

AMENDMENTS ADOPTED TO THE INTERIOR/ENVIRONMENT

APPROPRIATIONS BILL FOR FY 2019

Full Committee
House Appropriations Committee
Wednesday, June 6, 2018

Amend #1 offered

Admitted
VV

Calvert
1

House Appropriations Committee
FY 2019 Interior, Environment and Related Agencies Bill
Full Committee Markup
June 6, 2018

Manager's Amendment offered by Mr. Calvert of California

In the bill:

On page 16, line 18, reduce the amount by \$3,000,000.

On page 28, line 14, increase the amount by \$4,000,000.

On page 30, line 8, insert the following before the period:

: *Provided further*, That of the funds provided, not to exceed \$2,000,000 is authorized for a demonstration project to pilot a lease agreement with a federally recognized Indian tribe agreeing to replace and own a Bureau of Indian Education funded school facility operated under Public Law 93-638 or Public Law 100-297: *Provided further*, That of the funds provided, \$2,000,000 shall be to implement section 7(b) of Public Law 102-495 (106 Stat. 3173).

On page 38, after line 2, insert the following new paragraph:

Of the unobligated balances available from appropriations made under the heading "Bureau of Indian Affairs and Bureau of Indian Education" prior to fiscal year 2014, \$4,000,000 are permanently rescinded.

On page 64, at the end of title I, insert the following general provision:

INDIANA DUNES NATIONAL LAKESHORE RETITLED; PAUL H.
DOUGLAS TRAIL REDESIGNATION

SEC. _____. (a) INDIANA DUNES NATIONAL LAKE SHORE
RETITLED.—

(1) IN GENERAL.—Public Law 89–761 (16 U.S.C. 460u et seq.)
is amended—

(A) by striking “National Lakeshore” and “national
lakeshore” each place it appears and inserting
“National Park”; and

(B) by striking “lakeshore” each place it appears and
inserting “Park”.

(2) NONAPPLICATION.—The amendment made by subsection
(a)(1) shall not apply to—

(A) the title of the map referred to in the first section of
Public Law 89–761 (16 U.S.C. 460u); and

(B) the title of the maps referred to in section 4 of Public
Law 89–761 (16 U.S.C. 460u–3).

(b) PAUL H. DOUGLAS TRAIL REDESIGNATION.—

The 1.6 mile trail within the Indiana Dunes National Park designated
the “Miller-Woods Trail” is hereby redesignated as the “Paul H.
Douglas Trail”.

On page 82, line 10 strike: FOREST SERVICE.

On page 82, line 20 insert: FOREST SERVICE above FOREST AND
RANGELAND RESEARCH.

On page 84, line 21, regarding Capital Improvement and
Maintenance, strike “\$484,000,000” and insert “\$499,000,000”.

On page 96, line 20, regarding loan repayment: strike “\$36,000,000”
and insert “\$55,700,000”.

On page 96, line 23, regarding tribal [village built] clinics: strike
“\$11,000,000” and insert “\$18,000,000”.

On page 99, line 8, regarding the Indian Health Care Improvement Fund: strike "\$72,280,000" and insert "\$125,666,000".

On page 112, line 5: strike "\$23,564,000" and insert "\$26,564,000".

In the report:

On page 6, after the paragraph with the header, "Tribal Consultation", insert the following paragraph:

Arts and Humanities Advocacy

The Committee acknowledges and appreciates decades of arts and humanities advocacy by the late Rep. Louise M. Slaughter. In her memory, the Committee encourages NEA and NEH to expand grant-making activities in a manner that honors her advocacy, especially in rural and under-served areas, so more Americans are able to benefit from the economic, social, and educational impacts of the arts and humanities.

On page 7, under "Plant Conservation Program" and in the first sentence strike:

and no longer experiencing delays in distributing funds

On page 8, under "Recreation Resources Management" and in the second sentence, insert the following at the end:

in States that have taken on additional recreational responsibilities that have affected delivery of land management programs and services

On page 9, in the first complete sentence strike:

"encourages the Bureau to work with soda ash producers to assist them in utilizing the existing petition process to reduce royalty rates and"

On page 9, before the heading “Land Acquisition”, insert the following three new paragraphs:

The Committee notes the Bureau has been working with Canyon Lake, California, regarding the sale and disposal of a parcel of BLM land and encourages the Bureau to expeditiously conclude the negotiations.

The Committee directs the Bureau to prioritize filling critical staff vacancies at the State and field level and requests a report showing the approved staffing plans for each field component, including vacant positions, by September 30, 2018, and semiannual updates on the status of efforts to fill these vacancies.

