed to revitalize, rehabilitate, and protect the places that give meaning to our great Nation. Funding also leverages investments through local jobs, non-Federal contributions, and long-term economic development in communities around the country.

Tribal Historic Preservation Officers are recognized as the authentic representatives of cultures and societies that have been in existence for countless generations. They are an active expression of tribal sovereignty and perform many functions and responsibilities in Indian Country. THPOs are involved with projects to improve Indian schools, roads, health clinics, and housing, conducting important Federal and State compliance work. They are the first responders when a sacred site is threatened; when an ancestral home is uncovered; and when Native ancestors are disturbed by development. They are also responsible for their tribe's oral history programs and operating tribal museums and cultural centers.

The amount appropriated in fiscal years 2012–2014 and the President's fiscal year 2015 request was \$56.4 million. Of that amount, \$46.9 million was for the State line item and \$9.0 million was for the tribal line item. In addition, \$500,000 was appropriated for a competitive grant program to help survey and identify historic resources important to underrepresented populations.

Unfortunately, the amount of HPF funds appropriated is not keeping pace with the increase in THPOs. There are now 151 THPOs, compared to only 12 in fiscal year 1996 when the program was first funded. There are expected to be at least 156 THPOs in fiscal year 2015. The addition of new THPOs each year keeps the average level of support per THPO suppressed below \$60,000, barely enough to operate a program to protect cultural resources on and off tribal lands.

Without adequate funding, America's national treasures will be forever lost. The HPF is the primary, and in many communities the only, means to ensure appropriate implementation of our Nation's historic preservation laws and the only way to adequately safeguard our historic resources. For nearly the past half century, the HPF has enabled successful Federal-State, Federal-tribal, and public-private partnerships that have helped preserve historic sites and communities throughout the Nation. Thank you for your continued support.

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PREPARED STATEMENT OF THE SUSTAINABLE URBAN FORESTS COALITION

Dear Chairman Jack Reed, Ranking Member Murkowski, and honorable members of the subcommittee: The Sustainable Urban Forests Coalition (SUF) represents nonprofits, national associations, nursery and landscape professionals, public works professionals, arborists, and others nationwide. Working together since 2004, these diverse professionals monitor, care and advocate for urban trees and green infrastructure. Collectively, we are asking for your support for several programs under the Interior Subcommittee's jurisdiction that support urban forests and green infrastructure.

Urban forests are vital to creating and maintaining healthy, livable communities of all sizes. Trees growing in populated areas are a key component of community infrastructure and provide proven benefits to more than the 80 percent of Americans who live there. Urban forests enhance air and water quality, reduce energy use, increase property values, and provide quantifiable health and wellness benefits to people. Creating and maintaining a healthy tree canopy also creates a substantial demand for green collar jobs in a sector poised for rapid growth.

#### USDA FOREST SERVICE

Since the passage of the Cooperative Forestry Assistance Act of 1990, the Urban and Community Forestry (U&CF) program has been a catalyst and provided important technical assistance for promoting healthy forests in our communities. In addition, the U&CF program provides critical assistance to help communities manage risk, respond to storms and disturbance, and contain threats from invasive pests. In 2013, the U&CF program delivered technical, financial, educational, and research assistance to 7,292 communities and nearly 198 million people, over 60 percent of the U.S. population. Urban forests are integral to any community striving to reinvest in itself, encourage active, healthy citizens, and create a healthier and more sustainable environment with smart green infrastructure. The SUFC understands the current economic conditions of the country and recommends fiscal year 2015 funding be allocated at fiscal year 2012 enacted levels for the Urban and Community Forestry program at \$31.3 million.

The Forest Service's Forest and Rangeland Research program is essential in providing support for urban forestry research activities focused on understanding conditions and trends in our Nation's urban and community forests and in providing tools and best management practices to community groups and urban forestry practitioners. Forest Service researchers and partners have made huge strides in recent years in developing new technologies and tools, such as the i-Tree program, for mapping the urban forest and to understand the current situation and future trends. Similarly, agency researchers have been helping policymakers and practitioners to understand the environmental, economic, and social services that trees and forests provide. The SUFC urges Congress to provide funding for the Forest and Rangeland Research line item at \$303 million. This reflects \$231 million for basic forest research, consistent with the fiscal year 2012 enacted level, and \$72 million for Forest Inventory and Analysis (FIA). We also call the subcommittee's attention to our collaborative efforts with the Forest Service to make progress toward incorporating urban forest assessments into the agency's FIA program. We urge the subcommittee to encourage the Forest Service to make strong efforts to integrate urban forests into FIA so that its critical data-collection efforts on our Nation's forests include the estimated 100 million acres of urban forest lands.

Finally, the SUFC wishes to thank Congress for the report language it included with the Consolidated Appropriations Act of 2014, which encourages the Forest Service to maintain a strong urban forest research program. While there is no budget line item for urban forestry research, the Forest Service has recognized Urban Natural Resources Stewardship as one of seven Priority Research Areas within its overall Forest and Rangeland Research program. We urge the subcommittee to continue including such language in its Interior Appropriations reports as a reflection of Congress' interest in strong urban forestry research in the absence of a budget line item.

Exotic pests and invasive species are among the greatest threats to urban forests. Trees in our towns and cities are at risk from non-native insects and diseases such as the emerald ash borer and Asian longhorned beetle. Non-native pests already cost city governments \$2 billion each year to remove and replace trees they have killed. Homeowners in these communities pay another \$1 billion per year to remove dead trees from their own properties. The substantial loss of trees in our communities also impacts the quality of life and property values. Funding for the Forest Health Program supports activities related to prevention, suppression, and eradication of insects, diseases, and plants as well as conducting forest health monitoring through pest surveys. SUFC supports no less than fiscal year 2012 funding levels of \$111 million (of which \$48 million was directed to cooperative lands) in fiscal year 2015 for the USDA Forest Service Forest Health Management Program.

#### ENVIRONMENTAL PROTECTION AGENCY

All forests play vital roles in delivering clean water to communities of every size. Urban and rural forests offer fiscally-sound green solutions to the management of stormwater, water storage, groundwater recharge, and pollutant reduction. Green infrastructure is a cost-effective and resilient approach to stormwater infrastructure

needs that provides many community benefits: improving water and air quality; reducing energy use and mitigating climate change; improving habitat for wildlife; reducing a community's infrastructure cost and promoting economic growth.

SUFC supports the EPA's goal of strengthening green infrastructure activities to further sustainability goals by incorporating green infrastructure and enhancing stormwater management. SUFC also supports efforts to expand the use of green infrastructure to meet Clean Water Act goals through the Clean Water State Revolving Funds (CWSRF). SUFC supports the President's fiscal year 2015 request of \$5 million to strengthen green infrastructure activities, and the fiscal year 2014 enacted level of \$1.449 billion for CWSRF.

The Urban Waters Federal Partnership is a 13 interagency coordinated effort helps stimulate local economies, create jobs, improve quality of life, and protect health by revitalizing urban waterways and the communities around them, focusing on underserved urban communities of all sizes. SUFC supports appropriating fiscal year 2015 funding to the Urban Waters Federal Partnership, coordinated by the Environmental Protection Agency Office of Water.

#### LAND AND WATER CONSERVATION FUND

SUFC supports full and dedicated funding for the Land and Water Conservation Fund (LWCF), including funding for the State and Local Assistance Program. We support the fiscal year 2015 budget request which calls for permanent authorization of \$900 million in mandatory funding for LWCF programs in the Departments of Interior and Agriculture beginning in 2016. During the transition to permanent funding in 2015, the budget proposes \$350 million in discretionary and \$550 million in permanent funding, shared by the Departments of Interior and Agriculture. This includes discretionary funding for State Assistance grants at \$48.1 million, which includes \$3 million for "Competitive Grants."

#### THE NATIONAL PARK SERVICE

The reestablishment of the Urban Parks Recreation and Recovery (UPARR) program within the National Parks Service, proposed to be funded through the Land and Water Conservation Fund, is essential to bring nature to the urban communities. These competitive grants focus on engaging and connecting communities, especially young people, to their neighborhood parks through projects that would revitalize and rehabilitate park and recreation opportunities. SUFC supports the President's fiscal year 2015 request of \$25 million from LWCF for the Urban Park and Recreation Recovery Program (UPARR).

Sincerely,

Alliance For Community Trees  
American Forests  
AmericanHort  
American Planning Association  
American Public Works  
American Rivers  
American Society of Landscape  
Architects  
Arbor Day Foundation  
Davey Tree Foundation  
Keep America Beautiful  
International Society of Arboriculture  
National Association of Clean Water  
Agencies

National Association of Conservation  
Districts  
National Association of State Foresters  
National Recreation and Parks  
Association  
Minnesota Shade Tree Advisory  
Committee  
Outdoor Power Equipment Institute  
Professional Landcare Network  
Sacramento Tree Foundation  
SavATree Consulting Group  
Society of American Foresters  
Society of Municipal Arborists  
The Nature Conservancy  
Tree Care Industries Association

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#### PREPARED STATEMENT OF THE TEAMING WITH WILDLIFE STEERING COMMITTEE

This testimony is submitted on behalf of the following members of the national Teaming With Wildlife Steering Committee:

Association of Fish & Wildlife Agencies	The Nature Conservancy
Association of Zoos & Aquariums	The Wildlife Society
Izaak Walton League of America	Wildlife Conservation Society
National Wildlife Federation	Wildlife Management Institute

Chairman Reed and Ranking Member Murkowski and members of the subcommittee: Thank you for this opportunity to provide recommendations on the fiscal

year 2015 Interior, Environment and Related Agencies Appropriations bill. The 6,414 organizations and businesses that are part of the Teaming With Wildlife coalition represent millions of birders, fish and wildlife professionals, hunters, anglers, boaters, hikers and other nature enthusiasts. The State and Tribal Wildlife Grants program was created in response to this diverse coalition. We encourage the subcommittee to provide a minimum of \$58.695 million for the State & Tribal Wildlife Grants program in fiscal year 2015, which would avoid further cuts to this program. Funding for the State & Tribal Wildlife Grants program has been reduced by 35 percent since fiscal year 2010.

The State and Tribal Wildlife Grants program is the only Federal program with the singular purpose of preventing Federal endangered species listings. It is achieving success as highlighted in the State Wildlife Grants Success Stories Report which showed how partnerships in every State are conserving vulnerable fish and wildlife, including many that are candidates for Federal endangered species listing. The program is providing needed capacity to assess and implement actions to conserve many of the hundreds of species that have been petitioned for Federal endangered species listing.

Preventing new endangered species listings is a goal shared by conservationists, business, farmers and ranchers and has broad bipartisan support. Through early and strategic action, we can be successful in preventing new endangered species. Adequate and consistent funding for the program is essential to fulfillment of the shared Federal-State responsibility for keeping our Nation's wildlife from becoming endangered. Now more than ever, we should be focusing limited resources on this kind of smart, effective investment in conservation.

The State and Tribal Wildlife Grants program has been cut by 1/3 since 2010. The reduction in funding is impacting States' and their partner's ability to restore habitat, protect land, incentivize private lands conservation, monitor species, conduct research and mitigate threats like invasive species and disease. Past cuts are slowing conservation work which is leading to a higher probability for future endangered species listings. There is no other program that can take the place of the State and Tribal Wildlife Grants program.

Although the need is much greater, continued funding will help maintain essential capacity to conserve the more than 12,000 species that States have identified as at-risk in their State Wildlife Action Plans. These plans were developed collaboratively by leading scientists, conservationists, sportsmen and private landowners and identified the most effective and practical means to prevent wildlife from becoming endangered in every State, territory and the District of Columbia. The plans are up for a critical 10-year review and revision in 2015. Funding is needed to ensure States and their partners have the resources needed to update the plans to ensure the best science is available to inform the plans so that successful implementation can be achieved.

We understand and appreciate the fiscal constraints that face our Nation. However, the investment in the State & Tribal Wildlife Grants program is relatively modest compared to the scope of work it funds (proactive conservation in all 56 States, territories and the District of Columbia) and the importance of that work (recovery of some of our Nation's most imperiled fish and wildlife). We appreciate the subcommittee's past support for the State and Tribal Wildlife Grants program and hope the highest level of funding possible will be realized for the program in fiscal year 2015.

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PREPARED STATEMENT OF THE THEATRE COMMUNICATIONS GROUP

Mr. Chairman and distinguished members of the subcommittee, Theatre Communications Group—the national service organization for the American theatre—is grateful for this opportunity to submit testimony on behalf of our 494 not-for-profit member theatres across the country and the 36 million audience members that the theatre community serves. We urge you to support funding at \$155 million for the National Endowment for the Arts for fiscal year 2015.

Indeed, the entire not-for-profit arts industry stimulates the economy, creates jobs and attracts tourism dollars. The not-for-profit arts generate \$135.2 billion annually in economic activity, support 4.13 million jobs and return \$9.59 billion in Federal income taxes. Art museums, exhibits and festivals combine with performances of theatre, dance, opera and music to draw tourists and their consumer dollars to communities nationwide. Federal funding for the arts creates a significant return, generating many more dollars in matching funds for each Federal dollar awarded, and is clearly an investment in the economic health of America. In an uncertain economy where corporate donations and foundation grants to the arts are diminished,

and increased ticket prices would undermine efforts to broaden and diversify audiences, these Federal funds simply cannot be replaced. Maintaining the strength of the not-for-profit sector, along with the commercial sector, will be vital to supporting the economic health of our Nation.

Our country's not-for-profit theatres develop innovative educational activities and outreach programs, providing millions of young people, including "at-risk" youth, with important skills for the future by expanding their creativity and developing problem-solving, reasoning and communication abilities—preparing today's students to become tomorrow's citizens. Our theatres present new works and serve as catalysts for economic growth in their local communities. These theatres also nurture—and provide artistic homes for the development of—the current generation of acclaimed writers, actors, directors and designers working in regional theatre, on Broadway and in the film and television industries. At the same time, theatres have become increasingly responsive to their communities, serving as healing forces in difficult times, and producing work that reflects and celebrates the strength of our Nation's diversity.

#### NEA GRANTS AND THEIR IMPACT

*Here are some recent examples of NEA grants and their impact:*

With a \$10,000 Art Works grant from the NEA, Trinity Repertory Company in Providence, Rhode Island, will produce a new production of *Oliver*, directed by Sharon and Richard Jenkins. Audience members will experience a production which offers fresh insights to a classic work, giving prominence to character and narrative, and introducing updated orchestrations that reveal the beauty of the music. Post-show discussions will encourage audiences to immediately reflect on their ideas. Outreach activities will include a free performance for constituents served by social service agencies, and a pay-what-you-can performance. Six matinees will welcome 3,000 school children, and workshops will bring actors and other teaching artists into the region's classrooms for 50 customized pre- and post-show sessions. Fifteen actors and musicians will be employed, as well as designers, artisans and a 100-member staff. Nine local children will also receive the enriching experience of working in a professional theatre while living at home and staying in school.

In order to create a lasting impact on the field and promote burgeoning playwrights, South Coast Repertory (SCR) based in Costa Mesa, California received a \$50,000 Art Works grant to support the 17th annual Pacific Playwrights Festival which brings together artists, local audiences and theatre professionals from across the country. Audiences will enjoy seven previously unproduced works and the world premieres of Samuel D. Hunter's *Rest*, Rachel Bonds' *Five Mile Lake* and Adam Rapp's *The Purple Lights of Joppa Illinois*. Additionally, the festival will include staged readings of Theresa Rebeck's *Zealot*, Eliza Clark's *Future Thinking*, Rajiv Joseph's *Mr. Wolf* and Melissa Ross' *Of Good Stock*. All five readings from last year's festival went on to full productions at SCR and other theatres. This NEA grant will help support all seven projects and advance new American playwrights across the American stage. In addition to programming like this festival SCR annually serves more than 15,000 Orange County students and teachers through ticketing programs and bus subsidies that make professional theatre accessible to underserved youth and free after-school dramatics workshops available for at-risk children in Title One elementary schools.

Weston Playhouse Theatre based in Weston, Vermont, received a \$20,000 grant to support a production of Pulitzer-Prize winning author, Annie Baker's adaptation of Anton Chekhov's "Uncle Vanya." The production is being complemented by a series of engagement and learning opportunities. In the spring, a teachers' workshop was held that provided more than a dozen educators with a wealth of knowledge about the playwright, the play, the art of translation, and the creative process of production development. In the early fall, these educators will bring their students to a matinee performance of this masterpiece for just \$9 a ticket. Teachers will have the opportunity to engage with their students after the show, with carefully-prepared study guides. Last year's Mockingbird matinee series brought in 1,365 students and 75 educators. Similar numbers are expected this year. For adults this summer, there will be a gallery showing of the 1994 film "Vanya on 42nd Street," and plans are in place for a pre-show reception for a group from the Vermont Land Trust, igniting the environmental themes explored in all of Chekhov's work and giving members of the community the opportunity to have a voice in addition to a deep artistic experience.

Not only did the NEA's funding contribute to realizing this production, but it also helped to further Weston Playhouse Theatre Company's mission to enrich the lives of a broad rural population with theatre of national quality and significance sup-

ported through education and outreach. To do this, a year-round staff of seven swells to more than a hundred during the summer months. Every summer, more than 20,000 ticket-holders take a seat in one of Weston's three performance spaces. Each production is enhanced with show notes, director notes, pre-show director talks, and post-show talkbacks. In building audiences and performers for the future, Weston runs a Student Ambassador program, as well as residency programs in local schools and classes.

The NEA has awarded Shakespeare Festival St. Louis in Missouri a \$15,000 grant to support Shakespeare in the Streets (SITS), a grassroots theatrical experience that invites St. Louis' diverse neighborhoods to tell their unique community stories. Under the guidance of a creative team, community residents contribute to developing an original play based on Shakespeare's works—a play whose themes reflect the community's social and economic "character." Their partnership results in three free street performances that showcase the combined talents of professional actors performing alongside local residents. The project uses techniques in community co-creation to inspire regional collaboration and conversation.

The audience for the three free performances was over 2000 people in 2013. Over 130 local area residents participated in the production aimed to reclaim St. Louis city streets as places of community, conversation, and collaboration. The program employs dozens of artists, teaching artists, and provides stipends for neighborhood young people to work professionally with the Festival and gain transferable skills to other disciplines. SITS involves dozens of corporate, foundation, and community partners and provides educational workshops at all three area schools, followed by free Summer Shakespeare Camps for neighborhood students, allowing them the chance to create their own version of the Shakespeare production while fostering an understanding of Shakespeare's universal themes. The Festival annually employs over 80 artists and craftsmen, serves over 25,000 young people at 125 schools, and performs for more than 60,000 patrons each year through its main stage and community programs. In 2013 the Festival entertained its 600,000th patron in Forest Park.

