



# Committee on Natural Resources

Rep. Nick J. Rahall, II - Chairman

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## **Agenda for the 111th Congress**

### **America the Beautiful Our People, Our Natural Resources Fulfilling Stewardship and Trust Responsibilities**

#### ***Energy at the Crossroads***

Issues relating to oil and gas development off the Nation's coastlines will be front and center in the Committee's agenda for the 111th Congress as federal lands and waters are critical to our energy supply and our economy, producing approximately 25% of the Nation's domestically supplied oil and gas. In the coming months, the Committee will work with the new Administration to ensure that any new oil and gas activity off the Atlantic and Pacific coastlines is done in an environmentally and fiscally responsible manner.

In addition, and as importantly, the Committee will continue to work toward improving the oil and gas royalty management program. Revenue from oil and gas production on federal lands and waters – \$12 billion in FY 2007 – should be accurately and transparently collected. The federal agency tasked with tracking and collecting these revenues has failed repeatedly over the past several decades, and recent scandals illustrate the need for prompt Congressional action. The Committee will continue its work to rectify the gross malfeasance and inadequacies unearthed in the federal oil and gas royalty program and will consider legislation to improve the collection of rents, bonus bids, and production royalties from oil and gas development both onshore and offshore.

#### ***A Commitment to Decent Health Care for Indian Country***

Native Americans suffer far higher health disparities and mortality rates compared to the general population. Reauthorization of the Indian Health Care Improvement Act was a priority of the Natural Resources Committee during the 110th Congress but final enactment of the legislation did not occur. The advent of a new, more Native-friendly Administration should allow for reauthorization of the Act during the

111th Congress. The Committee will work to find the best strategy to bring modern health care opportunities to Native people.

### ***Empowering Insular Areas***

For more than a century, Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, and the Northern Mariana Islands have represented the five populated insular areas, comprising over 4 million U.S. citizens and nationals living under the direct sovereignty of the United States. This unique relationship between the U.S. and her territories engenders a duty to ensure and effectuate federal policies that are mindful of insular needs and the challenges that encumber development. Throughout our country's periods of peace and war, U.S. territories, along with our relationships with other affiliated Pacific Islands, have been integral to both the security and growth of our democracy. As a Nation, we have a responsibility to foster sustainable development; providing a path for energy independence, improving infrastructure, responding to economic challenges, and promoting self-government. During the 110th Congress, the Committee took deliberative action to provide a path for political self-determination, consistent with the U.S. Constitution, for the people of Puerto Rico. We intend to, again, engage in this process for Puerto Rico and, when appropriate, work to provide a clear direction for all of her sister territories.

### ***Planning for the Effects of Climate Change on Land and Water Resources***

Climate change is altering our natural landscape and affecting our water, land, and biological resources. For example, changing precipitation patterns related to climate change affect the ability of our water delivery infrastructure to capture and provide water in traditional ways. Further, both aquatic and terrestrial species that rely on water for survival are adversely impacted by critically dry times. The distribution of these species and their habitats is projected to shift in response to changes in ecological processes. At the same time, coastal and marine habitats and species will be impacted by sea level rise and increased ocean acidification. It is critical that we better understand how climate change will affect the hydrologic cycle as well as our water, land, and biological resources and ensure that federal agencies and states are preparing to address how climate change affects their programs and management decisions. The Committee will continue its efforts to bring together scientists and the managers of our water, land, and biological resources to discuss the federal role in identifying the effects of climate change and to promote problem-solving strategies to sustain our natural resources and the ecosystems upon which they depend.

### ***Truly Honoring the 100th Anniversary of the National Park Service***

August 25, 2016, will mark the 100th Anniversary of an American innovation: the founding of the National Park Service. The approach of this milestone must be viewed

as a unique opportunity to recommit ourselves to building a stronger, more diverse, better trained, and better equipped National Park Service for the next century. The Congress must work with the new President to explore not only significant increases in funding for the National Park Service and its programs but also visionary strategies to attract and accommodate new visitors through innovation and outreach. The American people are justifiably proud of their National Parks and, working together, we can ensure that these special places flourish for another hundred years.

### ***Promoting a New Era of Western Water Management***

Water is the lifeblood of communities and economies throughout the West. Drought conditions, effects of climate change, and conflicts over allocation are undermining the reliability of water supply for municipal and agricultural use. Small farmers are feeling the pressure to convert their lands for development. Improving the reliability of water supplies requires innovative approaches and coordination with local water managers.

Over the past fifteen years, it is clear that the era of large, new federal water projects is ending. New water supplies for the growing West will come from water reuse projects, water conservation efforts, or appropriately scaled storage. The demand for water reuse projects is increasing yearly and outpacing federal funding. Currently there is a nearly \$1 billion backlog in water reuse funding at the Bureau of Reclamation. The Committee will work with the new Administration to usher in a new era of water management that promotes collaboration, conservation, restoration, and the integration of new technologies.

