

2011 Interior and Environment Funding Bill: Bad Provisions and Funding Cuts

Funding Cuts

Note: this is not an exhaustive list of funding cuts in the bill.

- The Great Lakes Restoration Initiative: the bill funds the Great Lakes Restoration Initiative at \$250 million for fiscal year 2012, a reduction of 50 million (17 percent) from fiscal year 2011 and \$225 million reduction (52 percent) from fiscal year 2010.
- The Clean Water State Revolving Loan Fund: The federal program to prevent sewage waste from entering our waters (and closing beaches and posing a risk to human health) receives \$689 million in the fiscal year 2012 budget, which is a cut of \$836 million (55 percent) from the fiscal year 2011 budget and more than \$1.4 billion (67 percent) from the fiscal year 2010 budget.

Bad Policy Provisions

- Section 432 would keep the Office of Surface Mining within the Department of Interior from continuing work to revise regulations that today permit destructive and polluting practices associated with surface coal mining.
- Section 433 seeks to shield mountaintop removal coal mining operations from EPA review by stopping EPA and the Corps of Engineers from continuing a process they put in place to scrutinize proposed mines. It would even suspend the use of an internal EPA memo that explains to agency personnel how the scientific evidence of the harms associated with mountaintop removal projects should be taken into account as EPA reviews permits issued to mine operators by the Corps of Engineers and states.
- Section 434 would eliminate EPA's ability to address the widespread public health threat of coal ash pollution in our waterways by restricting funding to work on setting protective standards. By prohibiting funds to move forward with classifying coal ash under Subtitle C of the Resource Conservation and Recovery Act (RCRA), this rider would silence the voice of the thousands of Americans who weighed in during the notice and comment rulemaking process that has been underway for nearly two years.
- Section 435 permanently prohibits EPA from changing its rules or policies to clarify what waters are protected by the Clean Water Act, endangering countless streams and wetlands. EPA and the Corps recently took critical first steps to better protect important waters, so this rider seeks to kill this good government initiative.
- Section 436 would restrict EPA from working further on requirements governing cooling water intake structures and thermal discharges from power plants, even though these operations kill billions of fish per year, account for nearly half of the water withdrawals nationwide, and heat up surrounding waters.

- Section 438 would change the Clean Water Act to exempt stormwater discharges from a host of logging-related sources from the law's industrial permitting program. By allowing significant sediment-laden discharges from these operations to escape environmental review, the amendment could contaminate drinking water supplies and threaten native fish species.
- Section 439 attempts to delay EPA's work on the development of a proposed rule to reform the national regulations governing runoff pollution from urban and suburban sites and stormwater systems, a major source of water quality problems nationwide. At ocean and Great Lakes beaches in 2010, polluted runoff and stormwater caused or contributed to 8,712 beach closing/advisory days.
- Section 452 would keep EPA from implementing a program to clean up Florida waters that are plagued by harmful algae blooms that can produce toxins and that can rob water bodies of the oxygen that fish and other aquatic species need to live.
- Section 459 could prohibit any EPA funds from going to any Great Lakes state that has set stronger ballast water pollution standards (either tougher numeric standards or faster implementation requirements) than weaker international standards or potentially weaker federal standards being developed by the U.S. Coast Guard. This provision threatens to allow more invasive species into the Great Lakes.
- Title V of the bill changes the Clean Water Act and the national pesticide law. It exempts pesticides from clean water permitting and strips EPA's ability to protect our waters from pesticide contamination. This exemption is not targeted to agricultural producers, because many agricultural discharges are already exempted under the Clean Water Act.
- Representative Denham (R-CA) is expected to offer an amendment that would prohibit funding for restoration of salmon to the San Joaquin River. This provision would undermine the settlement agreement between the federal government, farmers, fishermen, and conservation groups and could force the case back to court.
- Representative McKinley (R-WV) may offer an amendment to effectively strip EPA of the authority Congress gave it under the Clean Water Act to prohibit or restrict certain discharges that would have an "unacceptable adverse effect" on our water, fish or wildlife. EPA has used this authority sparingly – only 13 times since the law was enacted in 1972. In other words, it is reserved for truly bad projects where the discharger cannot or will not curtail the impacts to water resources, but this attack would force EPA to ignore the scientific evidence of the harms caused by destructive dumping proposals.
- Representative Goodlatte (R-VA) may offer an amendment that would sabotage decades of work by state and federal officials and by concerned citizens, which culminated when EPA released a comprehensive cleanup plan for the Chesapeake Bay watershed in December. If it is the same amendment he inserted in the FY11 spending bill, it would prohibit EPA from enforcing

this plan if states fail to meet their pollution control commitments and, by doing so, could frustrate the restoration of this national treasure and important fishery.

- Representative Latham (R-IA) may offer an amendment to stop a planned collection of water pollution information from the largest industrial livestock facilities (also known as “factory farms”). Confined animals generate approximately 500 million tons of manure every year, which is more than three times the amount of human waste produced, and which gets nowhere near the same kind of pollution control treatment. This waste contains nitrogen and phosphorus, suspended solids, bacteria and viruses, organic compounds, antibiotics, pesticides, and hormones, and it is commonly discharged into the environment.