These are only a few examples of the kinds of extraordinary programs supported by the National Endowment for the Arts. Indeed, the Endowment's Theatre Program is able to fund only 50 percent of the applications it receives, so 50 percent of the theatres are turned away because there aren't sufficient funds. Theatre Communications Group urges you to support a funding level of \$155 million for fiscal year 2015 for the NEA, to maintain citizen access to the cultural, educational and economic benefits of the arts, and to advance creativity and innovation in communities across the United States.

The arts infrastructure of the United States is critical to the Nation's well-being and its economic vitality. It is supported by a remarkable combination of government, business, foundation and individual donors. It is a striking example of Federal/State/private partnership. Federal support for the arts provides a measure of stability for arts programs nationwide and is critical at a time when other sources of funding are diminished. Further, the American public favors spending Federal tax dollars in support of the arts. The NEA was funded at \$146 million in the fiscal year 2014 budget; however, it has never recovered from a 40 percent budget cut in fiscal year 1996 and its programs are still under-funded. We urge the subcommittee to fund the NEA at a level of \$155 million to preserve the important cultural programs reaching Americans across the country.

Thank you for considering this request.

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#### PREPARED STATEMENT OF THE TOWN OF BALDWIN, FLORIDA

This outside witness testimony is being submitted by the Town of Baldwin, Florida to the U.S. Senate Subcommittee on Interior, Environment and Related Agencies for consideration of fiscal year 2015 appropriations within the U.S. Department of the Interior and/or the U.S. Environmental Protection Agency in the amount of \$1,000,000.

#### I. PROJECT SYNOPSIS

The Town of Baldwin is presently under a Florida Department of Environmental Protection (FDEP) Administrative Order (AO 160 NE) that calls for an investigation and monitoring of the effluent wastewater discharge at the Baldwin Waste Water Treatment Facility (WWTF), as FDEP does not have reasonable assurance the discharge will meet the State of Florida's numeric nutrient criteria (NNC). Because the WWTF will not likely meet these NNC requirements, the town will look to completely eliminate all effluent surface water discharge.

This project aims to eliminate the WWTF surface water discharge by piping reclaimed/reuse water from the WWTF to the Brandy Branch Generating Station owned and operated by the Jacksonville Electric Authority (JEA) for use as cooling water. Approximately 0.25 millions of gallons per day (MGD) annual average daily flow (AADF) of wastewater effluent will be reused, resulting in the complete elimination of surface water discharge into the unnamed ditch that flows to Deep Creek. The Brandy Branch Generating Station currently uses up to 1.0 MGD of groundwater for cooling water, and this project would reduce JEA's groundwater withdrawals by 0.25 MGD.

## II. PROJECT EVALUATION

JEA owns and operates the Brandy Branch Generating Station which is located east of Baldwin. This facility is a gas-fired power plant which utilizes 1.0 to 1.5 MGD of groundwater for cooling purposes, which far exceeds the Baldwin WWTF average day design flow of 0.4 MGD and maximum day design flow of 0.8 MGD. Discussions with JEA representatives have indicated that they would be willing to accept the WWTF effluent for use as cooling water. The facility typically only utilizes cooling water during daylight hours. Effluent would be discharged at the base of existing cooling towers which are located approximately 7 ft. above grade. The facility has no onsite storage. Currently, the facility utilizes Floridan Aquifer wells to supply 100 percent of their cooling water needs. This alternative would have the added benefit of reducing groundwater withdrawals, in addition to eliminating a surface water discharge.

The following facilities would be required to convey reclaimed water to the Brandy Branch Generating Station: (1) effluent transfer pump station to pump reclaimed water into an onsite ground storage tank; (2) 1.25 MG domed-top ground storage tank at the WWTF site; (3) two high service pumps with variable frequency drives (VFD); (4) 19,000 linear feet (LF) of 10-inch force main to convey reclaimed water to Brandy Branch Generating Station; (5) two jack & bores of the CSX railroad and two directional drills; (6) yard piping; (7) sitework and; (8) electrical/instrumentation.

Operation of the transfer pumps would be liquid level controlled. Operation of the high service pumps would be flow and/or pressure controlled. The high service pumps would shut off upon encountering high pressure resulting from a closed valve at the Brandy Branch Generating Station. The ground storage tank would be equipped with an overflow discharging to the existing surface water outfall in the event that the tank filled to capacity. It is anticipated that an emergency discharge to the surface water outfall would have to be maintained for those infrequent events when the generating station was not taking cooling water for maintenance reasons. No new treatment facilities would be required at the Baldwin WWTF, only storage and pumping facilities.

### A. *Technical Feasibility*

This project is technically feasible. Further evaluation of effluent quality by JEA will be necessary to see what effects the blending with groundwater may have on their facilities. Also, control logic for the high service pumps will need to be developed to coincide with JEA's operational requirements.

### B. *Design Criteria*

Design criteria for the proposed facilities are summarized in Table B-1, as follows:

TABLE B-1—DESIGN CRITERIA

Effluent Transfer Pump Station	
Type .....	Submersible
Number .....	2
Design Point .....	700 gpm @ 40 ft. TDH
Horsepower .....	20 HP
Effluent Ground Storage Tank	
Type .....	Domed-Top Circular Pre-Stressed
Number .....	1
Effective Capacity .....	1.25 MG
Diameter .....	93 ft.
Height .....	25 ft.
High Service Pumps	
Type .....	Self-Priming
Number .....	2
Design Point .....	833 gpm @ 80 ft. TDH
Horsepower .....	40 HP
Effluent Force Main	
Size .....	10 in.
Length .....	19,000 LF
Material .....	PVC

### C. Environmental Impact

This project would have significant positive effects on the environment. It would result in the elimination of a surface water discharge, thereby improving the water quality of the receiving stream. It would also result in the reduction of groundwater withdrawals at the generating station, thereby conserving precious groundwater. The only potential deleterious effect would be that an emergency discharge to the existing outfall would need to be maintained for those infrequent times that the generating station was not taking reclaimed water. It is anticipated that the emergency discharge would be needed for less than two weeks per year.

### D. Economic Evaluation

An economic evaluation of this project has been conducted, to include estimated capital costs, operation and maintenance costs, and present worth analysis.

#### 1. Capital Cost

The capital cost for this project has been developed utilizing bid pricing from similar work, manufacturers price quotes, and engineering judgment. All costs presented are in 2014 U.S. dollars. A construction contingency of 10 percent and non-construction costs of 15 percent will be included. The capital cost for the proposed project is summarized in Table D-1, as follows:

TABLE D-1—ENGINEER'S OPINION OF PROBABLE PROJECT COST

Description	Estimated Cost
a. Mobilization and General Conditions .....	\$100,000
b. Effluent Transfer Pump Station .....	150,000
c. Effluent Storage Tank (1.25 MG) .....	750,000
d. Reuse High Service Pumps .....	100,000
e. Yard Piping .....	100,000
f. Sitework .....	50,000
g. Electrical/Instrumentation .....	150,000
h. 19,000 LF of 10 in. Reuse Main .....	950,000
i. Two (2) Jack & Bore of CSX Railroad .....	100,000
j. Two (2) Directional Drills of 12 in. HDPE .....	50,000
Subtotal—Estimated Construction Cost .....	2,500,000
Construction Contingency (10 percent) .....	250,000
Total—Estimated Construction Cost .....	2,750,000
Estimated Non-Construction Cost .....	412,000
Total—Estimated Capital Cost .....	3,162,000

### 2. O&M Cost

An annual O&M cost for this project will be developed, assuming the following: current average daily WWTF flow of 0.25 MGD; power costs of \$0.10/kWh; equipment maintenance costs equivalent to 3 percent of equipment capital cost, and; pipe and tank maintenance costs equivalent to 0.2 percent of capital cost. Labor costs are assumed to remain the same as existing as this alternative will not require increased staffing. The O&M cost for the proposed project is summarized in Table D-2, as follows:

TABLE D-2—PROJECTED ANNUAL O&M COSTS

Description	Projected Annual Cost
Power .....	\$7,100
Equipment Maintenance .....	7,500
Tank & Pipeline Maintenance .....	3,400
Total—Projected Annual O&M Cost .....	18,000

### 3. Present Worth Analysis

A present worth analysis of the alternative will be performed, taking into account the estimated capital cost, projected O&M cost, and salvage value. The 2013 EPA discount rate of 4.125 percent will be used in determining the present worth of the corresponding O&M costs and salvage value of the alternative. A period of analysis of 20 years will be utilized.

$$(P/A, 4.125 \text{ percent}, 20 \text{ yrs}) = 13.44$$

$$(P/F, 4.125 \text{ percent}, 20 \text{ yrs}) = 0.446$$

#### i. Estimated Capital Cost

\$3,162,000

Present Value = (\$3,162,000)

#### ii. Projected O&M Cost

\$18,000

Present Value = (\$18,000) x 13.44 = (\$241,900)

#### iii. Salvage Value

Piping (50 yrs.) = \$1,200,000 x 0.446 x (50 yrs. - 20 yrs.)/50 yrs. = \$321,100

Structures (30 yrs.) = \$825,000 x 0.446 x (30 yrs. - 20 yrs.)/30 yrs. = \$122,700

Equipment (20 yrs.) = \$425,000 x 0.446 x (20 yrs. - 20 yrs.)/20 yrs. = \$0

Present Value = \$443,800

#### iv. Total Present Worth

(\$3,162,000) + (\$241,900) + \$443,800 = (\$2,960,100)

PREPARED STATEMENT OF THE TRI-COUNTY WATER CONSERVANCY DISTRICT

APRIL 11, 2014.

Hon. JACK REED, *Chairman*,

Hon. LISA MURKOWSKI, *Ranking Member*,

*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

—Appropriate \$706,300 in "Conservation and Restoration" funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled "Conservation and Restoration") to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

—Appropriate \$200,000 in FWS "Conservation and Restoration" funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred

by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.

—Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

I request the subcommittee's assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

MIKE BERRY,  
*General Manager.*

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PREPARED STATEMENT OF THE TRIBAL EDUCATION DEPARTMENTS NATIONAL ASSEMBLY

Chairman Leahy, Ranking Member Cochran and members of the subcommittee, my name is Quinton Roman Nose and I am the Executive Director of the Tribal Education Departments National Assembly ("TEDNA"). TEDNA is a national non-profit membership organization for tribal education agencies/departments ("TEAs"), which are executive branch agencies of American Indian and Alaska Native tribal governments responsible for Tribal education matters. There are an estimated 200 TEAs, located in 32 States, serving over 700,000 American Indian and Alaska Native ("Native American") students. TEDNA respectfully requests \$2 million to support TEAs in the Department of the Interior, Environment, and Related Agencies appropriations bill for fiscal year 2015 to conduct much needed Indian education activities. Further, TEDNA supports the President's request through his Opportunity, Growth and Security Initiative for \$3 million to be directed toward incentives for Bureau of Indian Education grant-funded schools, capacity-building and Tribal control of those schools.

AUTHORIZATION FOR FUNDING

Federal funding for TEAs is authorized in the No Child Left Behind Act of 2002, title X, section 1140 (25 U.S.C. § 2020).

JUSTIFICATION FOR FUNDING

Federal education policy is failing Native American students. Native American students drop out of high school at a higher rate and score lower on achievement tests than any other student group. The national dropout rate of Native American students is double that of their non-Indian peers. Likewise, the U.S. Department of Education's Office of Civil Rights ("OCR") March 2014 Data Snapshot recognized that Native American elementary and secondary students in public schools are disproportionately suspended and expelled. OCR also found that Native American kindergarten students are among those held back a year at nearly twice the rate of white kindergarten students, and that 9 percent of Native American ninth grade students repeat ninth grade.

In achievement, Native American 8th grade students are 18 percent more likely to read or perform in mathematics at a "below basic" level. Only a quarter of Native American high school graduates taking the ACT score at the "college-ready" level in math and only about one-third score at the "college-ready" level in reading. A 2013 report issued by the Education Trust pointed out:

Unlike achievement results for every other major ethnic group in the United States, those for Native [American] students have remained nearly flat in recent years, and the gaps separating these students from their white peers have actually widened.<sup>1</sup>

At the same time, tribal government involvement in the education of Native American students is severely restricted. Since 1988, Congress has authorized fund-

<sup>1</sup>The Education Trust, The State of Education for Native American Students at 3 (August 2013), available at: [http://www.edtrust.org/sites/edtrust.org/files/NativeStudentBrief\\_0.pdf](http://www.edtrust.org/sites/edtrust.org/files/NativeStudentBrief_0.pdf).

ing specifically to build tribal capacity to directly serve Native students in Bureau of Indian Education (“BIE”) schools. However, funds have never been appropriated to fulfill this crucial need. A similar authorization for tribal capacity building aimed at public schools on Indian reservations has been funded since fiscal year 2012, resulting in the Department of Education’s pioneering State-Tribal Education Partnership Program (“STEP”). Though very important, STEP only addresses one aspect of the existing need. While the corresponding funding opportunity for BIE schools has gone unutilized, our Native American students in BIE schools have continued to be underserved.

TEAs are in a unique position to halt and reverse the negative outcomes for Native students. TEAs have already proven that they are capable of improving Native American student outcomes. For example, the Chickasaw Nation of Oklahoma, one of the STEP grantees, has a science, technology, and math program, among many other education programs, that serves approximately 250 Chickasaw students. Ninety percent of senior students participating in the program enroll in college. Through the STEP grant, Chickasaw has already put in place the framework to improve student outcomes and attendance. For example, before the co-governance model was in place, several Native American students were falling through the cracks and being expelled. Now, the Chickasaw Nation has stepped in to move expelled students into other alternative high school programs. Through this process, Local Education Agencies (“LEAs”) now understand that this is exactly the type of situation that the Chickasaw Nation TEA can address before the expulsion stage so intervention services can be provided, such as counseling, to students that are at risk. Thus, the STEP Program put in place a process allowing the TEAs and LEAs to proactively flag at risk students and provide the necessary intervention services.

The work of the Nez Perce Tribe’s TEA is another good example. The most current research indicates that Native American academic achievement must include effective teaching strategies. Also, researchers studying the achievement of Native American students have found a connection between low achievement and low cultural relevance. The Nez Perce Tribe, another STEP grantee, has made a large in-road to providing teacher training on the integration of cultural pedagogy, tribal education standards, and common core standards. In addition, technical assistance is provided by the Nez Perce TEA to their partner LEA’s on use of the Native Star Culture and Language Indicators which address culturally-responsive school leadership, community engagement, and infusion of culture and language into the school’s curriculum and instruction.

The State of Idaho’s State Education Agency (“SEA”) acknowledged that it does not have the expertise to provide training or technical assistance in meeting the unique educational and cultural needs of Native American students. Nez Perce’s STEP grant has provided a platform for the Tribe’s TEA and the local LEAs and SEA to work together to improve Native American student performance in this manner vis-à-vis the three Federal Elementary and Secondary Education Act programs (title I, part A; title II, part A; and School Improvement Grants). Nez Perce also has a family engagement piece to their STEP grant that recognizes the role of the family as the first educator and organizes the parents and school staff to work together to assess parent involvement programs, policies, and practices. The end goal is to improve the educational experience and college/career readiness of the students.

A final example is The Hoopa Valley Tribe of California, which operates a learning center that works with at risk students. The Hoopa Valley TED identifies K–12 students at risk, pairs the students with mentors, and develops student-learning plans. Students are tutored in target academic areas and coached in life skills. This program alone has improved student academic performance by two letter grades in core academic areas.

These examples of success demonstrate the positive impact tribal involvement has on Native American students. This type of successful tribal involvement in the education of Native American students should be expanded and replicated in BIE schools. Congress has identified in the Elementary and Secondary Education Act several areas of focus in meeting this worthy objective. If appropriated by this subcommittee, these funds would be used to facilitate tribal control in all matters relating to Native American education on reservations. More specifically, there are three areas of particular focus. First, TEAs can use this funding to support early education initiatives and develop culturally relevant curriculum and assessments. Second, increased tribal participation will include TEAs providing coordination, administrative support services and technical assistance to schools and education programs on Indian reservations. This would include maintaining and sharing electronic data regarding Native American students, and implementing programs to increase graduation rates and post-secondary school readiness. This would foster

much-needed cooperation and coordination with entities carrying out education on Indian reservations. Third, this appropriation would fund the development and enforcement of tribal educational codes, including tribal educational policies and tribal standards applicable to curriculum, personnel, students, facilities, and support programs. As Congress has already recognized, these three areas are core educational functions that are most appropriately left to tribes.

We applaud President Obama's request in his Opportunity, Growth and Security Initiative that Congress invest in "incentivizing schools funded through the Bureau of Indian Education to introduce reforms that improve student outcomes." TEDNA supports the President's approach to provide incentives to tribally controlled schools so that they voluntarily adopt certain research-based reforms rather impose mandates and sanctions. Further, TEDNA suggests that this funding be modeled on the discretionary grants used by the U.S. Department Education to foster competition among applicants and build tribal capacity, particularly the capacity of tribal educational agencies, to operate schools. At a low cost to taxpayers, such a competition would bring much-needed reform to many of the tribally controlled schools in the BIE-funded system, one of the lowest-achieving school systems in the Nation.

Moreover, tribal governments, acting through their TEAs, should have a central role in a reformed BIE school system. Therefore, the President's initiative should restructure the administration of BIE schools and have TEAs act as school boards for BIE grant schools. This is the type of administrative and governance reform TEDNA has encouraged for many years. We believe that TEDNA's request today for the appropriation of capacity-building dollars complement the President's initiative well.

Investment in TEAs is sound Federal policy. Direct tribal involvement in education eliminates undue bureaucratic barriers and streamlines administration. Moreover, encouraging and supporting tribal control in education begins to implement the policy of Tribal self-determination in education and further the United States' trust responsibility to Native American students. Thus, this subcommittee is presented with a unique opportunity to increase tribal involvement and leverage the expertise of TEAs in educating Native students.

#### REQUEST

TEDNA respectfully requests \$2 million TEAs in the Department of the Interior, Environment, and Related Agencies appropriations bill for fiscal year 2015. TEDNA also supports the President's request in the Opportunity, Growth and Security Initiative to foster competition in tribally controlled grant schools funded by the BIE and we urge Congress to appropriate \$3 million for fiscal year 2015 for that purpose.

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#### PREPARED STATEMENT OF THE TRUST FOR PUBLIC LAND

Chairman Reed, Ranking Member Murkowski, and distinguished members of the subcommittee: Thank you very much for the opportunity to submit testimony on behalf of The Trust for Public Land in support of programs under your jurisdiction for the fiscal year 2015 appropriations process. The Trust for Public Land (TPL) is a national nonprofit land conservation organization working to protect land for people in communities across the Nation. We are extremely grateful for the support that you have shown for Federal conservation programs during these challenging fiscal times. We recognize that the subcommittee will again face enormous challenges in meeting the broad range of priority needs in the Interior and Environment bill this year. Our work in many States around the country shows that there is tremendous support for conservation and access to recreation at the local, State and Federal level, and the programs under your jurisdiction play a critical role in bringing those community visions to reality. Thank you for your support.