### ***Recognizing our Relationship with Indian Tribes***

The administrative program for determining recognition of an Indian tribe is deeply flawed. The process often utilizes unfair criteria, costs millions of dollars to the petitioner, and takes decades for a decision. The Committee is dedicated to continuing its work to fix the federal acknowledgment process in the 111th Congress through consultation and cooperation with interested parties. At the same time, the Committee will use Congressional authority to extend recognition to certain Indian tribes whose right to recognition is obvious and long overdue, including the Lumbee Tribe of North Carolina and six Indian tribes in the Commonwealth of Virginia.

### ***1872 Mining Law – Ending Corporate Welfare***

The Mining Law of 1872 is a relic of bygone days, written in the pioneer era to encourage the development of the mining industry and the settlement of the western United States. Today, however, it defies logic to allow multinational corporations to mine valuable hardrock minerals, such as gold and silver, from western federal lands without paying a royalty to the people of the United States and to allow corporations to purchase these lands at 1872 prices. During the 110th Congress, the Committee

reported a comprehensive Mining Law reform bill that took into account the public interest by imposing, for the first time, a production royalty and established a clear and enforceable set of environmental protections. The House passed this legislation on a 244-166 vote on November 1, 2007, and the Committee will revisit this pressing issue during the 111th Congress.

### ***A Meaningful Commitment to Combating Catastrophic Wildfires***

Emergency responses to huge, dangerous wildfires now consume nearly half the annual budget of the Forest Service, leaving ever-shrinking resources for investment in the health of our forests and forest communities. The Congress and the new Administration must work cooperatively to create a dedicated funding source for combating wildfires so that funds appropriated annually for other aspects of the Forest Service's mission can be used for those vital programs. Our national forests provide critical habitat for fish and wildlife, unparalleled opportunities for outdoor education and recreation and safeguard the quality of our drinking water. The 111th Congress presents a unique opportunity to fund fire fighting in a new way and, working with our forest communities, to make real progress in improving forest health.

### ***Protecting and Restoring our Oceans***

The world's oceans are crucial to life on Earth. Yet, the synergistic effects of human activity, including habitat destruction and overfishing – both domestically and internationally – as well as the spread of invasive species, climate change, and pollution have initiated changes of untold magnitude. Healthy oceans are key not only to our survival but also to our quality of life; without healthy oceans we are ecologically and economically diminished. Science must inform our utilization of ocean goods and services so that we may enjoy the abundance that healthy oceans can provide. Our stewardship responsibilities will include realizing federal and regional ocean governance reforms, reviving our traditional international leadership role, implementing improvements in the management of fisheries and marine mammals, protecting special places in the marine environment as the inheritance of future generations, planning for the effects of climate change and offshore energy development, and providing the funding necessary to set a meaningful pace of positive change.

### ***Redefining the Value of Wilderness***

The Wilderness Act does not envision changing land *into* wilderness. Rather, the Act establishes the identification and preservation of *existing* wilderness areas as central goals of federal land management. Successful wilderness proposals grow out of consensus and need not be controversial. The Congress has the opportunity to make significant progress in achieving the goals of the Wilderness Act, once they are properly understood. Every American deserves the chance to view this land the way the first Americans did and to feel, even if just for a moment, as if they are the first people to behold the American wilderness.

## ***Respecting Living, Breathing, Hard-Working Tribal Governments***

The outgoing Republican Administration liked to use the term Indian sovereignty frequently, but far too often those words were not accompanied by deeds that showed Indian country a real respect for the term. As the 111th Congress convenes and a new, enlightened Administration is organized, we will work to ensure that tribal governments are full participants in the important issues of the day, including homeland security, assistance for natural disasters, climate change, and the financial crises.

Indian governments know best what is needed in their communities and how best to supply services to tribal members. The Committee and the federal government must work directly with Indian tribes to determine needed resources and to allocate those resources directly to Indian governments to ensure the intended results are met. Only through Indian self-determination, with the Congress and the White House working cooperatively, can we meet and address the needs of Indian country.

## ***Protecting the Public's Right to Know***

The National Environmental Policy Act (NEPA) requires the federal government to think before it acts with regard to our environment by requiring solicitation of public comment and consideration of reasonable alternatives. Efforts to undermine or evade these basic tenets of the law are not in the public interest. Enthusiastic and energetic engagement in the NEPA process leads to better decision-making and, thus, should be viewed as an opportunity, not a barrier. By rejecting legislative and regulatory efforts intended to weaken the application of NEPA, the 111th Congress can ensure that the public continues to play a meaningful role in managing our public lands, fresh and marine waters, and fish and wildlife.

