

Written Testimony
Laura Forero, Legislative Representative, League of Conservation Voters
Submitted to the House Interior, Environment, and Related Agencies Appropriations
Subcommittee
Fiscal Year 2021 Budget
January 29, 2020

Chairwoman McCollum, Ranking Member Joyce, and members of the committee,

On behalf of the League of Conservation Voters, I am pleased to submit this written testimony on our funding priorities and requests for Fiscal Year (FY) 2021 for the Department of Interior (DOI) and Environmental Protection Agency (EPA) budgets. The League of Conservation Voters (LCV) is a national environmental nonprofit working to turn environmental priorities from diverse communities nationwide into sound laws and policies at all levels of government. We are extremely thankful for the members' continued support of federal environmental agencies and programs, and for recognizing the need for increased funding in the FY 2020 budget. We are also very grateful that the Subcommittee's FY 2020 budget bill did not retain longstanding anti-environmental riders. We were disappointed that the final omnibus bill reinstated some of these riders, but we thank the Subcommittee for its strong efforts.

Although the President's Budget Request for the FY 2021 has not been released yet, based on recent rollbacks and the previous year's request, we expect a challenging fiscal environment with drastic program reductions of core environmental programs that have long had an impact in communities across the country. In anticipation of these cuts, we would like to express our support for full funding for the Land and Water Conservation Fund (LWCF), and critical EPA programs. We would also like to address critically needed Congressional oversight, which might include funding prohibitions, on the Trump administration's plans for drilling expansions offshore and in the Arctic National Wildlife Refuge, censoring science used in EPA rulemaking, undermining the Mercury and Air Toxics Standards (MATS) for power plants and fair cost benefit analysis, and gutting implementation of the National Environmental Policy Act (NEPA).

Land and Water Conservation Fund

The persistent loss of our nation's natural areas due to human activity is accelerating at an alarming rate: from 2001 to 2017, roughly a football field worth of natural area disappeared every 30 seconds to development such as roads, energy development, and housing subdivisions. Protecting and enhancing access to public lands and waters is key to address this nature crisis, increase accessibility to green spaces, and strengthen our country's thriving outdoor recreation and tourism economies. In its 50+ years of history, the Land and Water Conservation Fund (LWCF) has been a crucial program for the protection and restoration of our public lands and waters by providing funding to create state and local parks; improve access to public lands; conserve farms and forests; and protect national parks, wildlife refuges, and other public lands. Furthermore, LWCF helps to address a legacy of injustice that has resulted in certain communities – oftentimes underrepresented, low-income communities, and communities of color – lacking access to nearby green spaces and recognition through public landmarks. From iconic landscapes such as the Grand

Canyon to historical landmarks such as the Martin Luther King National Historical Park and the Chaco Culture National Historical Park to supporting neighborhood ball fields across the country, LWCF preserves our natural and cultural heritage, helps tell the stories of the diverse communities in our country, and supports green spaces in every single state and almost every county nationwide.

The FY 2020 omnibus dedicated \$495 million in discretionary appropriations to the Land and Water Conservation Fund (LWCF), an increase of \$60 million from the FY 2018 budget. We are thankful for the increased funding and for the Subcommittee's recognition of the vitality of this program by requesting an even higher number of discretionary appropriations than the funding enacted for FY2020. Nonetheless, considering the great need to address the nature crisis and the historic underfunding of LWCF, LCV supports full funding for the program at \$900 million in discretionary funding for FY2021 and looks forward to working with Congress to find a permanent funding solution for LWCF.

EPA Funding Priorities

The mission of the EPA is to protect human health and the environment, and the agency requires robust funding to do so. We appreciate the Committee's attention to EPA funding levels in FY2020, and would encourage you to continue to reject the Trump administration's attempted evisceration of the EPA's budget. In order to uphold the EPA's mission, we request that the following offices and programs receive your particular attention for adequate funding for FY2021: the Office of Environmental Justice (OEJ), Office of Enforcement and Compliance Assurance (OECA), State Revolving Funds for Water and Drinking Water, Integrated Risk Information System (IRIS), Office of Children's Health Protection (OCHP), External Civil Rights Compliance Office (Title VI), Diesel Emissions Reduction Act (DERA) Grant Programs (and report language to further prioritize or incentivize electrification), Lead Renovation, Repair and Painting Program, and the Energy STAR program.

Offshore drilling

The Trump Administration has announced the development of a radical 5-year plan to expand future oil and gas leasing to the Atlantic, Pacific and Arctic oceans, as well as Florida's Gulf Coast. The draft plan proposes the largest number of potential offshore leases ever offered by any president, including more than 90 percent of the acreage of the Outer Continental Shelf. In addition to this, the administration's Interior Department has also weakened offshore drilling safety standards at the same time as it proposed a plan that would dramatically expand offshore drilling.

It goes without saying that the inherent risks of offshore drilling were vividly manifested during the BP Deepwater Horizon disaster, which tragically killed 11 rig workers and sent an estimated 4.9 million barrels of oil into the Gulf of Mexico. The 87-day uninterrupted flow of oil devastated coastal communities, tourism and fishing businesses, and coastal and marine ecosystems, with lingering effects still being felt to this day. The administration's plan has sparked outrage from coastal residents, businesses, and elected officials from both parties who recognize that expanding offshore drilling puts at risk existing coastal economies and ways of life and is incompatible with our moral obligation to address climate change.