Federal funding is an absolutely critical part of the land conservation toolbox and provides manifold benefits to the American people. Given the limited public conservation funding at all levels of government, TPL works to leverage Federal conservation dollars, bringing to bear private philanthropic support as well as State and local funding to forge solutions to sometimes complex conservation funding challenges. The major programs under your jurisdiction that we count on year in and year out are the entire suite of Land and Water Conservation Fund (LWCF) programs—including the Bureau of Land Management (BLM), the U.S. Fish and Wildlife Service (FWS), the National Park Service (NPS) and the United States Forest Service (USFS) acquisitions, NPS State and local grants, the Forest Legacy Program and the Cooperative Endangered Species Act Fund—as well as the United States

Fish and Wildlife Service (USFWS) North American Wetlands Conservation Act and the USFS Community Forest Program.

#### LAND AND WATER CONSERVATION FUND

For almost 50 years the Land and Water Conservation Fund has been the cornerstone that sustains our Federal public lands heritage and remains today a compelling and urgently needed program. When Congress created LWCF in 1964, it dedicated specific revenues to ensure that funds would be available for annual land conservation and outdoor recreation needs. The major source of these revenues has been offshore oil and gas development in Federal waters. LWCF does not rely at all on taxpayer dollars. Instead, revenues generated from energy development and natural resource depletion are used for the protection of other natural resources such as parks, open space, and wildlife habitat for the benefit of current and future generations. We (and, polls show, most of America) believe it is both logical and necessary that this principle—using a small percentage of annual Outer Continental Shelf (OCS) receipts (which average over \$6 billion) as a conservation offset—be fully honored.

Investments in conservation and outdoor recreation make sound economic sense, too. The Outdoor Industry Association estimates that active outdoor recreation contributes \$646 billion annually to the U.S. economy, supports nearly 6.1 million jobs across the U.S., and generates \$39.9 billion in annual national tax revenue.

For these and many other reasons we strongly support the fiscal year 2015 President's budget proposal to fully fund the Land and Water Conservation Fund at \$900 million, with \$350 million from discretionary sources and \$550 million in mandatory funds, for the various component programs funded under LWCF. In the fiscal year 2015 bill, we respectfully request that you allocate at least \$350 million in discretionary funding as the budget proposes to support essential community-based conservation. We recognize that the mandatory funding request requires additional legislative action, and that you face significant challenges in addressing the many competing demands covered in your bill. We believe that continued investment in the entire suite of LWCF programs as proposed in the budget is essential and are ready to work with the subcommittee to ensure that dollars invested are well spent on our Nation's most urgent needs. We greatly appreciate the key role your subcommittee plays in ensuring that program dollars are used for high-priority strategic investments.

LWCF's programs bring specific and complementary conservation benefits to the American public. These key programs are:

#### FEDERAL LAND ACQUISITIONS

Every year tens of millions of Americans, as well as visitors to our country, visit our Federal public lands—national parks, forests, wildlife refuges and BLM conservation lands. Strategic inholding and other acquisitions in these Federal areas through LWCF ensure recreation access and nature education; foster vital economic growth; protect clean water and other community resources; enhance the incomparable natural and scenic treasures that belong to all Americans; and frequently resolve complex land-use conflicts and produce management savings. Without adequate funding, the unfortunate alternative often is an irretrievable loss of public use and enjoyment of these areas and irreversible damage to the resources we all care about.

This is precisely the choice for numerous outdoor recreation and natural resource protection projects budgeted in fiscal year 2015, including lands in the San Bernardino and Tahoe national forests in California, the newly-designated Rio Grande del Norte National Monument in New Mexico, the Black Hills National Forest in South Dakota, the Appalachian Trail in New Hampshire, and within the Yakima River Watershed in Washington State. The Trust for Public Land is working in these and other areas identified in the President's budget and looks forward to working with the subcommittee as you consider these critical needs.

At the same time that incompatible development within Federal units is a mounting concern for the public, we have found that many private inholding owners are open to and quite often eager to find a conservation solution. Faced with uncertainty about the availability of LWCF dollars, however, many landowners find that they cannot afford to wait for that win-win outcome. Adequate and timely acquisition of inholdings through the LWCF is critical to efforts to protect the Nation's public lands heritage when these time-sensitive acquisition opportunities arise. As the subcommittee evaluates the myriad programmatic needs and measures for making programs more efficient for the fiscal year 2015 Interior and Environment Appropria-

tions Bill, we look forward to working with you and your staff to ensure that funds are spent wisely on strategic and urgent conservation priorities.

#### NATIONAL PARK SERVICE/STATE AND LOCAL ASSISTANCE GRANTS

Since 1965, the State and local assistance grant program has provided formula funds to States and local communities for 43,000 projects that create and expand State and local parks or improve recreation facilities. This program reaches deep into communities across our Nation, supporting citizen-led efforts to conserve places of local importance and opportunities for close-to-home recreation. As TPL continues our work with many of these communities to meet these needs, we hope the subcommittee will fully fund the administration's request for stateside grants. We also support the allocation of LWCF funds to a new nationwide competitive State and local grants program, which was first funded in the fiscal year 2014 omnibus appropriations bill and is proposed for additional funds in the President's fiscal year 2015 budget. This proposal is generating substantial interest in cities and towns across the Nation and we look forward to working with you and others to make it a success.

#### NATIONAL PARK SERVICE/URBAN PARK AND RECREATION FUND

The President's Budget for fiscal year 2015 proposes \$25 million (included in the mandatory LWCF proposal) to fund the Urban Park and Recreation Recovery Program (UPARR). Funding UPARR in fiscal year 2015 would enable the National Park Service to issue competitive grants for improved recreational opportunities in parks and along trails in metropolitan areas throughout the country. From 1978 to 2002, UPARR grants helped bring improvements to parks and playgrounds in 380 communities in 43 States as well as the District of Columbia and Puerto Rico. Grants have gone to places as diverse as Providence, Rhode Island; San Francisco, California, Knoxville, Tennessee; Springfield, Missouri; Omaha, Nebraska; and Meridian, Mississippi. Through our Parks for People Program, The Trust for Public Land works closely with cities to meet a goal of providing safe access to recreation within a 10 minute walk from home or school. We work with schools and communities to design, fund and care for improved parks and playgrounds. The restoration of UPARR funding in the fiscal year 2015 Interior and Environment Appropriations bill would be a sound investment in the health and well-being of our Nation's children.

#### U.S. FOREST SERVICE/FOREST LEGACY PROGRAM

The Forest Legacy Program provides extraordinary assistance to States and localities seeking to preserve important working forests. Since its inception in 1990, the Forest Legacy Program has protected over 2.3 million acres of forestland and has leveraged more than the required 25 percent match. For fiscal year 2015, the President's budget recommends projects that provide multiple public benefits through forest protection—clean water, wildlife protection, climate change adaptation and mitigation, public access to recreation, economic development and sustainable forestry. We urge your continued support for sustained investment in this strategic and successful program. Included in the fiscal year 2015 budget proposal are numerous projects where TPL is working in partnership with the States to protect recreation access for snowmobilers and hikers, ensure jobs in the woods, buffer important Federal and State conservation areas and provide strategic land conservation that fits a larger goal. Among these are the program's top priority project in Montana, which will protect the primary water supply for the community of Whitefish; a 2,085-acre addition to Camel's Hump State Park in the Green Mountains of Vermont; the second-phase of a project protecting an important watershed adjacent to Eureka, California; an 1800-acre property 2 miles from Zion National Park; a 6,700 acre working forest project on the Olympic Peninsula along Puget Sound; and a working forest project in Maine that represents 22 percent of the State's entire maple syrup production and 4 percent of the entire national output.

#### U.S. FISH AND WILDLIFE SERVICE/COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

We are grateful for the subcommittee's historic support for U.S. Fish and Wildlife Service grant programs, including the Cooperative Endangered Species Conservation Fund (CESCF), which leverages State and private funds and has protected threatened and endangered species habitat across the Nation. The Habitat Conservation Plan (HCP) land acquisition program within CESCF is critical to communities like Whitefish, Montana where landowners and public wildlife managers are

working together through integrated HCP's to foster species recover and appropriate economic development. In TPL's work with these and other communities, we have seen how essential CESCFC Federal cost-share dollars are to species conservation and local economies. In addition, the Recovery Land Acquisition (RLA) program under CESCFC aids species recovery where there is no HCP—as, for instance, with the proposed protection of a ranch along the Lower Deschutes River in Wasco County, Oregon.

Beyond LWCF, we urge the subcommittee to provide adequate funding to other conservation programs including:

U.S. FISH AND WILDLIFE SERVICE/NORTH AMERICAN WETLANDS CONSERVATION ACT  
(NAWCA)

We respectfully request your support for program funding at the President's budget level of \$34.1 million in fiscal year 2015. The North American Wetlands Conservation Act (NAWCA) provides much-needed matching grants to carry out wetlands conservation, restoration and enhancement projects. Our recent work through the NAWCA program will ensure protection of fast-disappearing coastal habitat in Connecticut and support restoration along the Middle Rio Grande in New Mexico. This is a highly-leveraged program with a substantial record of success and is another important Federal conservation tool to support critical wetland habitat.

U.S. FOREST SERVICE/COMMUNITY FOREST PROGRAM

Last but not least, we urge your continued support for the Community Forest Program (CFP), which the subcommittee has funded since fiscal year 2010. This program complements existing conservation programs by helping local communities and tribes identify, purchase, and manage important forestlands that are threatened with development. These locally led efforts can be tailored to the needs of each community, from timber revenue for local budgets to recreation access and outdoor education. Every Federal dollar from CFP is evenly matched by funding from State, local, and private sources. The Forest Service has now approved 13 grants to innovative local and tribal projects in 9 States, and the program has generated significant interest from local entities concerned about the future of their close-to-home forests. Our successful projects using CFP grants include the Barre Town Forest in Vermont and the Thurston Hills Community Forest in Oregon. Given the strong interest in community forests from coast to coast, we urge you to include \$5 million in the fiscal year 2015 bill for this innovative conservation tool.

The programs highlighted here are critical to the future of conservation at the local, State and Federal levels; reflect the continued demand on the part of the American people for access to outdoor recreation; and help sustain our economy and reflect the true partnership that exists in Federal conservation efforts. As ever, we are deeply thankful for the subcommittee's recognition of the importance of these programs and urge you to maintain robust funding for them in the fiscal year 2015 Interior, Environment and Related Agencies bill. Thank you for your help and support, and for your consideration of our requests.

PREPARED STATEMENT OF THE TUBA CITY BOARDING SCHOOL—GOVERNING BOARD

Hon. SALLY JEWELL, *Secretary,*  
*U.S. Department of Interior,*  
*Washington, DC.*

Hon. KEVIN WASHBURN, *Assistant*  
*Secretary,*  
*U.S. Department of Interior,*  
*Washington, DC.*

AMERICAN INDIAN EDUCATION STUDY GROUP TRIBAL CONSULTATION: PROPOSAL TO  
REDESIGN THE U.S. DEPARTMENT OF INTERIOR'S BUREAU OF INDIAN EDUCATION

Dear Secretary Jewell and Assistant Secretary Washburn: As the Navajo Nation Local Control Education Governing Board we are very thankful to be given the opportunity to provide additional comments on the "Draft Proposal to Redesign the U.S. Department of Interior's Bureau of Indian Education (Dated: April 17, 2014)." In many respects, we are very supportive of the goals, objectives, and statements contained in the draft proposal, especially with its emphasis on promoting tribal control, achieving high performing schools, as well as and increasing and improving services and support that builds tribal capacity. In line with these goals, the Navajo Nation reiterates its prior position regarding the American Indian Education Study Group and expresses strong support for a Navajo Nation State Education Agency, the Navajo Nation's alternative definition of Adequate Yearly Progress ("AYP"), and

Navajo Nation's Alternative Accountability Workbook. A copy of the Navajo Nation's position (Dated: January 10, 2014) is attached to this letter.

In particular, we strongly support the goals contained in the working draft because it:

1. Promotes Tribal Control
  - Align BIE's path forward with President Obama's policy of self-determination for tribes because tribes understand the unique needs of their communities best.
  - With a careful transition plan in place, gradually transform BIE's mission from running schools to serving tribes to conform with the reality that most BIE schools are now operated by tribes.
2. Achieve High-Performing Schools
  - Ensure BIE meets its responsibility that all students attending BIE-funded schools receive a world-class and culturally appropriate education, are prepared for college and careers, and can contribute to their tribe and country.
  - Provide necessary resources and support (e.g., facilities and human capital) to schools so that they can meet the demands of 21st century teaching and learning.
3. Increase and Improve Services and Support that Tribal Build Capacity
  - Scale up best practices in successful tribally controlled schools to other schools.
  - Support chronically failing schools with adequate support and research-based interventions, if necessary.
  - Provide pathways for tribes that wish to take over control of remaining BIE-operated schools by providing technical assistance and guidance on operating high-achieving schools.
  - In the December 2011 White House Tribal Nations Conference Progress Report, the Obama administration expressed strong support for a proposal to enhance the role of tribal educational agencies through a new pilot authority, called the State Tribal Education Partnership (STEP) grant, which would support tribal educational agencies in working closely with public school districts and schools located on reservations. This pilot authority and grant presently allows the Navajo Nation to enter into collaborative agreements with State of New Mexico and two of the largest public school districts serving Native American students in the United States and to assume responsibility for some State-level functions in administering ESEA programs.

We also agree with key priorities highlighted in the draft proposal because it also provides for:

- World Class Instruction for all BIE Students.*—Challenge each student to maximize his or her potential and be well-prepared for college, careers and tribal/global citizenship.
- Highly Effective Teachers and Principals.*—Help tribes to identify, recruit, retain and empower diverse, highly effective teachers and principals to maximize the highest achievement for every student in all BIE-funded schools.
- Agile Organizational Environment.*—Build a responsive organization that provides the resources, direction and services to tribes so that they can help their students attain high-levels of student achievement.
- Budget that Supports Capacity Building Mission.*—Develop a budget that is aligned with and supports BIE's new mission of tribal capacity building and scaling up best practices.
- Comprehensive Supports through Partnerships.*—Foster parental, community and organizational partnerships to provide the emotional and social supports BIE students need in order to be ready to learn.

In line with those goals, we also recommend:

1. In line with identifying, recruiting, retaining highly effective teachers/principals, and building teacher/principal capacity (human capital) we strongly recommend that the BIE and other appropriate government agencies to enact a teacher/principal scholarship program that is very similar to the Indian Health Service ("IHS") scholarship program. Ever since the IHS Scholarship Program's creation in 1977, the program has successfully supported thousands of American Indian and Alaska Native students in their quest for a health/medical professions degree leading to a career in Indian health. A scholarship program that is specifically targeted to identify, recruit, and support teachers, including principals, especially in hard-to-fill Science, Technology, Engineering, Mathematics ("STEM") areas, would significantly help our schools to meet the demand and need for highly effective teachers/principals. Not only would such a scholarship program enable

- tribes to build capacity, because scholarship recipients would be committed to serving several years on the Navajo Nation or in other Native American schools.
2. Changing, amending, or waiving rules, regulations that negatively impact rural schools such as the regulation [25 C.F.R. §36.11(a)(5)] that limits the number of days that schools can employ long-term substitute teachers. Because of extreme remoteness and difficulty hiring highly effective and fully qualified and licensed teachers, many of our schools have little to no choice but hire long-term substitute teachers who may need to teach students much longer than the existing regulation allows. Changing, amending, or waiving this regulation may allow our schools to provide the continuity in instruction that students need until a fully qualified and licensed teacher can be hired to fill that position.
  3. Any education plan to reform and restructure the BIE must also provide strong support, including funding, to identify, recruit, and enhance the role and capacity of highly effective bilingual teachers. There is statistically significant research that shows that students who are educated in their language and culture perform better academically, while also reinforcing their self-identity, and preserving their language and culture. At the moment, many of the existing bilingual teachers who possess strong content knowledge, including the ability to effectively teach Navajo language and culture, are on the verge of retirement or leaving our schools, which further complicates attempts by tribes to preserve and maintain our language and culture. The Navajo Nation has lead the way in many respects, by working with 3 different States to enact alternative teacher licensing regulations, which presently allows persons who are knowledgeable and competent in Navajo language and culture to teach in our schools. We have also enacted the Navajo Nation's Five (5) Content Standards (Navajo Language, Culture,

History, Government, ( Character), which can readily be incorporated into many school's curriculums because it also complements the Common Core State Standards ("CCSS").

4. In light of the recommendations provided in the draft proposal to build tribal control of education and capacity, we also recommend that the BIE (or other appropriate government entities), to consult and meet with tribes such as the Navajo Nation to conduct an evaluation/assessment of a tribe's existing capacity or provision of funding to accomplish that objective.

As we move forward with redesigning/transforming the Bureau of Indian Education ("BIE") and improving the quality of education that our Navajo/Native American students receive, it is extremely important to remember that we are fighting for the lives of our children and that we can no longer afford to lose another generation of young people to a failing education system or to continue to make excuses for failure and low expectations. We must always put the needs of our children and students first; not adults, special interests, or politics. When we put the needs of our students first, it will make many of the tough decisions that must inevitably be made, easier, clearer, and worth the fight. Thank you.

Sincerely,

MARIE B. ACOTHLEY, *Tuba City WNA  
Board President.*  
JUANITA BURNS-BEGAY, *Vice-President.*  
SARANA RIGGS, *Secretary.*  
FRANK BILAGODY, *Member.*  
IRVIN BEGAYE, *Member.*

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PREPARED STATEMENT OF THE UNITED STATES GEOLOGICAL SURVEY COALITION

SUMMARY

The USGS Coalition appreciates the opportunity to provide testimony about the fiscal year 2015 budget for the United States Geological Survey (USGS). The administration's budget requests \$1.073 billion for the USGS. This level represents an increase of \$41 million over the fiscal year 2014 level. The request, however, also includes \$41 million in cuts to on-going programs and does not include \$75 million in important research and development initiatives that have been identified by the agency as priorities should funding be available. Thus, the USGS Coalition respectfully requests that Congress work to provide the USGS with \$1.189 billion for fiscal year 2015, which would allow the agency to sustain current efforts and make strategic new investments that will produce the knowledge and decision-support tools needed by decision-makers across the country.