## ***Recovering Endangered Species***

The Endangered Species Act (ESA) serves as the cornerstone of biodiversity conservation in the United States. Unfortunately, the Bush Administration has spent the past eight years trying to undermine the fundamental tenets of the ESA and the species protections that it provides. Continuing the Chairman's commitment to the conservation of endangered species, the Committee will work with the new Administration to explore innovative measures to recover endangered populations of fish, wildlife, and plants in an era of limited budgets. Using the findings of the Government Accountability Office and promoting the use of the best available science, we will seek collaborative solutions to improve the management of the endangered species programs at the Fish and Wildlife Service and National Marine Fisheries Service. By encouraging the issuance of appropriate guidance, regulations, and federal/non-federal partnerships, the Committee will play a leadership role in endangered species conservation.

## ***Ensuring a Legacy of Abundant Fish and Wildlife***

Americans are blessed to have inherited from our forebears an abundance of diverse and healthy populations of fish and wildlife. According to the U.S. Fish and Wildlife Service's 2006 National Survey of Fishing, Hunting and Wildlife Related Recreation, an estimated 71 million Americans spent over \$45 billion on some form of fish and wildlife recreation in that year. Yet, several factors, notably habitat loss and fragmentation, invasive species, inadequate water quality and availability, and the illegal trade in wildlife and wildlife products threaten our wildlife legacy, not only in the United States but also around the globe. We have a responsibility as stewards of these resources to ensure that we maintain the ecological integrity and health of fish and wildlife habitats, especially those found within our National Wildlife Refuge System. In addition, as the Nation that serves as the global standard in wildlife conservation, we must direct our energies to develop and implement new policies and programs that improve the management of our fish and wildlife species, provide habitat protections they will need to adapt and thrive in the midst of a changing climate, protect against illegal trade, and promote international conservation efforts. Through these efforts we can ensure that our fish and wildlife heritage remains accessible and available to future generations of birders, hunters and other outdoor enthusiasts.

## ***Achieving the True Promise of Multiple Use***

In outlining the mission for the Bureau of Land Management (BLM), the Federal Land Policy and Management Act of 1976 (FLPMA) stated the following:

**The public lands [shall] be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use.**

A new dedication to realizing the goals of this multiple-use mandate is required because the promise of FLPMA has never been fully realized. For too long – and particularly in the last eight years – development of our public lands has trumped all other facets of what was envisioned as a broad, balanced BLM mandate. Our public lands are diverse enough to accommodate the development of plentiful energy resources, where appropriate, along with wilderness designations, conservation of habitat for wild horses and burros, grazing, archeological preservation, and the many other goals set out in FLPMA. Enactment of the National Landscape Conservation System within BLM is an important first step in the process of achieving these long-delayed goals.

## ***Honoring Water Claims of the First Americans***

There is no more basic or universal need than the need for water. A century ago this year, the United States Supreme Court affirmed the basic right to water for the First Americans. One hundred years after this important case, only 21 Indian water rights claims have been resolved or are nearing resolution. As Western communities face more demands for water, we can expect that more tribes will assert their water rights. To that end, the Committee intends to maintain vigilant oversight of the ongoing federal negotiations while prioritizing legislation that resolves these claims.

## ***Enhancing Renewable Energy Development***

Demand for renewable energy is surging throughout the West. State renewable energy goals are driving the development of solar, wind, geothermal, and hydropower generation. One of the biggest constraints to meeting renewable energy goals is the challenge of transmitting the energy from the generation site to the demand centers, often across state lines. Four federal power marketing administrations exist under the jurisdiction of the Committee, which will continue to discuss the role of the Bonneville Power Administration, Western Area Power Administration, Southwestern Power Administration, and Southeastern Power Administration in meeting the demands for renewable energy through transmission infrastructure or other means.

## ***Providing for Carbon Capture and Sequestration***

Coal plays a major role in meeting U.S. energy needs and is likely to continue to do so in coming decades. Today, 50% of the electricity in the United States is generated from coal. At current consumption rates and with current technology and land-use restrictions, U.S. coal reserves are projected to last well over 250 years. And, with improved technologies, estimated recoverable coal reserves, at current consumption rates, are estimated to be sufficient for 500 years or longer.

Carbon Capture and Storage (CCS) is the key enabling technology to ensuring that the United States continues to take advantage of our vast domestic resources of coal without contributing to greenhouse gas emissions. CCS entails injecting carbon dioxide underground in ultra-deep geological reservoirs. The U.S. has the geological capacity to store carbon emissions in depleted oil and gas reservoirs for several decades. Capacity in other geological reservoirs is estimated to be in the hundreds of billions of tons, enough to store current levels of domestic emissions for over 300 years. The technology is still under development, but many experts are optimistic about its advancement. The Committee is committed to advancing carbon sequestration on public lands and ensuring that this technology is safely developed and disseminated.