We thank the Subcommittee for addressing this important concern in the FY 2020 Interior and Environment Appropriations Act by including provisions to limit resources for the Bureau of Ocean Energy Management (BOEM) to be used for attempts to expand offshore oil and gas drilling. Although this language was retained in the House, it was regrettably not included in the final omnibus. As the Committee considers priorities for the FY 2021 Interior-Environment Appropriations Act, we encourage Members to once again include provisions to limit resources from BOEM for attempts to expand offshore oil and gas drilling.

Arctic National Wildlife Refuge

The Arctic Refuge is home to the Gwich'in indigenous people who call the Refuge's Coastal Plain "the sacred place where life begins" reflecting the vitality of the area as the cultural and biological heart of the Refuge and the importance of the plain as one of America's wildest ecosystems. After more than a half-century of protection, the Tax Cuts and Jobs Act of 2017 included a clause opening the Arctic Refuge's Coastal Plain to oil and gas leasing for the first time ever under the requirement that Arctic Refuge lease sales generate more than \$900 million in revenue for the federal government. Furthermore, this provision was even used to offset some of the 2017 Act's costs. Nonetheless, the Interior Department has abandoned its commitment to taxpayers: the most recent reports estimate the revenue from Coastal Plain lease sales at only \$41.6 million.

We thank the Subcommittee for addressing this important concern in the FY2020 Interior and Environment Appropriations Act by simply requiring the Bureau of Land Management (BLM) to set minimum lease sale bids sufficient to meet its promised and statutory revenue obligations. Although this language was retained in the House with strong bipartisan support, it was regrettably not included in the final bill. LCV urges the committee to again include language in the FY 2021 bill that forces the Administration to meet its promises and legal responsibilities.

Exerting Oversight Over Trump Administration Attacks on Science and Public Input

The Trump administration is attempting to undermine the EPA's ability to protect our health and environment in clear disregard for the Congressional intent of our bedrock environmental laws. Some of the recent actions with the most far-reaching consequences are the Administration's attempt to undercut the MATS standards and dismantle defensible cost benefit analysis in rulemaking, block critical science and research in establishing public health protections, and gutting the NEPA process. All of these Trump administration actions attempt to censor or remove science entirely and shut out the American people from federal government decisions that have real impacts on the health of our children, communities, and environment.

A bipartisan coalition of Members of Congress, utilities, health groups, and environmental groups all oppose the Trump administration's proposal to undermine the MATS for power plants. These standards, already in place and fully complied with, are protecting babies and small children from the neurodevelopmental harm wreaked by mercury pollution. Despite the varied and powerful opposition and huge benefits the standards have delivered, the Trump administration is pushing forward to finalize the standards. Perhaps more importantly, this attack is aimed at all cost benefit

analyses EPA conducts for years to come, pushing a faulty, indefensible, and unscientific bias to disregard some benefits associated with the rule being developed. Economists think this is totally without merit, and the general public gets it too; it makes no sense to not consider all the benefits associated with a decision, in addition to the costs.

The recently proposed gutting of NEPA from the Trump administration specifically cuts science, integrity, and public input out of the Congressionally mandated process of environmental review and input in federal project decision making. The public that NEPA was designed to serve rely on this established process as the only way to weigh in on decisions impacting their communities and health. Gutting this process would have dire implications for mitigating climate change and access to clean air, land, and water, especially in low wealth communities and communities of color most impacted by climate change and toxic pollution from pipelines, highways, and other types of projects.

Additionally, the Trump Administration is poised to finalize a rule to censor science that is used by the EPA to protect the air that we breathe, the water we drink, and the land on which we live. And from early in this administration, political appointees have systematically dismantled the agency's scientific advisory committees, particularly the Science Advisory Board, and limited the use of sound scientific research in environmental policy making decisions. Ultimately, we recommend blocking FY2021 spending for implementing these misguided anti-science and anti-public input rules and policies that are so clearly against Congressional intent and the public trust.

Endangered Species

Our planet currently faces a global extinction crisis never witnessed by humankind. Scientists predict that more than 1 million species are on track for extinction in the coming decades and now, more than ever, we need programs to protect biodiversity and fight mass extinction. The U.S. is fortunate to have programs, such as the Endangered Species Act (ESA), that have been specially designed to prevent extinction and recover species. For more than 40 years, the ESA has been highly successful in its mission but despite the ESA's outstanding success and the great need for solutions to address the extinction crisis, ESA programs continue to be underfunded and the Trump administration continues to attack this critical statute.

Considering the global extinction crisis and the continued underfunding of ESA programs, LCV urges the Subcommittee to strengthen the support for this landmark wildlife program by providing robust increases to the U.S. Fish and Wildlife Service (FWS) to properly implement the ESA and prohibiting funds to implement the Trump administration's actions contrary to statute. We were very grateful that the FY 2020 House bill did not retain the longstanding prohibition on protecting the sage-grouse under the Endangered Species Act, but we were disappointed that the final omnibus bill once again reinstated the rider. We urge the Subcommittee to ensure the removal of this rider in the final FY 2021 bill.