The USGS is uniquely positioned to provide information and inform responses to many of the Nation's greatest challenges. Few modern problems can be addressed by a single scientific discipline. The USGS is an agency that has a unique capacity to deploy truly interdisciplinary teams of experts to gather data, conduct research, and develop integrated decision support tools that improve ecosystem management, ensure accurate assessments of our water quality and quantity, reduce risks from natural and human-induced hazards, deliver timely assessments of mineral and energy resources, and provide emergency responders with accurate geospatial data and maps.

#### ABOUT THE UNITED STATES GEOLOGICAL SURVEY COALITION

The USGS Coalition is an alliance of over 70 organizations united by a commitment to the continued vitality of the United States Geological Survey to provide critical data and services. The Coalition supports increased Federal investment in USGS programs that underpin responsible natural resource stewardship, improve resilience to natural and human-induced hazards, and contribute to the long-term health, security, and prosperity of the Nation.

#### ESSENTIAL SERVICES FOR THE NATION

Established by Congress as a branch of the Department of the Interior in 1879, the United States Geological Survey has a national mission that extends beyond the boundaries of the Nation's public lands to positively impact the lives of all Americans. The agency plays a crucial role in protecting the public from natural hazards, assessing water quality and quantity, providing geospatial data, and conducting the science necessary to manage our Nation's biological, mineral, and energy resources. Through its offices across the country, the USGS works with partners to provide high-quality research and data to policymakers, emergency responders, natural resource managers, civil and environmental engineers, educators, and the public. A few examples of the USGS' valuable work are provided below.

The Survey collects scientific information on water availability and quality to inform the public and decision makers about the status of freshwater resources and how they are changing over time. During the past 130 years, the USGS has collected streamflow data at over 21,000 sites, water-level data at over 1,000,000 wells, and chemical data at over 338,000 surface-water and groundwater sites. This information is needed to effectively manage freshwaters—both above and below the land surface—for domestic, public, agricultural, commercial, industrial, recreational, and ecological purposes.

The USGS plays an important role in reducing risks from floods, wildfires, earthquakes, tsunamis, volcanic eruptions, landslides, and other natural hazards that jeopardize human lives and cost billions of dollars in damages every year. Seismic networks and hazard analysis are used to formulate earthquake probabilities and to establish building codes. USGS monitors volcanoes and provides warnings about impending eruptions that are used by aviation officials to prevent planes from flying into volcanic ash clouds. Data from the USGS network of stream gages enable the National Weather Service to issue flood and drought warnings. The bureau and its Federal partners monitor seasonal wildfires and provide maps of current fire locations and the potential spread of fires. USGS research on ecosystem structure informs fire risk forecasts.

USGS assessments of mineral and energy resources—including rare earth elements, coal, oil, unconventional natural gas, and geothermal—are essential for making decisions about the Nation's future. The Survey identifies the location and quantity of domestic mineral and energy resources, and assesses the economic and environmental effects of resource extraction and use. The agency is mapping domestic supplies of rare earth elements necessary for widespread deployment of new energy technologies, which can reduce dependence on foreign oil. The USGS is the sole Federal source of information on mineral potential, production, and consumption.

USGS science plays a critical role in informing sound management of natural resources on Federal and State lands. The USGS conducts research and monitoring of fish, wildlife, and vegetation—data that informs management decisions by other Interior bureaus regarding protected species and land use. Ecosystems science is also used to control invasive species and wildlife diseases that can cause billions of dollars in economic losses. The Survey provides information for resource managers as they develop adaptive management strategies for restoration and long-term use of the Nation's natural resources in the face of environmental change.

Research conducted by the USGS is vital to predicting the impacts of land use and climate change on water resources, wildfires, and ecosystems. The Landsat satellites have collected the largest archive of remotely sensed land data in the world,

allowing for access to current and historical images that are used to assess the impact of natural disasters and monitor global agriculture production. The USGS also assesses the Nation's potential for carbon sequestration. Other Interior bureaus use USGS research on how climate variability affects fish, wildlife, and ecological processes to inform natural resource management decisions.

#### FUNDING

Over the years, Congress has worked in a bipartisan fashion to provide essential funding to the USGS. These efforts have paid dividends and helped the USGS provide answers to the challenging questions facing decision-makers across the country.

Through careful management and deferring staff travel and training, the USGS has survived the recent budget cuts resulting from sequestration. Staff training and participation in scientific meetings, however, are necessary investments that help USGS maintain its technical capacity. It is through exchanges at scientific meetings and workshops that new ideas emerge and scientific analyses are shared, challenged by colleagues, and honed prior to submitting research for publication in peer-reviewed journals. We encourage Congress to work with the USGS to ensure that scientists are able to fully participate in scientific meetings.

As a science agency, much of the USGS budget is dedicated to salaries and equipment that must be maintained and updated to ensure the continuity of data acquisition and that the data gathered are reliable and available for future scientific investigations. We believe that the leadership of the USGS is doing all it can, and has been for a number of years, to contain costs while continuing to deliver high quality science. The budget request for fiscal year 2015 includes cuts to scientific support, which includes information technology and administration and management functions. Although efficiencies can often be found through innovation in these areas, we encourage Congress to ensure that these cuts do not hinder the provision of services and support that agency personnel require to complete research, gather data, and provide the information needed by the public for informed decisionmaking.

The USGS has offset some new investments by eliminating a significant number of full time equivalent positions. Research progress and the communication of research findings to end-users will be slowed or disrupted as a result of the reduction in staffing. Rebuilding scientific and technical expertise can be challenging. Thus, the loss of any positions can have long-term implications for USGS programs.

Among the programmatic reductions the scientific community is concerned about are:

- \$13.0 million in cuts to Core Science Systems, such as the Bio-Science Data synthesis, Urban Area assessments, National Atlas, and other programs.
- \$11.3 million in cuts to various water research and monitoring programs.
- \$4.5 million in cuts to Administrative Services.
- \$2.5 million in cuts to the National Civil Applications Program.
- \$1.0 million in cuts to the Coastal Vulnerability program.
- \$5.4 million in cuts to Fisheries, Wildlife and Environments Research.
- \$1.9 million in cuts to Energy Research, Oil and Gas Assessments, and Wastewater contaminants research.

We recognize and appreciate that budget conditions remain challenging and the work before the subcommittee is not easy. Yet, we believe that sustained and strategic new investments in the USGS promise significant long-term benefits. Should funds be available, we hope that Congress will restore proposed cuts and provide new funds for research and development priorities that USGS has identified but lacks resources to pursue. The agency has identified at least \$75 million in research and development opportunities in the areas of (1) energy and mineral development; (2) climate resilience; (3) landscape scale ecosystem management, restoration and protection; (4) water resources management; and (5) species protection and health.

#### CONCLUSION

We recognize the financial challenges facing the Nation, but losing irreplaceable data can increase costs to society today and in the future. Data not collected and analyzed today is data lost forever. This is particularly significant for environmental monitoring systems, where the loss of a year's data can limit the scope and reliability of long-term dataset analysis. The USGS Coalition requests that Congress work to provide \$1.189 billion for fiscal year 2015.

The USGS Coalition appreciates the subcommittee's past leadership in strengthening the United States Geological Survey. Thank you for your thoughtful consideration of this request.

## PREPARED STATEMENT OF UNITED TRIBES TECHNICAL COLLEGE

For 45 years, with the most basic of funding, United Tribes Technical College (UTTC) has provided postsecondary career and technical education, job training and family services to some of the most impoverished, high risk Indian students from throughout the Nation. Despite such challenges we have consistently had excellent retention and placement rates and are a fully accredited institution. We are proud to be equipping our students to take part in the new energy economy in North Dakota and to be part of building a strong middle class in Indian country by training the next generation of law enforcement officers, educators, medical technicians and "Indianpreneurs." We are governed by the five tribes located wholly or in part in North Dakota. We are not part of the North Dakota State college system and do not have a tax base or State-appropriated funds on which to rely. The requests of the UTTC Board for the fiscal year 2015 Bureau of Indian Education (BIE)/Bureau of Indian Affairs (BIA) are:

- \$6.8 million in BIE funding for our Indian Self-Determination Act contract which is in the Tribal Technical Colleges BIE line item and is \$2.5 million over the administration's request for UTTC.

- One-time BIE funding to forward fund United Tribes Technical College and the few other tribal colleges who are not forward funded.

- Congressional support for a tribally administered law enforcement training center at UTTC and/or more involvement in law enforcement training initiatives.

*Base Funding.*—UTTC administers its BIE funding under an Indian Self-Determination Act agreement, and has done so for 37 years. BIE funds requested above the fiscal year 2014 level are needed to: (1) maintain 100-year-old education buildings and 50-year-old housing stock for students; (2) upgrade technology capabilities; (3) provide adequate salaries for faculty and staff who are in the bottom quartile of pay for comparable positions elsewhere; and (4) fund program and curriculum improvements.

We appreciate that the administration is requesting a \$200,700 increase for UTTC for a total of \$4,564,000 but our need is so much more than that. We request that the UTTC portion of the Tribal Technical Colleges line item be \$6.8 million and that the total line item of Tribal Technical Colleges be at least \$11 million.

Acquisition of additional base funding is critical as UTTC has significantly increased its number of students within the past 10 years while actual base funding for educational services, including Carl Perkins Act funding, have not increased commensurately. Our BIE funding provides a base level of support while allowing us to compete for desperately needed discretionary contracts and grants. Very little of the other funds we receive may be used for core career and technical educational programs; they are competitive, often one-time supplemental funds which help us provide support services but cannot replace core operational funding.

We highlight several relatively recent updates of our curricula to meet job market needs: The ramifications of the North Dakota Bakken oil boom are seen throughout the State. We saw the need for more certified welders in relation to the oil boom and so expanded our certified welding program. We are now able to train students for good paying, in-demand welding jobs. Similarly, our online medical transcription program was designed to meet the growing need for certified medical support staff. Other courses reflect new emphasis on energy auditing and Geographic Information System Technology. And we recently opened a distance learning center in Rapid City where there are some 16,000 American Indians in the area. We are also working toward the establishment of an American Indian Specialized Health Care Training Clinic.

*Forward Funding.*—We have wanted BIE forward funding for some time and the experience these past several years with the continuing resolutions, sequestration and inexcusably slow and insufficient allocation of funds really brings home this issue.

There was a glitch in the fiscal year 2010 appropriations process which resulted in UTTC (and Navajo Technical University (NTU)) not receiving BIE forward funding. There is authority for forward funding for tribal colleges under the Tribally Controlled Colleges and Universities Act, 25 U.S.C. 1810(b)(1) and (2). This authority applies to all colleges funded under that act, including UTTC and NTU.

When the administration requested \$50 million for forward funding its fiscal year 2010 budget, they asked for it under the line item of "tribally controlled colleges and universities"—that line item includes 27 tribally controlled colleges. However, we are funded under the line item of "tribal technical colleges" and Haskell, Southwestern Indian Polytechnic Institute (SIPI), and the Institute of American Indian Arts (IAIA) are funded under other authorities, and thus when Congress provided the requested \$50 million for forward funding, UTTC and NTU, Haskell, SIPI, and

the IAIA were left out. The American Indian Higher Education Consortium has estimated \$22 million is needed to forward fund these schools. This does not increase the Federal budget over the long run. It simply provides funds for vital education programs before the start of each school year, which is critically important when appropriations are delayed and the Government is funded under continuing resolutions.

The manner of distribution of fiscal years 2013 and 2014 BIE funds has been a disaster. Between having funding provided via continuing resolutions and held back due to the prospects of a sequestration, planning has been very difficult. Six months into fiscal year 2013 we had been allocated only 37 percent of our BIE funding and in the current (fiscal year 2014) year only about 25 percent of funds were allocated in the first 6 months. The unprecedented uncertainty in terms of timing and amount of funding has taken a toll. New faculty feel vulnerable because of the appropriations situation, and prospective candidates are reluctant to accept positions due to the same uncertainty. We have significantly reduced off-campus professional development activities for faculty, and held back on upgrading technology resources for our faculty and students.

#### ADDITIONAL INFORMATION ABOUT UNITED TRIBES TECHNICAL COLLEGE

We have:

- Renewed unrestricted accreditation from the North Central Association of Colleges and Schools, for July 2011 through 2021, with authority to offer all of our full programs online. We have 23 associate degree programs, 19 certificate and 3 bachelor degree programs (Criminal Justice; Elementary Education; Business Administration). Six courses are offered online.
- Services including a Child Development Center, family literacy program, wellness center, area transportation, K–8 elementary school, tutoring, counseling, family and single student housing, and campus security.
- A projected return on Federal investment of 20–1 (2005 study).
- A semester retention rate of 85 percent and a graduate placement rate of 77 percent. Over 45 percent of our graduates move on to 4-year or advanced degree institutions.
- Students from 75 tribes; 85 percent of our undergraduate students receive Pell grants.
- An unduplicated count of undergraduate degree-seeking students and continuing education students of 1,391.
- A dual-enrollment program targeting junior and senior high school students, providing them an introduction to college life and offering high school and college credits.
- A critical role in the regional economy. Our presence brings at least \$34 million annually to the economy of the Bismarck region. A North Dakota State University study reports that the five tribal colleges in North Dakota made a direct and secondary economic contribution to the State of \$181,933,000 in 2012.

*A Northern Plains Indian Law Enforcement Academy.*—We ask Congress to seriously look at the problem of addressing crime in Indian country with an eye toward the establishment of a campus-based academy for training of law enforcement officers in the Northern Plains area of Indian country. There are cultural and legal reasons why such training should be tribally directed in order to be appropriate for the realities of tribal communities. With the advent of expanded tribal authorities under the Tribal Law and Order Act and the Violence Against Women Act, 2013, the need has grown. State and national training resources would have an important role in this new endeavor.

Our Criminal Justice program offers 2- and 4-year degrees, and prepares graduates for employment as Federal, State or tribal law enforcement, correction, parole and probation, and transportation safety officers; victim advocates; U.S. Customs, Homeland Security, and Military Investigative services; and private security agents. We point out that the Indian Child Protection and Family Violence Prevention Act contains requirements regarding background checks and character investigations. We want to expand our endeavors to help meet law enforcement needs in Indian country. Given our Criminal Justice program, our location and our campus resources, we propose the establishment of a Northern Plains Indian Law Enforcement Academy.

Basic law enforcement training is currently provided through the BIA's Indian Police Academy in Artesia, New Mexico. The BIA Academy can train only three classes of 50 persons annually. The BIA is depending on the basic training provided by State academies to supplement what is provided at Artesia. We firmly believe UTTC is well positioned with regard to providing both basic and supplemental law enforce-

ment training. An academy at UTTC would allow tribal people in the Great Plains and other nearby regions a more affordable choice of training locations, minimizing the distance and long separation of trainees from their families.

The fiscal year 2015 Indian Affairs budget justification (p. IA-PSJ-12) notes that training initiatives for the Indian police academy includes developing a pre-academy training program for candidates prior to their attending the academy; developing a mid-level manager training program; and establishing an online distance learning program for recertification, among other things. These are things that UTTC could do as part of an academy at UTTC or in partnership with the Indian Police Academy.

In short, the BIA should be utilizing and enhancing the resources of UTTC to make a real difference in the law enforcement capability in Indian country. We can offer college credit to trainees, and our facilities include the use of a state-of-the-art crime scene simulator. Maintaining safe communities is a critical component of economic development for our tribal nations, and local control of law enforcement training resources is a key part of that effort.

*The Duplication or Overlapping Issue.*—As you know, in March 2011 the Government Accountability Office (GAO) issued two reports regarding Federal programs which may have similar or overlapping services or objectives (GAO-11-474R and GAO-11-318SP). Funding from the BIE and the Department of Education's Carl Perkins Act for Tribally Controlled Postsecondary Career and Technical Education were among the programs listed in the reports. The full GAO report did not recommend defunding these programs; rather, it posed the possibility of consolidation of these programs to save administrative costs. We are not in disagreement about possible consolidation of our funding sources, as long as program funds are not cut.

BIE funds represent over half of UTTC's core operating budget. The Perkins funds supplement, but do not duplicate, the BIE funds. It takes both sources of funding to frugally maintain the institution. In fact, even these combined sources do not provide the resources necessary to operate and maintain the college. We actively seek alternative funding to assist with academic programming, deferred maintenance, and scholarship assistance, among other things. The need for postsecondary career and technical education in Indian country is so great and the funding so small, that there is little chance for duplicative funding.

There are only two institutions targeting American Indian/Alaska Native career and technical education and training at the postsecondary level—UTTC and NTU. Combined, these institutions received less than \$15 million in fiscal year 2014 Federal operational funds (\$7.7 million from Perkins; \$7 million from the BIE). That is not an excessive amount for two campus-based institutions who offer a broad (and expanding) array of programs geared toward the educational and cultural needs of their students and who teach job-producing skills.

*Closing.*—UTTC offers services that are catered to the needs of our students, many of whom are first generation college attendees and many of whom come to us needing remedial education and services. Although BIE and Perkins funds do not pay for remedial education, we make this investment through other sources to ensure our students succeed at the postsecondary level. Thank you for your consideration of our requests.

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PREPARED STATEMENT OF THE UTAH WATER USERS ASSOCIATION

APRIL 3, 2014.

Hon. JACK REED, *Chairman*,  
 Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

Dear Chairman Reed and Senator Murkowski: I am requesting your support for fiscal year 2015 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program consistent with the President's recommended budget. I request that the subcommittee:

—Appropriate \$706,300 in "Conservation and Restoration" funds (Resource Management Appropriation; Ecological Services Activity; Conservation and Restoration Subactivity within the \$124,253,000 item entitled "Conservation and Restoration") to the U.S. Fish and Wildlife Service (FWS) to allow FWS for fiscal year 2015 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

- Appropriate \$200,000 in FWS “Conservation and Restoration” funds for the San Juan River Basin Recovery Implementation Program to meet expenses incurred by FWS’s Region 2 in managing the San Juan Program’s diverse recovery activities.
- Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$48,617,000 item entitled “National Fish Hatchery System Operations”) for endangered fish propagation and hatchery activities at the FWS’ Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program’s stocking program.

I request the subcommittee’s assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

CARLY B. BURTON,  
*Executive Director.*

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PREPARED STATEMENT OF THE UTE MOUNTAIN UTE TRIBE

APRIL 3, 2014.

Hon. JACK REED, *Chairman*,  
Hon. LISA MURKOWSKI, *Ranking Member*,  
*Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, U.S. Senate, Dirksen Senate Office Building, Washington, DC.*

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I request the subcommittee’s assistance in assuring fiscal year 2015 funding to allow the FWS to continue its financial and personnel participation in these two vitally important recovery programs. I recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

Sincerely,

MANUEL HEART,  
*Tribal Chairman.*

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PREPARED STATEMENT OF SCOTT A. VERHINES, P.E.

SUMMARY

This statement is submitted in support of fiscal year 2015 appropriations for Colorado River Basin salinity control activities of the Bureau of Land Management. I urge that at least \$5,200,000 be appropriated for the Bureau of Land Management

within the Soil, Water, and Air Program for general water quality improvement efforts in the Colorado River Basin, and an additional \$1,500,000 be appropriated specifically for salinity control related projects and studies.

#### STATEMENT

The Colorado River Basin Salinity Control Forum (Forum) is comprised of representatives of the seven Colorado River Basin States appointed by the respective Governors of the States. The Forum has examined the features needed to control the salinity of the Colorado River. These include activities by the States, the Bureau of Reclamation, the Department of Agriculture, and the Bureau of Land Management (BLM). The Salinity Control Program has been adopted by the seven Colorado River Basin States and approved by the Environmental Protection Agency as a part of each State's water quality standards.

About 75 percent of the land in the Colorado River Basin is owned, administered or held in trust by the Federal Government. The BLM is the largest land manager in the Colorado River Basin, and manages public lands that are heavily laden with naturally occurring salt. When salt-laden soils erode, the salts dissolve and enter the river system, affecting the quality of water used from the Colorado River by the Lower Basin States and Mexico.

I support past Federal legislation that declared that the Federal Government has a major and important responsibility with respect to controlling salt discharge from public lands. Congress has charged the Federal agencies to proceed with programs to control the salinity of the Colorado River Basin with a strong mandate to seek out the most cost-effective solutions. The BLM's rangeland improvement programs are some of the most cost-effective salinity control measures available. In addition, these programs are environmentally acceptable and control erosion, increase grazing opportunities, produce dependable stream run-off and enhance wildlife habitat.

The water quality standards adopted by the Colorado River Basin States contain a plan of implementation that includes BLM participation to implement cost effective measures of salinity control. BLM participation in the salinity control program is critical and essential to actively pursue the identification, implementation and quantification of cost effective salinity control measures on public lands.

Bureau of Reclamation studies show that quantified damages from Colorado River salinity to United States water users are about \$376 million per year. Modeling by Reclamation indicates that these quantified damages would increase to \$577 million per year by 2030 if the Salinity Control Program was not continued. Unquantified damages already increase the total damages significantly.

Control of salinity is necessary for the Basin States, including New Mexico, to continue to develop their compact-apportioned waters of the Colorado River. The Basin States are proceeding with an independent program to control salt discharges to the Colorado River, in addition to cost sharing with Bureau of Reclamation and Department of Agriculture salinity control programs. It is important that the BLM pursue salinity control projects within its jurisdiction to maintain the cost effectiveness of the program and the timely implementation of salinity control projects that will help avoid unnecessary damages in the United States and Mexico.

At the urging of the Basin States, the BLM created a position to coordinate its activities among the BLM State offices and other Federal agencies involved in implementation of the salinity control program. The BLM's Budget Justification documents have stated that BLM continues to implement on-the-ground projects, evaluate progress in cooperation with the Bureau of Reclamation and the Department of Agriculture, and report salt retention measures to implement and maintain salinity control measures of the Federal salinity control program in the Colorado River Basin. The BLM is to be commended for its commitment to cooperate and coordinate with the Basin States and other Federal agencies. The Basin States and I are pleased with the BLM administration's responsiveness in addressing the need for renewed emphasis on its efforts to control salinity sources and to comply with BLM responsibilities pursuant to the Colorado River Basin Salinity Control Act, as amended.

To continue these efforts, I request the appropriation of at least \$5.2 million in fiscal year 2015 for general water quality improvement efforts in the Colorado River Basin by the BLM within the Soil, Water, and Air Program, and that an additional \$1.5 million be appropriated specifically for salinity control related projects and studies. I appreciate consideration of these requests. I fully support the statement of the Colorado River Basin Salinity Control Forum submitted by Don Barnett, the Forum's Executive Director, in request of appropriations for BLM for Colorado River salinity control activities.

SCOTT A. VERHINES, P.E.  
New Mexico State Engineer  
Secretary, New Mexico Interstate  
Stream Commission

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PREPARED STATEMENT OF THE WESTERN GOVERNORS' ASSOCIATION

Mr. Chairman and members of the subcommittee, thank you for the opportunity to submit testimony on behalf of the Western Governors' Association (WGA). My name is James D. Ogsbury and I am the Executive Director of the WGA. WGA is an independent, non-partisan organization representing the Governors of 19 Western States and 3 U.S.-flag islands. We are pleased to have this opportunity to comment on the appropriations and activities of the Bureau of Land Management, U.S. Fish and Wildlife Service, National Park Service, U.S. Forest Service and Environmental Protection Agency.

Western Governors recognize that certain agencies within this subcommittee's jurisdiction are especially impactful to the West. These Federal agencies have rich potential to supplement State efforts or impinge on State authority. They can exercise vital leadership or they can interfere with well-managed State activities. Accordingly, it is critical that State and Federal agencies develop and maintain positive and cooperative working relationships. Western Governors believe that such cooperation is only possible when States are regarded as full and equal partners of the Federal Government in the development and execution of programs for which both have responsibility.

As you consider appropriations and policy directives for Federal agencies, Western Governors urge you to take cognizance of States' authority in resource management and their potential to enhance the delivery of government services and protections to our citizens. Western Governors are strong and pragmatic chief executives, committed to judicious exercise of their power within constitutional and practical constraints. The following requests and recommendations are thematically related in that they commonly call for greater recognition of State authority and better utilization of State capabilities by the Federal Government.

With respect to funding levels of appropriated programs, WGA recommends the enactment and full funding of a permanent and stable funding mechanism for the Payment in Lieu of Taxes program administered by the Department of Interior. As you know, these appropriations do not represent a gift to local jurisdictions; rather they represent important (if inadequate) compensation for the disproportionate acreage of non-taxable Federal lands in the West. Similarly, continued funding of the Secure Rural Schools program will help compensate communities whose timber industries have been negatively impacted by actions and acquisitions of the Federal Government.

Western States are investing enormous amounts of time, money and manpower in species conservation. It is only appropriate that Federal agencies likewise commit sufficient resources for species protection, particularly on Federal lands. If Federal lands are inadequately managed, no amount of effort on State and private property will be sufficient to assure species' success. Federal agencies should demonstrate their commitment to species preservation and recovery by committing adequate funding for conservation efforts on Federal lands.

Part of the Federal commitment to species conservation involves financial support for species management by State agencies through the State and Tribal Wildlife Grant program. Because State responsibilities for species conservation are increasing in number and complexity, the subcommittee is urged to reject the \$8.7 million reduction to this program proposed by the administration.

The subcommittee is well informed regarding the pressing problem of "fire borrowing," pursuant to which resources necessary for the reduction of wildfire threats are transferred to emergency firefighting activities, perpetuating a cycle of high fire risk and elevated emergency expenditures. Be advised that WGA is on record as supporting legislation that would solve the budgetary issue of fire borrowing by cre-

ating a funding structure similar to that used by the Federal Emergency Management Agency in its response to natural disasters.

During last year's Government shutdown, certain national parks were kept open through the initiative of States which undertook responsibilities of park management. The subcommittee is encouraged to provide the resources necessary to compensate those States for the costs they incurred in shouldering a Federal obligation.

WGA understands that this subcommittee is as interested in how funds are spent as it is in how much money agencies spend. The following recommendations are intended to help ensure that the taxpayer realizes a better return on the investment of limited discretionary resources. This goal will be more readily achieved to the extent that Federal agencies better leverage State authority, resources and expertise.

Last year this subcommittee included language in its report directing Federal land managers to use State fish and wildlife data and analyses as sources to inform land use, land planning and related natural resource decisions. Federal and State agencies need data-driven science, mapping and analyses to effectively manage wildlife species and their habitat. States possess constitutional responsibilities for wildlife management, as well as intimate knowledge of wildlife habitat and resources. In addition, they often generate the best available wildlife science. The use of State science should be more effectively utilized to both reduce total costs and increase the efficacy of Federal wildlife management efforts. Accordingly, the subcommittee is encouraged to reiterate and strengthen its report language regarding this issue for fiscal year 2015.

Western Governors believe that States should be full and equal partners in the implementation of the Endangered Species Act and should have the opportunity to participate in pre-listing and post-listing ESA decisions. The ESA is premised on a strong State-Federal partnership. Section 6(a) of the ESA states that, "In carrying out the program authorized by the Act, the Secretary shall cooperate to the maximum extent practicable with the States." WGA submits that such cooperation should include partnership with States in the establishment of quantifiable species recovery goals, as well as in the design and implementation of recovery plans.

It is axiomatic that ESA listing decisions have dramatic impacts on vital State interests. Consequently, States should have the right to intervene in proceedings regarding the ESA. The subcommittee is urged to support the legal standing of States to participate in administrative and judicial actions involving ESA that, by their nature, implicate State authority and resources.

Several Federal statutes—including the Clean Water Act, Clean Air Act and Resource Conservation and Recovery Act—vest the States with the role of co-regulator with the Environmental Protection Agency. That role would be significantly enhanced by greater State representation on the Science Advisory Board (SAB), on which the agency relies to provide the scientific underpinnings of regulatory decisions.

The SAB was established by the Environmental Research, Development, and Demonstration Authorization Act of 1978 in accordance with the Federal Advisory Committee Act of 1972 (FACA) and has a broad mandate to advise EPA on scientific, technological, and social and economic issues. The SAB Charter defines the SAB as a scientific and technical advisory committee. Sections 5(b)(2) and 5(c) of FACA require the membership of an advisory committee to be "fairly balanced in terms of points of view represented and the functions to be performed."

Despite the foregoing mandates and the tremendous value that would be added to SAB processes by State participation, States are woefully and demonstrably under-represented on the SAB, as well as on its standing and ad hoc committees. States are equipped and prepared to contribute their regulatory expertise, as well as their scientific resources and data, to SAB deliberations. Consequently, the subcommittee is urged to ensure that EPA achieves more balanced SAB representation, to include State participation that constitutes no less than 10 percent of the membership of SAB committees, subcommittees and subject matter panels.

On March 25, the administration unveiled a proposed rule of the Environmental Protection Agency and the U.S. Army Corps of Engineers intended to clarify the jurisdictional reach of the Clean Water Act. Many States have indicated concern that the proposed rule significantly expands the definition of "waters of the United States" and could impinge on State authority over the regulation of waters within their borders. WGA is concerned that States were insufficiently consulted in the development of this proposal and played no role in the creation of the rule, which has such major implications for States.

Congress intended that the States and EPA would implement the CWA in partnership, delegating authority to the States to administer the law as co-regulators with EPA. Accordingly, WGA encourages congressional direction to EPA to engage the States in the creation of rulemaking, guidance, or studies that threaten to rede-

fine the roles and jurisdiction of the States. State water managers should have a robust and meaningful voice in the development of any rule regarding the jurisdiction of the Clean Water Act or similar statutes.

Solving many of the West's challenges will require a broad view of the inter-related nature of natural resource problems. For example, Federal underinvestment in the eradication of invasive species (like cheatgrass) and in the active management of national forests can result in increased severity of wildfires. This greater wildfire threat in turn poses greater peril to the crucial habitat of species (like the greater sage grouse) that States are working diligently to conserve.

Western Governors appreciate the enormity of your job, as well as your commitment to the provision of cost-effective government services. The foregoing recommendations are offered in a spirit of cooperation and respect, and WGA is prepared to assist you as appropriate as you discharge your critical and challenging responsibilities.

Thank you for your consideration.

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PREPARED STATEMENT OF THE WESTERN STATES WATER COUNCIL AND NATIVE  
AMERICAN RIGHTS FUND

I. INTRODUCTION

The Western States Water Council (WSWC) and the Native American Rights Fund (NARF) submit the following joint testimony in support of adequate funding for the Secretary of the Interior's Indian Water Rights Office (SIWRO) and the Bureau of Indian Affairs (BIA) to carry out their responsibilities in support of Indian water rights settlements.<sup>1</sup> This testimony is based on WSWC Policy Resolution #336.<sup>2</sup>

For over 30 years, the WSWC and NARF have worked together to support the negotiated resolution of Indian water rights claims. Our organizations believe there is a need to quantify Indian water rights, that negotiated settlements are preferable to litigation as a means of quantifying those rights, and that the Federal Government should encourage and facilitate settlements. As discussed below, the SIWRO and the BIA play a key role in the settlement process, and Congress should ensure they receive sufficient funding to carry out their settlement efforts.

II. PRIOR APPROPRIATION AND INDIAN WATER RIGHT CLAIMS

The doctrine of prior appropriation governs the allocation of water in most Western States. Under this system, the first parties to physically divert and put water to a "beneficial use" have priority over subsequent water users. Thus, senior water right holders with earlier priority dates (the date the water was first put to beneficial use) can seek curtailment of uses with junior priority dates in times of shortage.

Most non-Indian water development in the West occurred after the Federal Government finalized treaties and executive orders to establish reservations for tribes, and after Congress severed land and water rights in the West and directed that water rights be obtained under State law. In addition, most tribal treaties and executive orders creating Indian reservations did not specify the tribes' water rights.

The U.S. Supreme Court addressed the resulting conflict in *Winters v. United States*, 207 U.S. 564 (1908), finding that tribal treaties and executive orders impliedly reserved water rights necessary to meet the purpose(s) of a tribe's reservation. These reserved rights differ from State-issued water rights because they: (1) arise independently of beneficial use; (2) are not limited by beneficial use; (3) are measured by present and future supplies needed to fulfill the reservation's purpose(s) instead of past uses; and (4) have priority dates that correspond to the date the tribe's reservation was established.

III. THE NEED TO RESOLVE TRIBAL WATER RIGHTS CLAIMS

Resolving *Winters* rights claims is critical for Western States because tribal rights typically have priority dates that are senior to non-Indian uses, and therefore have

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<sup>1</sup>The WSWC is a government entity created by the Western Governors, which advises the Governors of 18 Western States on water policy matters and is affiliated with the Western Governors' Association. NARF is a non-profit 501(c)(3) organization that provides legal representation and technical assistance to Indian tribes, organizations and individuals nationwide—a constituency that often lacks access to the justice system.

<sup>2</sup>Available at: <http://www.westgov.org/wswc/336%20indian%20water%20rights%20settlements%207oct2011.pdf>.

the potential to displace established State-issued rights. This is especially problematic where tribal rights pertain to river systems that are fully appropriated by non-Indian users. The un-quantified nature of many tribal rights creates great uncertainty with regard to existing State-based uses and can impede local, State, and regional economic development. As a result, quantifying tribal water right claims is essential for Western States to address increasing water demands related to the West's growing population, and to allocate water supplies that continually change and are often scarce due to drought, reduced snowpacks, and other factors.

At the same time, tribes often lack the resources to develop their water rights. This lack of a reliable water supply and related infrastructure throughout Indian Country sometimes prevents tribes from protecting the health, welfare, and safety of their communities. For example, over 40 percent of tribal members in the Navajo Nation haul water for domestic use. This lack of potable water has caused various illnesses.<sup>3</sup> Members of the Kickapoo Tribe of Kansas, the Chippewa Cree Tribe of Montana, and others also haul water for basic domestic needs.<sup>4</sup>

The absence of adequate and reliable potable water supplies also contributes to unemployment, poverty, and mortality rates on reservations that are much higher than those of neighboring non-Indian communities. In California, the lack of an adequate water supply has prevented the Tule River Tribe from providing fire protection, housing, and economic opportunities to tribal members. The tribe also has unemployment and mortality rates that are 50 percent higher than Tulare County as a whole and has been unable to act on hundreds of housing applications.<sup>5</sup>

Settlements are the preferred manner of resolving tribal water rights claims because they allow States and tribes to address these issues in ways that are not available through litigation. Specifically, settlements: (1) enable tribes to turn quantified rights into "wet water," while litigation typically provides tribes with "paper rights" only; (2) allow tribes and non-Indian parties to craft mutually-beneficial solutions tailored to their specific needs; (3) are often less costly and time-consuming than litigation, which can last for decades and be extremely expensive for all parties, including the Federal Government; (4) give States and tribes control over the resolution of water rights claims; and (5) build positive relationships between States, tribes, and the Federal Government, which are essential because water is a shared resource that all parties must cooperatively manage after adjudication.

For example, the Federal Government holds Indian water rights in trust for the tribes and has a fiduciary duty to protect tribal water rights. Because the Federal Government has not always protected tribal water rights, tribes often have significant breach of trust claims against the United States. At the same time, many tribal water rights claims in the arid West involve fully-appropriated stream systems. To address these issues, tribes will often waive their breach of trust claims against the Federal Government as well as a portion of their claimed water rights in consideration for Federal funding to build needed drinking water infrastructure, water supply projects, and tribal fishery restoration projects. These projects generally enable tribal and non-tribal water users to use existing water supplies more efficiently and advantageously and do not take water from existing non-Indian water users. Moreover, these types of mutually-acceptable outcomes are simply not available through litigation.

#### IV. THE ROLE OF THE FEDERAL GOVERNMENT IN SETTLEMENTS

The Federal Government is joined in all water rights adjudications involving tribes because it holds the tribes' rights in trust. This means that it has a fiduciary duty to help tribes resolve their rights and ensure that settlements are funded and implemented, in addition to its obligation to protect tribal water rights. It also means that Congress and the President must approve each settlement.

The Federal Government has long supported a policy of resolving Indian water rights claims through negotiation rather than litigation. To this end, the Department of the Interior's Indian Water Rights Settlement Program facilitates Federal

<sup>3</sup> Concerning S. 1771—Northwest New Mexico Rural Water Projects Act: Hearing on S. 1771 Before the S. Comm. on Energy and Natural Resources, 110th Cong. 8 (2007) (statement of Joe Shirley, Jr., President, Navajo Nation).

<sup>4</sup> Testimony of John Echohawk on behalf of the Native American Rights Fund: Oversight Hearing on Indian Water Rights Settlements Before the Subcomm. on Water and Power of the H. Comm. on Natural Resources, 110th Cong. 7–8 (2008) (statement of John Echohawk, Executive Director, NARF) [hereinafter Echohawk Testimony].

<sup>5</sup> In Support of S. 789, the Tule River Tribe Water Development Act: Hearing to Receive Testimony on S. 637, S. 789, S. 1080, and S. 1453 Before the Subcomm. on Water and Power of the S. Comm. on Energy and Natural Resources, 111th Cong. 7 (2009) (statement of Ryan Garfield, Chairman, Tule River Tribe); Echohawk Testimony, *supra* note 6, at 7.

involvement in the settlement process. The SIWRO leads this program in consultation with Interior's Officer of the Solicitor, facilitating inter-agency participation and cooperation needed to achieve and implement comprehensive settlements.

In particular, the SIWRO coordinates and supports Federal settlement activities through 38 Federal assessment, negotiation, and implementation teams that are working throughout the West. These teams consist of representatives from agencies and bureaus within Interior, including the BIA, the Bureau of Reclamation, the Solicitor's Office, the Fish and Wildlife Service, as well as the Department of Justice and other Federal departments. These teams also provide a unified Federal voice that helps further the settlement process, a matter of crucial importance for the States as well. However, the legitimate need for these teams far outstrips the number of teams available.

Furthermore, Interior and its agencies and bureaus provide critical monetary, personnel, and technical support that tribes need to effectively participate in the settlement process. As part of these efforts, the BIA provides technical assistance to tribes and coordinates the process of soliciting water-related funding proposals from tribes. It also identifies funding needs for studies required in ongoing Indian water rights litigation and negotiations. For instance, the BIA's Water Rights Negotiation/Litigation Program provides necessary documentation, technical studies, and other materials needed for the United States to further the negotiation of tribal water right claims.

Appropriating insufficient funds for these purposes hinders the resolution of tribal water right claims. Therefore, Congress should ensure that the SIWRO and the BIA receive adequate appropriations to carry out their responsibilities in support of Interior's water rights settlement program.

#### V. THE CONSEQUENCES OF NOT SUPPORTING SETTLEMENT EFFORTS

Tribes require the resources that the SIWRO and the BIA provide to participate effectively in the settlement process. Failure to provide adequate appropriations for these programs could postpone the negotiation and implementation of Indian water rights settlements. Ultimately, this makes the resolution of many tribal water rights claims more expensive for the Federal Government in the long-run because increasing water demands, decreasing water supplies, and other factors will only increase the costs of resolving these claims.

#### VI. CONCLUSION

The United States has a trust obligation to the tribes that includes ensuring that they can participate in the settlement process. Failure to provide sufficient funding to fulfill this obligation will only increase Federal costs, perpetuate hardships to tribes, and prolong resolution of conflicts between reserved water rights and State-created water rights. This, in turn, could potentially disrupt established economies and hinder effective State and regional water planning and development.

#### PREPARED STATEMENT OF THE WILDERNESS LAND TRUST

Chairman Reed, Ranking Member Murkowski and members of the subcommittee, my name is Reid Haughey and I am the president of the Wilderness Land Trust. We are a small not-for-profit organization focused on protecting designated wilderness. To do this, we work in partnership with landowners who own private property within designated and proposed wilderness areas and the agencies that manage these areas. We acquire properties from willing sellers with the intent to transfer ownership to the United States. My testimony focuses on a very small portion of the Land and Water Conservation Fund—funding for the Inholding Acquisition Accounts for the four land management agencies. Continued modest funding of the Inholding Accounts is vital to the success of securing and preserving wilderness already designated by Congress, while treating private landowners within these areas fairly.

The management of human development activities in wilderness is expensive for the agencies. The potential resource damage to the protected lands and waters is enormous. By contrast, the cost of acquiring these properties when they are offered for sale is relatively small. That is why it is so important to continue the modest appropriations needed for the inholding acquisition program.

As we approach the 2014 50th Anniversary of the Wilderness Act, I am before you today to thank you for funding the Inholdings Accounts in fiscal year 2014 and to ask for that support once again. An appropriation of between \$3 and 5 million to each of the land management agencies, the Forest Service, the Bureau of Land

Management, the Fish and Wildlife Service and the National Park Service, is sufficient to enable the agencies to acquire high priority inholdings from willing sellers. Support for these accounts:

- Saves money by eliminating management inefficiencies that frequently exceed the cost of acquisition;
- Helps private landowners within federally designated wilderness and other conservation areas;
- Allows the agencies to act when opportunities occur to acquire inholdings, often only once a generation; and
- Completes designated wilderness areas, removing threats from incompatible and harmful development within their boundaries.

We are not asking Congress to undertake a new acquisition program or to significantly increase current appropriation levels. As 2014 is the 50th Anniversary of The Wilderness Act, we ask Congress to continue its 50-year commitment to complete the wilderness areas it has designated, and to provide private landowners who wish to sell the opportunity to transfer their land within those wilderness areas to public ownership by prioritizing the use of the inholding accounts for the acquisition of inholdings within and adjacent to designated wilderness areas. Focusing the inholding accounts on designated wilderness and funding the Forest Service Wilderness Inholdings core project will be money well spent, completing established congressional designations and taking care of landowners who still own lands within these now-designated wildernesses.

So, why worry? Aren't wilderness areas secured when Congress designates them? All designations include language that authorize the Federal acquisition of private lands within these areas and, once acquired, automatically protect them as part of the designated wilderness that surrounds them. As part of our celebration of the 50th anniversary of the 1964 Wilderness Act, the Trust has commissioned an inventory of private lands within wilderness. The results are startling. The report determined that within the lower 48 States, 180,000 acres of private lands still remain. There are also 440,000 acres of State owned lands.

This represents tremendous progress reducing private inholdings in wilderness over the last 20 years. When the Trust last estimated the amount of private land within designated wilderness in the lower 48 States, we estimated there were 400,000 acres of private lands. It has taken decades of steady work to reduce that by more than half. During the same timeframe, 507 new or additional areas were congressionally designated, adding close to 29 million acres to the National Wilderness Preservation System. So, true progress indeed. Large appropriations for the inholding accounts did not accomplish this success—just steady, modest funding so that lands can be purchased when landowners want to sell. This is the level of funding we are hoping to continue.

These designated lands are worthy of completion. Landowners who are ready to sell deserve to have their properties purchased. Their isolated properties are primarily the result of 19th century congressional policy when homesteads, mining operations and timber production were encouraged without the balance of conservation. As a result, wilderness areas now dedicated by Congress are pockmarked with islands of private ownership that compromise the wilderness resource, where "even man is a visitor who shall not remain", become expensive management issues for the agencies and often befuddle landowners who wish to sell these properties for the benefit of their companies or families.

Why is consistent funding for the inholding accounts vital? We have learned that these lands become available about once a generation. Our 20 years of steady work has shown that about 5 percent of the properties within wilderness come up for sale in any 1 year. If the opportunity to acquire these when offered is lost, the management issues and inefficiencies that result from private lands remaining within designated wilderness continue. Without consistent funding, numerous opportunities to acquire these private parcels will be lost. Not for a year, but often for at least another generation.

Many inholding acquisitions secure access. However, the Forest Service fiscal year 2015 budget request to alter the purpose of the inholdings acquisition program to focus solely on recreational access would undermine the success of the program. Acquiring inholdings secures access where it is now blocked by private land within the Forest Service boundary—in our case within designated wilderness. The Recreational Access idea is a new program that aims to expand Federal ownership to include access easements outside current Forest Service boundaries. We do not have a position on the merits or need for such an expansion of Forest Service management responsibilities. We are here to simply to say that the aim of the new program is not the same as the inholdings acquisition program and should be evaluated on its own merits, not substituted for a 50-year proven effort specifically authorized by

Congress. We urge you to assure the continued success of the inholdings acquisition program by maintaining the traditional use of the accounts for all four land management agencies and prioritizing wilderness acquisitions in any fiscal year 2015 appropriations legislation.

This year, critical acquisitions will not be completed without a commitment to fund the inholding accounts. In 2013, critical project examples we worked to acquire included:

- The only inholding within the Hells Canyon Wilderness in Idaho was offered for sale by the family that long owned it. We bought it and are in the process of transferring it to Federal ownership. Buying this key 10 acre mining claim parcel completed the wilderness, helped the family with its generational change and kept the promise that when wilderness inholders want to sell, the United States will acquire their properties.
- East Fork High Rock Canyon Wilderness in Nevada includes historic reminders of the settlement of the west in the mid-19th Century. It also included one remaining 320 acre inholding. Now transferred to Federal ownership, this wilderness is complete and the family ranching operation that used to own it successfully reorganized so the next generation will continue their ranching business and tradition.
- The Elkhorn Ridge Wilderness is less than one quarter of a mile from Highway 101 in Northern California. But “you can’t get there from here”. The access to the wilderness is blocked by 40 acres of private land. When acquired by BLM, this beloved wilderness that stretches toward the sea from Highway 101 will be accessible to the many youth groups that covet this summit to sea hiking and educational wilderness experience. We bought it and are now working through the transfer to BLM to create much needed public access and preserve the 50-year tradition of wilderness education at the summer camp on the property.

We’ve also been able to help other private landowners and secure other wilderness areas. Among them—

- A timber company in northern California that is re-aligning its landownership and has worked with the Trust to sell its property, opening access to the Castle Crags Wilderness from the east and the nearby freeway. The newly created access to the nearby wilderness has the potential to provide significant new economic opportunities for the nearby hard-hit community of Dunsmere to develop recreation-based businesses.
- And, a landowner who built a cabin at a former gold mine on the banks of the Salmon River within the Frank Church River of No Return Wilderness. We will work over the next year to clean up the mine site to protect the river. The transfer of this property to Federal ownership will further consolidate protection of the wilderness and enhance the recreational opportunities so economically important to Idaho and as a resource for the Nation.

The expenses of managing these isolated private lands do not fall solely on the Federal Government. Tax revenues received by local governments do not offset the cost of providing fire protection, emergency and general government services to these isolated and far flung properties. It costs more to serve these isolated single properties than the tax revenue they generate. If you fund the inholding accounts, we will be back next year with more stories of success:

- Success completing already designated wilderness;
- Success helping those private landowners, who often feel trapped within designated wilderness, but were promised that their land would be purchased at a fair market price if they chose to sell;
- Success helping local governments control costs; and
- Success helping land management agencies reduce costs of management and fire suppression.

In summary, continued consistent funding of the inholding accounts is vital. Without such funding, significant opportunities to acquire private parcels within our designated wilderness areas will be lost for at least another generation. We urge your support of continued funding for these accounts and for the Forest Service’s Wilderness Inholdings core project.

Thank you for the opportunity to testify. We greatly appreciate your time and consideration and the support of the subcommittee in securing these appropriations.

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PREPARED STATEMENT OF THE WILDERNESS SOCIETY

The Wilderness Society (TWS) represents more than 500,000 members and supporters who share our mission to protect wilderness and inspire Americans to care

for our wild places. We thank the subcommittee for the opportunity to submit comments on the fiscal year 2015 Interior, Environment and Related Agencies Appropriations Bill.

When deciding on funding that affects hundreds of millions of Americans, we urge you to take into account the full economic, social, environmental and cultural value of the many programs managed by this subcommittee. Our public lands and waters contribute significantly to the U.S. outdoor recreation economy. The Outdoor Industry Association's latest report shows that outdoor recreation alone generates \$646 billion in direct consumer spending, supports 6.1 million direct jobs and generates \$79.6 billion in Federal, State and local tax revenue.

Investments in these critical programs will provide jobs and protect the health and economic wellbeing of local communities. We urge bold, immediate action in support of conservation funding for fiscal year 2015. Specifically, TWS recommends:

#### WILDERNESS MANAGEMENT

The 50th anniversary of the Wilderness Act is September 3rd, 2014. This provides a unique and valuable opportunity to highlight the role wilderness plays in protecting ecosystems, wildlife, and primitive outdoor recreation opportunities across the country. America's National Wilderness Preservation System is a world renowned model for land conservation, yet our wilderness areas are suffering from a lack of funding. Trail maintenance, law enforcement, monitoring, and user education are all significantly underfunded, leading to an erosion of wilderness values and a diminution of the experience for wilderness visitors. We recommend that each of the agency wilderness management accounts be increased to provide trails maintenance, update signage, remove fencing, fight invasive species, restore degraded hydrology, and monitor effects of climate change, among other critical wilderness preservation system needs. Specifically:

- Crosscutting*.—Adequately fund the Carhartt Training Center, the Leopold Research Institute, and the Interagency Wilderness Character Monitoring Team to complete wilderness character baseline assessments using Wilderness Fellows.
- Bureau of Land Management (BLM) Wilderness*.—The budget proposal of \$18.435 million for BLM wilderness management is strong, but still 7 percent lower than the fiscal year 2011 enacted level, the funding level necessary to ensure resource and visitor safety in the 221 BLM wilderness areas. TWS supports restoring BLM Wilderness funding to the fiscal year 2011 level of \$19.663 million.
- Forest Service Recreation, Wilderness and Heritage*.—Recreation is the most ubiquitous use of our forest lands, connecting with more people and occurring on more acres than any other use, as well as accounting for more than half of all job and income affects attributable to Forest Service programs (over 190,000 jobs and \$11 billion in spending effects by visitors). We urge Congress to support wilderness and recreation by restoring funding to the fiscal year 2010 level of \$285.1 million for the Recreation, Heritage and Wilderness Program.
- National Park Service Wilderness*.—Provide a funding increase for the base wilderness program from its current level of \$450,000 as well as 2 years of total funding at \$520,000 to highlight and celebrate the 50th anniversary of the Wilderness Act. Additional funding would eliminate the backlog of Wilderness Stewardship Plans, support training for all wilderness park superintendents, improve coordination with interagency Landscape Conservation Cooperatives, and reduce the likelihood of litigation due to management inconsistencies.

#### LAND AND WATER CONSERVATION FUND

Now in its 50th Anniversary year, LWCF remains the premier Federal program to conserve our Nation's land, water, historic, and recreation heritage. It is a critical tool to acquire inholdings and protect national parks, national wildlife refuges, national forests, BLM lands, and other Federal areas. The companion LWCF State grants program provides crucial support for State and local park acquisitions, recreational facilities, and trail corridors. LWCF also funds two other important State grant programs—the Forest Legacy Program and Cooperative Endangered Species programs—that ensure permanent conservation of important forest lands and threatened and endangered species' habitat, as well as important wildlife and recreational habitat and ensures that public lands stay public for hunters, anglers, and other outdoor recreationists for generations to come.

- TWS strongly supports fully funding LWCF at the proposed \$900 million. Full funding for LWCF will allow land management agencies to manage our public lands more efficiently and cost-effectively. This is achieved through strategic

inholdings acquisition which reduces internal boundary line surveying, right-of-way conflicts and special use permits.

#### EMERGENCY WILDFIRE FUNDING

For years U.S. Forest Service (USFS) and the Department of the Interior (DOI) have had to divert funds away from vital conservation and wildfire mitigation programs to cover wildfire suppression costs. This is having long term negative effects on conservation and land management, especially where these funds are diverted from programs aimed at reducing fire risks and costs, which creates a vicious cycle. With longer and more severe fire seasons the Forest Service has seen its wildfire management activities rise from 13 percent of the agency's budget in fiscal year 1991 to almost 50 percent for the past several fiscal years.

—TWS strongly supports the President's proposal of \$954 million in new budget authority for wildfire suppression under the FLAME Suppression Cap Adjustment. This will eliminate the need to rob other accounts to pay for the worst 1 percent of wildfires.

#### CLIMATE CHANGE RESILIENCY

Wilderness, public lands, connected wildlife habitats and other types of "green infrastructure" are some of the most cost-effective investments that can be made to increase climate change resiliency. Connected wild landscapes allow species and habitats to adapt more easily to changes in climate, buffer local communities from storms and natural disasters and our national forests can be effective carbon sinks.

—TWS supports the President's \$1 billion climate change fund to safeguard not only our public lands but our communities and our economy.

#### BLM ONSHORE OIL AND GAS POLICY

The BLM is implementing important management reforms of its oil and gas program that is leading toward a better balance between oil and gas development on public lands and the protection of the numerous natural resource values that were put at risk by previous policies. The administration has proposed these reforms of the BLM's oil and gas program, which TWS supports:

—A fee on onshore Federal operators sufficient to provide for a \$48 million per year inspection and enforcement program to implement recommendations made by the Government Accountability Office; Continuation of the \$6,500 APD fee; A \$4.00 per acre fee on non-producing onshore leases.

#### SAGE GROUSE INITIATIVE

The Wilderness Society supports the administration's \$15 million request for the BLM's National Greater Sage Grouse Planning Strategy. If successful, implementation of this strategy will lead to recovery of this important western game species without the necessity of a listing under the Endangered Species Act.

#### BLM'S NATIONAL LANDSCAPE CONSERVATION SYSTEM

The National Landscape Conservation System (Conservation Lands) comprises some 27 million acres of congressionally and presidentially designated lands and waters, including National Monuments, National Conservation Areas, Wilderness Areas and other designations. Stewardship of the Conservation Lands provides jobs for thousands of Americans while supporting vibrant and sustainable economies in surrounding communities. The Conservation Lands provide immeasurable public values from modest investments: outstanding recreational opportunities, wildlife habitat, clean water, wilderness, and open space near cities. We ask Congress to:

—Support the administration's fiscal year 2015 recommendation of \$66.5 million to ensure the natural, cultural, and historical resource protection provided by the Conservation Lands for the American public.

—Restore the Challenge Cost Share Program at full funding of \$19 million. This is a cross-cutting program within DOI, which provides a 1:1 match for volunteer activities.

#### RENEWABLE ENERGY

TWS is a strong proponent of transitioning our country to a clean energy economy by developing our renewable energy resources responsibly. We believe renewable energy is an appropriate and necessary use of the public lands when sited in areas

screened for habitat, resource, and cultural conflicts. TWS hopes the Department will continue to support a program that ensures our public lands can play an important role in supporting renewable energy infrastructure through environmental review, suitability screening, and energy zone identification to find suitable places for needed renewable energy projects. TWS is also a supporter of Secretarial Order 3330 on Mitigation that would ensure that any impacts are avoided or offset. TWS urges Congress to:

- Support increased funding for renewable energy programs across Interior from fiscal year 2014 enacted.
- Support the Department's request to fund BLM's renewable energy activity at no less than \$29 million to make up for the impact of sequestration.
- Increase funding for the FWS to review and permit renewable energy projects on public lands.

#### NATIONAL WILDLIFE REFUGE SYSTEM FUNDING

The National Wildlife Refuge System is the world's finest network of protected lands and waters. Designed to conserve our fish and wildlife resources, refuges are located in every State and territory and provide enormous economic benefit for their local communities. Every year, the System attracts 45 million tourists, hunters, fishermen, and other recreationists, generating \$1.7 billion in sales, sustaining nearly 27,000 jobs annually, and contributing over \$185 million in tax revenue. The Refuge System has been under increasing fiscal strain, however, with a maintenance backlog of over \$3 billion.

- We urge Congress to support funding for the National Wildlife Refuge System at the President's recommendation of \$476.4 million.

#### NATIONAL FOREST RESTORATION

The Legacy Roads and Trails (LRT) and Collaborative Forest Restoration Programs (CFLR) provide essential funding to restore watersheds, improve recreational access by focusing on roads and trails where water quality and aquatic species are at risk and advance collaborative restoration projects. Despite its success, the LRT program was slashed 50 percent in fiscal year 2011 and again in fiscal year 2014 by 22 percent. We look forward to the results of the 3-region test pilot for Integrated Resource Restoration (IRR). However, we do not recommend that the IRR pilot program be expanded until the test regions have proven that IRR can improve restoration outcomes without a loss of program transparency and accountability. To achieve restoration goals in fiscal year 2015, TWS recommends that Congress:

- Restore Legacy Roads and Trails funding to \$45 million within Capital Improvement and Maintenance;
- Fully fund the CFLRP at the President's recommendation of \$60 million; and
- Extend the IRR pilot program, and works closely with the Forest Service and stakeholders to ensure transparency and accountability for the activities and outcomes of the pilot program.

#### FOREST SERVICE INVENTORY & MONITORING AND PLANNING

The Inventory and Monitoring is integral to forest planning serving both as the baseline data and trigger for course correction. The Planning Program funds amendments and revisions to Land Management Plans, the overarching documents that guide the management of individual forests and grasslands. By providing adequate and consistent funding to both these programs, we advance plans and projects, and avoid bad decisionmaking, unnecessary costs, and more risks to water quality and quantity, wildlife, and recreation. TWS recommends that Congress:

- Support Inventory & Monitoring and Planning by restoring funding to the running 10-year average of \$163,689,000 and \$48,254,000, respectively.

#### NATIONAL FOREST ROADS

Over the past 4 years, Forest Service roads funding has been cut by 30 percent adding even more strain to a road system where the collective cost continues to far outstrip the Forest Service's financial capacity. Roads are one of the most significant stressors on watersheds and ecosystems, contributing to water pollution and declines in salmon, trout and other fish. Adequate funding for the road system is needed to address public safety issues, the negative effects of roads on wildlife and water, and provide high quality recreational access to the American public. Ade-

quate funding will also ensure that previous taxpayer investments in our forest infrastructure are not squandered through lack of maintenance.

- We urge Congress to fund Capital Improvement and Maintenance Roads at the running 10-year average of \$207,383,000 in fiscal year 2015.
- We recommend that Capital Improvement and Maintenance Roads funds are available for maintenance and operations, reconstruction, limited construction, and decommissioning.

#### NATIONAL FOREST TRAILS

There are 155,600 miles of trails in the National Forest System. These trails provide 50 million visitor days of cross-country skiing, hiking, horseback riding, mountain biking, and off-road vehicle use each year. The number of annual visitor days has grown 376 percent since 1977, and the total mileage of trails has grown 56.9 percent to accommodate this use. In fiscal year 2014 the trails budget was cut nearly 9 percent to \$75 million, despite the fact that the Government Accountability Office reported in June 2013 that the agency has more than a \$500 million trail maintenance backlog. Currently, the Forest Service is able to maintain only a third of its trail miles to a minimum standard condition.

- In light of the history and conditions we describe above, we urge Congress to fund Capital Improvement and Maintenance Trails at its fiscal year 2010 level of \$85,381,000 in fiscal year 2015.

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#### PREPARED STATEMENT OF THE WILDLIFE CONSERVATION SOCIETY

Chairman Reed, Ranking Member Murkowski and members of the subcommittee: The Wildlife Conservation (WCS) was founded with the help of Theodore Roosevelt in 1895 with the mission of saving wildlife and wild places worldwide. Today, WCS manages the largest network of urban wildlife parks in the United States led by our flagship, the Bronx Zoo. Globally, WCS works to protect 25 percent of the world's biodiversity and address four of the biggest issues facing wildlife and wild places: climate change; natural resource exploitation; the connection between wildlife health and human health; and the sustainable development of human livelihoods. While taking on these issues, we manage more than 200 million acres of protected lands around the world, employing more than 4,000 staff including 200 Ph.D. scientists and 100 veterinarians.

The American conservation tradition is based on promoting sustainable use of our natural resources in order to preserve the world's species and environment for future generations. In recognition of the current fiscal constraints, it is important to note that effective natural resources management and conservation has indirect economic benefits, including contributing to local economies through tourism and other means.

Domestically, the story of the American bison is an excellent example of how long-term conservation and management of a natural resource can have a very positive economic impact. Brought to the edge of extinction at the end of the 19th century, a few bison were saved, mostly through the actions of private ranchers. Conservationists, led by Roosevelt and William Hornaday, brought some of the few remaining bison to the Bronx Zoo to breed the animals for eventual reintroduction. Within 2 years, 15 bison bred in captivity at the Zoo were returned to their natural habitat under Federal control in the Wichita Mountains Wildlife Refuge in Congressman Cole's district in Oklahoma, the very first wildlife refuge in the United States. This is the first known instance of a nearly-extinct mammal being successfully reestablished.

Today, more than 20,000 bison are in federally-managed herds and serve as major tourist attractions at Yellowstone, Grand Teton, and other jewels of the National Park system. States are also successfully managing herds, with the Henry Mountains herd in Congressman Stewart's district being particularly notable because, in addition to being a tourist attraction, it generates revenues through hunting concessions. And in every State in the country, private producers manage 200,000 bison, sustaining thousands of jobs and generating more than \$280 million in revenue. Clearly, the rescue, reestablishment and conservation of bison is a great success, both environmentally and economically.

Internationally, by supporting conservation, the U.S. is increasing capacity and governance in developing nations and improving our own national security as a result. And these efforts are absolutely critical, as we have reached a crisis with regard to the trafficking of wildlife. U.S Government estimates compiled by the Congressional Research Service (CRS) last summer show that illegal trade in endan-

gered wildlife products, including elephant ivory, rhino horns, and turtle shells, is worth at least an estimated \$7 to \$10 billion annually. When the trade in illegal logging, plants and fisheries are also included, CRS states that some estimates exceed \$100 billion, which would place the illegal wildlife trade among the 10 largest criminal activities worldwide. Because of the lucrative nature of this industry, evidence is showing increasingly that transnational criminal organizations and terrorist groups that are involved in other major trafficking operations—drugs, humans and weapons—are engaged in wildlife trafficking as well.

On the ground in Africa and elsewhere, WCS scientists are seeing, first-hand, the devastating impact poaching is having on elephants, rhinos, tigers, and other iconic species. In 2012 alone, we estimate that 35,000 African elephants were killed for their ivory—that is an average of 96 elephants per day or one killed every 15 minutes. The subspecies of African forest elephants has seen a decline of 65 percent since 2002, dwindling to less than 80,000 today. Continued poaching at these rates may mean the extinction of forest elephants within a decade. Action must be taken now, so that we do not end up where we were with bison 100 years ago. Although that story continues to be a happy one, there is no guarantee that story of the elephant will not, ultimately, be a tragedy.

The Federal Government recently announced the National Strategy for Combating Wildlife Trafficking (National Strategy), which is designed to provide a framework for a whole-of-government approach to addressing wildlife trafficking. Several programs within this bill form the basis upon which that strategy is built. This testimony will touch on several of those programs, beginning with the U.S. Fish and Wildlife Service, which plays a key role in the National Strategy and U.S. antitrafficking efforts.

#### UNITED STATES FISH AND WILDLIFE SERVICE

*Multinational Species Conservation Fund (MSCF).*—Global priority species—such as tigers, rhinos, African and Asian elephants, great apes, and marine turtles—face constant danger from poaching, habitat loss and other serious concerns. MSCF programs have helped to sustain wildlife populations by controlling poaching, reducing human-wildlife conflict, and protecting essential habitat—all while promoting U.S. economic and security interests in far reaching parts of the world. These programs are highly efficient, granting them an outsized impact because they consistently leverage three to four times as much in matching funds from corporations, conservation groups, and national governments. WCS requests that \$10 million be appropriated for the MSCF for fiscal year 2015, equal to the fiscal year 2009 funding level.

WCS has had great success on projects using funds from the MSCF. In 2009, with support from the African Elephant Conservation Fund, WCS launched a new project in collaboration with Bauchi State Government to improve levels of protection and reduce rates of elephant poaching in Yankari Game Reserve. Yankari contains the largest surviving elephant population in Nigeria and one of the largest remaining in West Africa. WCS has been able to make substantial progress in building the capacity of the ecoguard staff and empowering local authorities to manage this population. Despite years of extreme poaching pressure, the number of elephants killed this year has been kept to a minimum through constant effort and surveillance. A strong team of ecoguards is now using durable, GPS-enabled technology to detect illegal activities and report back to authorities in an efficient way, utilizing real-time data and illustrative maps.

*Wildlife Without Borders Global and Regional Programs.*—These programs are a great investment in addressing cross-cutting threats to ecosystems and wildlife such as disease outbreaks, human-wildlife conflict, and the bushmeat trade. Wildlife Without Borders (WWB) is making lasting impacts through capacity building, technical support and training, local community education and citizen science. In fiscal year 2015, WCS recommends funding the WWB Global and Regional Programs commensurate with the President's request of \$7.2 million.

Created in 2010, the WWB Critically Endangered Animals Fund provided over \$300,000 in grants in fiscal year 2013 to protect the most imperiled species on the planet. This funding was matched more than 2 for 1 by non-Federal contributions. A portion of this funding is supporting a successful WCS project in Myanmar to ensure a genetically diverse, self-sustaining, wild population of the Burmese roofed turtle. I urge you to include language in the report to accompany the bill that would ensure this small but important program for critically endangered species remains open.

*Office of Law Enforcement.*—The U.S. remains one of the world's largest markets for wildlife and wildlife products, both legal and illegal. A small group of dedicated

officers at the Fish and Wildlife Service (FWS) Office of Law Enforcement (OLE) are tasked with protecting fish, wildlife, and plant resources by investigating wildlife crimes—including commercial exploitation, habitat destruction, and industrial hazards—and monitoring the Nation’s wildlife trade to intercept smuggling and facilitate legal commerce.

Many of the new responsibilities placed on the FWS by the National Strategy will be enforced by the OLE, and WCS supports the President’s request for \$65.8 million. Most of the proposed increase will go to strengthening forensic capabilities needed to address wildlife trafficking and expanding the capacity of the Special Investigations Unit so that it can maximize the scope and effectiveness of FWS efforts to respond to the elephant poaching crisis and shutdown trafficking in elephant ivory. This funding, in concert with full implementation of the effort to deploy OLE personnel at key embassies overseas, will increase investigations involving species that are victimized by illegal trade.

The National Strategy calls for the Federal Government to “increase coordination among law enforcement and intelligence agencies to enhance the effectiveness of Federal efforts to combat wildlife trafficking.” For no agency is this increased coordination with the intelligence community more important than for the OLE. We strongly encourage the Committee to include language in the report that would facilitate increased coordination between the OLE and the intelligence community.

*State and Tribal Wildlife Grants Program.*—The State and Tribal Wildlife Grants program gives States and tribes funding to develop and implement comprehensive conservation plans to protect declining wildlife and habitats before protection under the Endangered Species Act is necessary. This important program is supported by more than 6,200 organizations that have formed a national bipartisan coalition called Teaming with Wildlife of which WCS is a steering committee member. WCS recommends Congress provide \$58.7 million, equal to the fiscal year 2014 level, for the program to implement State Wildlife Action Plans.

#### UNITED STATES FOREST SERVICE

*International Programs.*—The Forest Service International Programs (FSIP) level the playing field in international trade for U.S. timber producers and reduce illegal logging by providing specialized experience. This improves the sustainability and legality of timber management overseas which translates to less underpriced timber undercutting U.S. producers. FSIP, through partnerships with USAID and the Department of State, helps to improve the resource management in countries of strategic importance to U.S. security. Resource scarcity and unregulated extraction of natural resources—whether water, food, timber, or minerals—is often a root cause of unrest and corruption, both of which undermine democracy, the rule of law and political stability. FSIP has increasingly leveraged modest funding from Congress to make a big impact for the U.S. taxpayer. For every Federal dollar invested in FSIP, four additional dollars is leveraged in matching funds and other contributions from partners. WCS requests that the fiscal year 2014 enacted level of \$8 million for the FSIP is maintained in fiscal year 2015.

With technical and financial support from FSIP, WCS has been working to conserve a biologically rich temperate forest zone called the Primorye in the Russian Far East. The region hosts over a hundred endangered species as well as numerous threatened species, including the Far Eastern leopard and Amur tiger. Habitat conservation for these animals, which are dependent on large tracts of intact forest ecosystem, benefits associated species and biodiversity in the region. FSIP works with us to exchange information and methodologies with Russian scientists, managers, and students on a variety of wildlife-related topics to support conservation and capacity building efforts and ensure the sustainable management of forests and wildlife habitat.

#### UNITED STATES NATIONAL PARK SERVICE

*Office of International Affairs.*—In 1961, the U.S. Government initiated its first international conservation program with the creation of the Office of International Affairs (OIA). Since then, this office has facilitated technical assistance and exchange projects with counterpart agencies globally building on the legacy of American leadership in national parks management. OIA is also the managing agency for World Heritage Sites located in the United States. Thanks to this program, NPS is working on collaborative areas of trans-frontier concern, including at the Beringia Shared Heritage Initiative (U.S.-Russia), which WCS has been involved with as part of our ongoing conservation efforts in Arctic Alaska. WCS is currently studying the behavior and survivorship of migratory birds that travel to Teshekpuk Lake in Alaska’s National Petroleum Reserve to nest each year, as well as the impacts climate

change is having on Alaska's walrus populations. The international work conducted by NPS is not only about helping other countries protect their parks and heritage. It is about bringing home best practices and learning from international engagement that could benefit the American parks. WCS recommends including the President's request of \$897,000 for the OIA in fiscal year 2015.

In conclusion, I appreciate the opportunity to share WCS's perspectives and make a case for increased investment in conservation in the fiscal year 2015 Interior, EPA and Related Agencies Appropriations Act. Conservation of public lands is an American tradition and, as far back as 1909, Theodore Roosevelt recognized that the management of our natural resources requires coordination between all nations. Continued investment in conservation will reaffirm our global position as a conservation leader, while improving our national security and building capacity and good governance in developing countries. Thank you.

#### PREPARED STATEMENT OF THE WILDLIFE SOCIETY

The Wildlife Society appreciates the opportunity to provide testimony on the fiscal year 2015 budget for the Department of Interior, Environment, and Related Agencies. The Wildlife Society was founded in 1937 and is a non-profit scientific and educational association representing nearly 10,000 professional wildlife biologists and managers, dedicated to excellence in wildlife stewardship through science and education. Our mission is to represent and serve the professional community of scientists, managers, educators, technicians, planners, and others who work actively to study, manage, and conserve wildlife and habitats worldwide.

#### UNITED STATES FISH AND WILDLIFE SERVICE

The State and Tribal Wildlife Grants Program is the only Federal program that supports States in preventing wildlife from becoming endangered. It is also the primary program supporting implementation of State Wildlife Action Plans, which detail on the ground conservation actions in each State to keep common species common. Funding assistance for State wildlife agencies is one of the highest priority needs to prevent further declines in at-risk species in every State. Previous budget reductions and sequestration have had a serious and disproportionate impact on State and Tribal Wildlife Grants. Compounding these impacts is a decrease in funding recommended in the President's budget, to \$50 million in fiscal year 2015. We recommend Congress appropriate at least \$58.7 million for State and Tribal Wildlife Grants to maintain level funding in fiscal year 2015. We also ask that Congress not shift additional funds directed to States through formula grants to a competitive allocation. This funding is critical for maintaining wildlife diversity programs at the State level and a further reduction in the formula grants may have dramatic negative consequences.

As a member of the Cooperative Alliance for Refuge Enhancement, or CARE, The Wildlife Society supports the President's request for the National Wildlife Refuge System's operations and maintenance accounts at \$476.4 million for fiscal year 2015. CARE estimates that the Refuge System needs at least \$900 million in annual operations and maintenance funding to properly administer its 562 refuges and 38 wetland management districts spanning over 150 million acres. Given current fiscal realities, we understand that funding at \$900 million is not currently possible. However, at its highest funding level in fiscal year 2010, the Refuge System received only \$503 million—little more than half the needed amount. Since that time, congressional appropriations have not only failed to account for rising costs, but have been steadily backsliding resulting in the loss of 324 employees since 2011, or 9 percent of all staff. Yet the Refuge System actually pays for itself several times over by generating \$4.87 in economic activity for every \$1 appropriated by Congress to run the Refuge System.

The North American Wetlands Conservation Act is a cooperative, non-regulatory, incentive-based program that has shown unprecedented success in restoring wetlands, waterfowl, and other migratory bird populations. This program has remained drastically underfunded despite its demonstrated effectiveness. We support the President's request of \$34.1 million and encourage Congress to match this request for fiscal year 2015.

The Neotropical Migratory Bird Conservation Act Grants Program supports partnership programs to conserve birds in the U.S., Latin America and the Caribbean, where approximately 5 billion birds representing 341 species spend their winters, including some of the most endangered birds in North America. This program should be funded at or above \$6.5 million to achieve maximum success. However, recognizing the current fiscal climate, The Wildlife Society recommends Congress

maintain level funding for the Neotropical Migratory Bird Conservation Act at \$3.7 million in fiscal year 2015.

The Wildlife Society supports adequate funding levels for all three subactivities within the Ecological Services Program. Endangered species recovery efforts can ultimately lead to delisting, resulting in significant benefits to species through State management efforts. FWS, with the help of Federal and State agency partners, has been working to implement new strategies to increase the efficiency and effectiveness of this program and to reduce the regulatory burden on private landowners and industry partners. To support these actions and the increased emphasis on consultation and recovery, we recommend Congress match the President's request and provide \$28 million for Listing, \$105 million for Planning and Consultation, and \$124 million for Conservation and Restoration in fiscal year 2015.

The voluntary Partners for Fish and Wildlife Program (PFW) provides financial and technical assistance to private landowners across the country to restore degraded habitat and to safeguard against potential regulatory burdens associated with endangered species listings. With over two-thirds of our Nation's lands held as private property, and up to 90 percent of some habitats lost, private lands play a key role in preserving our ecosystem. For example, working under a new MOU with the Natural Resource Conservation Service, PFW has been critical in engaging private landowners to restore and maintain habitat for the Greater-sage Grouse in States like Idaho and Nevada; potentially removing the need for a future listing. We urge Congress to provide \$60 million in support of the PFW Program in fiscal year 2015 in order to allow landowners to help contribute to land and wildlife preservation.

Through its International Affairs office, FWS works with many partners and countries in the implementation of international treaties, conventions, and projects for the conservation of wildlife species and their habitats. International trade, import, and transportation of wildlife species can have a huge impact on America's security, economy, and environment. Careful regulation of imports and implementation of international policies is an important task. We ask Congress to match the President's request of \$14.6 million in support of FWS International Affairs in fiscal year 2015.

#### BUREAU OF LAND MANAGEMENT

The Bureau of Land Management (BLM) lands support over 3,000 species of wildlife, more than 300 federally proposed or listed species, and more than 1,300 sensitive plant species. Historically, the Wildlife and Fisheries Management (WFM) and the Threatened and Endangered Species Management (TESM) programs have been forced to pay for the compliance activities of BLM's energy, grazing, and other non-wildlife related programs, eroding both their ability to conduct proactive conservation activities and their efforts to recover listed species. Given the significant underfunding of the BLM's wildlife programs, combined with the tremendous expansion of energy development across the BLM landscape, we recommend Congress appropriate \$52.6 million for BLM Wildlife Management in fiscal year 2015. This will allow BLM to maintain and restore wildlife and habitat by monitoring habitat conditions, conducting inventories of wildlife resources, and developing cooperative management plans. We support the proposed increase of \$15 million for sage grouse conservation efforts; this kind of broad-scale, landscape based conservation is exactly what is needed to manage and conserve sage grouse across their range.

Increased funding is also needed for the Threatened and Endangered Species Management Program, to allow BLM to meet its responsibilities in endangered species recovery plans. BLM's March 2001 Report to Congress called for a doubling of the Threatened and Endangered Species budget to \$48 million and an additional 70 staff positions over 5 years. This goal has yet to be met. In light of this, we strongly encourage Congress to increase overall funding for BLM's endangered species program to \$48 million in fiscal year 2015.

The Wildlife Society, part of the National Horse and Burro Rangeland Management Coalition, appreciates the commitment of BLM to addressing the problems associated with Wild Horse and Burro Management. We support the requested increase of \$2.8 million for implementation of the National Academy of Sciences recommendations and findings and continued research and development on contraception and population control. However, with more than 12,000 horses above BLM's stated Appropriate Management Levels on the range and nearly 50,000 horses in off-site long- and short-term holding facilities The Wildlife Society is concerned about BLM's emphasis on fertility control alone. The current language limiting the use of humane euthanasia for unwanted or unadoptable horses should be removed to allow BLM to use all necessary management tools to bring populations of on- and

off-range wild horses and burros within manageable range and additional funding should be requested to correct the habitat damage that has occurred due to overpopulation of these animals. The requested \$80.2 million should be provided to BLM if they continue removing excess horses from the range at a reasonable rate and focus additional resources on habitat restoration.

#### UNITED STATES GEOLOGICAL SURVEY

The basic, objective, and interdisciplinary scientific research that is supported by the United States Geological Survey (USGS) is necessary for understanding the complex environmental issues facing our Nation today. This science will play an essential role in the decisionmaking processes of natural resource managers, and it will help protect our water supply and conserve endangered species. More investment is needed to strengthen USGS partnerships, improve monitoring, produce high-quality geospatial data, and deliver the best science to address critical environmental and societal challenges. The Wildlife Society supports funding of at least \$1.1 billion for USGS in fiscal year 2015.

The Ecosystems Program of USGS contains programmatic resources for fisheries, wildlife, environments, invasive species and the Cooperative Fish and Wildlife Research Unit. The Ecosystems program strives to maximize research and support for comprehensive biological and ecosystem based needs. The Wildlife Society supports the President's request of \$162 million for USGS's Ecosystems Department in fiscal year 2015. Within Ecosystems, we support the request of \$45.1 million for the Wildlife Program. Additionally, we appreciate the requested addition of \$300,000 for pollinator research and of \$1 million for research on the impacts of future energy development on wildlife sustainability.

The Cooperative Fish and Wildlife Research Units (CFWRUs) are managed under the Ecosystems Department and conduct research on renewable natural resource questions, participate in the education of graduate students, provide technical assistance and consultation on natural resource issues, and provide continuing education for natural resource professionals. In fiscal year 2001, Congress fully funded the CFWRUs, allowing unit productivity to rise to record levels. Since then, budgetary shortfalls have continued to cause an erosion of available funds, resulting in a current staffing vacancy of nearly one quarter of the professional workforce. In order to fill current vacancies, restore seriously eroded operational funds for each CFWRU, and enhance national program coordination, the fiscal year 2015 budget for the CFWRUs should be increased to \$18.5 million, the level requested by the President. This would restore necessary capacity in the CFWRU program and allow it to meet the Nation's research and training needs.

The Wildlife Society appreciates the fiscal year 2014 funding of \$25.5 million for the National Climate Change and Wildlife Science Center. This center plays a pivotal role in addressing the impacts of climate change on fish and wildlife by providing essential scientific support. In order for this role to be fully realized, The Wildlife Society recommends that Congress fund the National Climate Change and Wildlife Science Center at the requested \$35.3 million in fiscal year 2015.

#### UNITED STATES FOREST SERVICE

Our national forests and grasslands are essential to the conservation of our Nation's wildlife and habitat, and are home to about 425 threatened and endangered species, and another 3,250 at-risk species. In fiscal year 2011, the Forest Service combined several programs and budgets, including Vegetation and Watershed Management, Wildlife and Fisheries Habitat Management, and Forest Products into a single Integrated Resource Restoration activity budget. We continue to be concerned with this merger because it makes accountability to stakeholders and Congress more difficult. However, with these reservations noted, we urge Congress to support the request of \$820 million for the Integrated Resource Restoration program in fiscal year 2015.

Integral to management of our natural resources is a deep understanding of the biological and geological forces that shape the land and its wildlife and plant communities. The research being done by the USFS is at the forefront of science, and essential to improving the health of our Nation's forests and grasslands. Furthermore, it will play a key role in developing strategies for mitigating the effects of climate change. We urge Congress to match the President's request of \$275 million in fiscal year 2015 for Forest and Rangelands to support this high-quality research.

#### DEPARTMENT OF INTERIOR WILDLAND FIRE MANAGEMENT

The Wildlife Society supports the request for \$30.0 million to establish a new "Resilient Landscapes" activity to improve the integrity and resilience of forests and

rangelands by restoring natural vegetation landscapes to specific conditions and maintaining fire resiliency.

Thank you for considering the recommendations of wildlife professionals.

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PREPARED STATEMENT OF THE WORLD WILDLIFE FUND

Chairman Reed, Ranking Member Murkowski, and members of the subcommittee, World Wildlife Fund (WWF) requests your support for a number of important conservation programs within the Department of the Interior and U.S. Fish and Wildlife Service (USFWS). WWF is the largest private conservation organization working internationally to conserve wildlife and nature. WWF currently sponsors conservation programs in more than 100 countries with the support of 1.2 million members in the United States and more than 5 million members worldwide. We respectfully request that the subcommittee fund the following programs at the following levels in fiscal year 2015:

- U.S. Fish and Wildlife Service Office of Law Enforcement at no less than the administration's request of \$66.7 million, including additional funding to support implementation of the National Strategy on Wildlife Trafficking and at least \$4.8 million for Lacey Act enforcement.
- U.S. Fish and Wildlife Service Office of International Affairs at the administration's request of \$14.6 million, including additional funding to support implementation of the National Strategy on Wildlife Trafficking.
- U.S. Fish and Wildlife Service Multinational Species Conservation Funds at \$10 million, \$900,000 above the administration's request.

One of WWF's top priorities is supporting efforts to combat wildlife trafficking and the current global poaching crisis. The illegal trade in wildlife, including timber and fish, is worth \$10–20 billion annually and is ranked among the top five most lucrative criminal activities worldwide. Wildlife trafficking is strongly linked to transnational organized crime organizations and other criminal activities, such as arms and drug trafficking. Large-scale illegal trade in wildlife, driven largely by soaring demand in Asia for wildlife products, has sparked a poaching crisis that is pushing some of our most iconic species towards extinction, including elephants, tigers and rhinos. This crisis is also having a devastating impact on local communities and undermining regional security and economic growth in the developing world, including in countries of strategic importance to the United States. According to an assessment released by Federal intelligence agencies in September 2013, there is also significant evidence that wildlife trafficking is helping to finance armed insurgencies and groups with ties to terrorism, including the Lord's Resistance Army, the Janjaweed, and al-Shabaab. Last year alone, an estimated 30,000–35,000 elephants were killed illegally throughout Africa. In the past 10 years, the number of forest elephants in Central Africa has dropped by two-thirds, putting them on the path to extinction within the next 10 years. East Africa is also being hit hard: in January, the Tanzanian Government released numbers showing that the population of elephants in that country's Selous Game Reserve had fallen 66 percent in just 4 years—a shocking decline for a reserve that until recently was home to Africa's second largest concentration of elephants. In South Africa, the number of rhinos lost to poaching has jumped 7000 percent between 2007 and 2013. A record 1004 South African rhinos were illegally killed for their horns in 2013—up 50 percent from the year before and a stunning increase from only 13 poaching incidents in 2007. As few as 3200 tigers remain in the wild in all of Asia, due in large part to poachers killing the animals for their skins, bones and other body parts. Several of the agencies and programs that this subcommittee helps to fund play essential roles in combating this crisis, which is robbing developing countries of natural resources and economic opportunities, harming American businesses by flooding global markets with cheap illegal forest and fish products, and threatening U.S. security interests. Recognizing the seriousness of the situation, the President issued an Executive Order on July 2013 and mandated a National Strategy for Combatting Wildlife Trafficking, released in February 2014, which calls on all relevant agencies to work together as part of a whole-of-government response to the crisis. The Department of Interior and the Fish and Wildlife Service will carry a large part of the responsibility for implementing the Strategy, and we believe they should be provided with the necessary resources to be successful.

UNITED STATES FISH AND WILDLIFE SERVICE OFFICE OF LAW ENFORCEMENT

The USFWS Office of Law Enforcement (OLE) investigates wildlife crimes, enforces regulation of wildlife trade, helps citizens comply with the law, and works with other international and U.S. Government entities to carry out its mission. Its

agents and investigators also have a central role in implementing the new National Strategy on Wildlife Trafficking and enforcing new domestic regulations on elephant ivory. OLE wildlife inspectors are on the front lines in the fight against wildlife trafficking, working in nearly 40 designated and non-designated ports of entry around the country. In fiscal year 2011, they processed 179,000 declared shipments of wildlife and wildlife products worth more than \$2.8 billion. OLE's special agents are expert investigators that break up smuggling rings, stop commercial exploitation of protected U.S. species, and work with States to protect U.S. game species from poaching. "Operation Crash" is an ongoing nationwide criminal investigation led by the U.S. Fish and Wildlife Service that is addressing all aspects of U.S. involvement in the black market rhino horn trade. The first phase of this probe, focused on unlawful purchase and outbound smuggling of rhino horn from the U.S., has resulted in 15 arrests and nine convictions to date, involving charges include conspiracy, smuggling, money laundering, tax evasion, bribery, and making false documents, as well as violations of the Endangered Species Act and Lacey Act (the primary domestic law against wildlife trafficking). Eight arrests were made in February 2012 as part of a nationwide "takedown" that involved more than 140 law enforcement officers executing search warrants in 13 States; 2013 has seen the arrests and indictments of several other individuals (including Chinese and U.S. antiques dealers) who were operating a second large-scale rhino horn and elephant ivory smuggling network. In spite of successes such as this one, OLE is severely underfunded to meet the rapidly growing challenges it faces, including the need to place agents at key posts around the world to assist in shutting down global wildlife smuggling rings. OLE's budget has suffered a 17.8 percent reduction in real dollars since fiscal year 2010, limiting its ability to investigate and prosecute wildlife crimes and help citizens to comply with the law. Budget cuts through fiscal year 2013 have caused cancellation of plans to hire 24 more special agents and prevented vacancies from being filled for 14 front line inspectors as well as 3 forensics experts for the Clark R. Bavin National Fish and Wildlife Forensics Laboratory in Ashland, Oregon—the only laboratory in the world dedicated to solving wildlife crimes and a unique asset in efforts to crack down on ivory and rhino horn smuggling. USFWS OLE is also responsible for enforcing of the Lacey Act and its expansion to cover plants and plant products, and additional funding is needed to carry out enforcement activities against those actors that choose to trade in illegal timber and timber products. The illegal timber trade is estimated to cost U.S. industry \$1 billion annually. With public enforcement cases, FWS sends a message that illegal activities will not be tolerated. Due to pressing needs and enhanced responsibilities under the National Strategy on Wildlife Trafficking, WWF recommends at least \$66.7 million for the USFWS Office of Law Enforcement, consistent with the administration's fiscal year 2015 budget request, including at least \$4.8 million for Lacey Act enforcement.

#### UNITED STATES FISH AND WILDLIFE SERVICE OFFICE OF INTERNATIONAL AFFAIRS

The USFWS International Affairs (IA) program supports efforts to conserve our planet's wildlife and biodiversity by protecting habitat, combating illegal wildlife trade and building capacity for landscape-level wildlife conservation around the world. The program's three divisions—the Division of International Conservation, the Division of Management Authority and the Division of Scientific Authority—manage various components of international wildlife conservation. The Division of Management Authority and the Division of Scientific Authority run the International Wildlife Trade (IWT) program, which provides oversight of domestic laws and international treaties that promote the long-term conservation of plant and animal species by ensuring that international trade and other activities do not threaten their survival in the wild. IWT works to prevent illegal trade in wildlife and wildlife products, which threatens vulnerable wildlife populations, undermines U.S. foreign policy and security objectives by financing criminality and corruption, and transmits diseases and invasive species, which negatively impact public health and economic productivity in the U.S.—one of the largest importers and exporters of wildlife products. IWT ensures trade is legal and does not harm species in the wild while implementing scientific and management requirements of laws and treaties for traded species and issuing 15,000–20,000 permits per year. Working with governments, industry and experts around the world, IWT also strives to establish conservation programs that include sustainable use, supporting economic opportunity while also conserving species. IWT also leads the U.S. Government's active engagement on the Convention on International Trade in Endangered Species of Fauna and Flora (CITES), which is one of the most important tools for combating the global illegal wildlife trade. The Division of International Conservation provides critical support to on-the-ground species conservation through its Wildlife Without Borders (WWB)

programs and signature initiatives. The WWB Regional program supports species and habitat conservation in priority regions, including Africa, Latin America and the Caribbean and Mexico, through capacity building, outreach, education and training. This includes training African wildlife professionals to combat the bushmeat trade and working to bolster wildlife laws and increase enforcement capacity in African countries. The WWB Global program targets crosscutting, global threats to wildlife, supports signature initiatives to maximize long-term impact, and address declines of critically endangered species, such as amphibians. From 2007 to 2013, the WWB Regional and Global Programs supported more than 940 conservation projects, awarded over \$31 million in grants and leveraged an additional \$46 million in matching funds for on-the-ground wildlife conservation programs, education, training and outreach. We recommend \$14.6 million for the Office of International Affairs, consistent with the administration's fiscal year 2015 budget request.

UNITED STATES FISH AND WILDLIFE SERVICE MULTINATIONAL SPECIES CONSERVATION FUNDS

Through the Multinational Species Conservation Funds (MSCF), the United States supplements the efforts of developing countries struggling to balance the needs of their human populations and endemic wildlife. These modest Federal programs, administered by USFWS, make targeted investments in conservation of several global priority species. In 1989, Congress passed the African Elephant Conservation Act authorizing a dedicated fund in response to the threat posed to that species by rampant ivory poaching. Four more Funds have since been authorized to support the conservation of Asian elephants, great apes, marine turtles, and tigers and rhinos. Each of the funds is authorized at \$5 million, with the exception of the Rhino-Tiger Conservation Fund, which was intended as a double fund to address both sets of species, and is therefore authorized at \$10 million. Appropriated funds for the programs have consistently remained roughly 30 percent or less of the authorized level. MSCF programs have played a critical role in saving wild populations of these species by controlling poaching, reducing human-wildlife conflict and protecting essential habitat. In light of the resurgence of a severe poaching crisis in Africa, these funds are just as important and relevant now as they were when Congress passed them.

Support from the Rhino-Tiger Conservation Fund (RTCF) and the Asian Elephant Conservation Fund (AsECF) to World Wildlife Fund (WWF) and its local partners has contributed to incredible successes in protecting endangered wildlife in Nepal. The funds have supported anti-poaching, habitat restoration and species monitoring that, combined with community-level engagement and strong government support, helped to ensure that no rhinos, tigers or elephants were poached in Nepal between February 2012 and February 2013. This is the second time Nepal has celebrated a year of zero-poaching (the first was in 2011) in spite of rising demand for rhino horn and ivory on Asian black markets and a sharp increase in the number of rhinos and elephants killed in Africa over the same period. In addition, RTCF funding has supported efforts that have led to a 63 percent increase in Nepal's tiger population from 2009 to 2013 and is supporting the creation and expansion of tiger reserves and protected areas in Malaysia, India and Thailand as well as anti-poaching and enforcement efforts on the Indonesian island of Sumatra. Also on Sumatra, AsECF support to World Wildlife Fund has helped to establish "Flying Squads"—teams of rangers equipped with noise and light-making devices and trained elephants that drive wild elephants back into the forest whenever they threaten to enter villages. The Squads have reduced losses suffered by local communities and prevented retaliatory killings. In 2009, they helped reduce elephant mortality in the Riau region by 27 percent in 2009 compared to the previous 4 years. The African Elephant Conservation Fund (AfECF) is supporting improved protected area enforcement in several African countries, including hiring and training of local "ecoguards" to protect populations of elephants and other threatened wildlife. In Cameroon's Campo Ma'an National Park, the AfECF supported a large-scale anti-poaching operation involving village and forest patrols, soldiers and game guards that flushed out four suspected poachers, including two notorious elephant poachers, and resulted in the seizure of 450 lbs. of bushmeat. Since 2008, the Great Ape Conservation Fund (GACF) has been supporting conservation efforts in Virunga National Park—Africa's oldest national park (established in 1925), which contains some of the richest biodiversity of any protected area on the continent and one of the largest populations of endangered mountain gorillas. GACF funding has helped to improve law enforcement and training for park rangers, develop alternative fuel sources to reduce the destructive practice of charcoal creation from the park's forests, increase aerial surveillance capacity, and grow the park's tourist revenue through a chimpanzee habituation and

tourism project that generated nearly \$1 million in 2011 alone. In the Solomon Islands of the Pacific, the Marine Turtle Conservation Fund (MTCF) has supported WWF conservation activities on important nesting beaches for endangered sea turtles, including turtle tagging, DNA sampling, nesting beach cleanups, hatchery construction, workshops on community-based monitoring, and active monitoring of nests during the turtles' nesting seasons. Hatchling success has grown each year since the program began.

These programs have proven remarkably successful, generating enormous constituent interest and strong bipartisan support in Congress. Since 1989, they have awarded over 2,300 grants and actively engaged with nearly 600 domestic and foreign partners, working in over 54 foreign countries. From 2007 to 2013, MSCF programs provided \$77 million in grant funding for on-the-ground conservation, leveraging nearly \$117 million in additional matching funds. WWF recommends \$10 million for the Multinational Species Conservation Funds, an increase of \$900,000 over the Administration's fiscal year 2015 budget request.

Thank you for considering these requests.



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