The Committee supports the innovative use of technology to improve the timeliness and accuracy of permitting decisions and encourages the Bureau to continue to partner with industry on these efforts, as appropriate. The Committee directs the Bureau to provide a report within 90 days of enactment of this Act on the feasibility of developing and implementing a remote permit demonstration project that utilizes technologies, such as high-definition video and GPS location data, to facilitate the permit decision-making process. The report should include information on the cost and staffing requirements for the Bureau, the role of industry, and the types of technologies and practices that could be utilized.

On page 14, under the heading “Law Enforcement”, insert at the appropriate location the following sentence:

The Service is directed to enforce illegal logging violations pursuant to the Lacey Act.

On page 23, prior to the paragraph with the heading “Bill Language”, insert the following new paragraphs:

Historic Working Dairies and Ranches.--The Committee urges the National Park Service to save and preserve, for purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped, and to sustain the working dairies and ranches on agricultural property for historic and cultural uses.

National Park Service Commercial Use Authorization Fees--The Committee notes concerns raised by commercial tour operators regarding the Service’s April 2018 plan standardizing its Commercial Use Authorization (CUA) requirements and changes to CUA fees for road-based commercial tour operators. The Committee urges the Service to engage in constructive dialogue with affected stakeholders to address these concerns.

U.S. Virgin Islands.--The Committee is aware that the Governor of the U.S. Virgin Islands has requested initiation of discussions between the USVI Government and the Service to identify a suitable location for a USVI school on National Park Service land. The Committee directs the Service to participate in these discussions with the goal of finding a mutually-agreeable solution.

On page 25, after the paragraph with the heading “American Battlefield Protection Program Assistance Grants,” insert the following new paragraph:

Shenandoah Valley Battlefields National Historic District.--The Committee recognizes the Shenandoah Valley Battlefields National Historic District covering eight counties in the Commonwealth of Virginia, and the Shenandoah Valley Battlefields Foundation that manages and protects it, as a unique model for the protection and preservation of nationally significant sites. The Committee urges the National Park Service to work with the District and the authorizing

committees of jurisdiction to ensure that authorities provided under the District's enabling legislation are fully utilized to maximize the effectiveness of this unique and proven public-private partnership.

On page 26, after the first sentence under the heading "State and Tribal Historic Preservation Offices, insert the following sentence:

The Committee encourages the Service, in consultation with State Historic Preservation Officers, to evaluate the Historic Preservation Grants Manual to consider the threshold for a Tier 3 apportionment.

On page 31, in the paragraph that starts with "The Cooperative Matching Funds program", replace the sentence that starts with "An additional \$1,250,000" with the following sentence:

The Committee includes \$1,250,000 in the Water Availability and Use Science Program for integrated water availability assessments and an additional \$819,000 in the National Water Quality Program for the purposes of working with State, local, and Tribal partners to monitor, model, and forecast the occurrence of harmful algal blooms and algal toxins.

On page 32, after the sentence that starts with "Groundwater monitoring activities", insert the following sentence:

The Committee directs the Survey to consider expanding the groundwater and surface water quality monitoring capacity in regions potentially impacted by energy development and resource extraction and to brief the Committee on the benefits of expanded sampling and the possible positioning of some of the newly acquired streamgages to fill scientific data gaps.

On page 43, after the paragraph titled "State and Tribal Consultation" insert the following new paragraph:

The Committee is aware the Bureau of Land Management has been implementing a National Seed Strategy to improve seed supplies for restoring healthy and productive native plant communities. As such, the Department is encouraged to give preference, when practicable, to the use of locally adapted native plant materials in undertaking a land management activity on Federal lands, including maintenance and restoration in response to degradation caused by human activity or natural events, such as fire, flood, or infestation.

On page 51, under the heading “Research: Air and Energy”:

Strike Research Partnership and insert Partnership Research

On page 53, after the paragraph titled “Innovative Research Partnerships” insert the following new paragraph:

Intramural Animal Testing.—The Committee commends EPA for recent progress towards reducing unnecessary animal testing by promoting the adoption of cutting-edge methodologies that allow chemical screening more efficiently and cost-effectively. The Committee encourages EPA to ensure that the Agency’s own research is also the subject of Agency efforts to reduce and replace animal tests.

On page 54, under the heading “Clean Air” in the third sentence insert the following after the word “program” and before the word “at”:

for both appliances and buildings

On page 56, under the heading “Water Quality Protection” insert the following after the word “WaterSense” and before the word “program”:

program and certain activities under the Urban Waters

On page 67, above the heading “Forest and Rangeland Research”, insert the following new paragraph:

Wildfire Hazard Severity Mapping for Communities.—The Consolidated Appropriations Act, 2018 (P.L. 115-141) required the Service to develop and publish a geospatial map appropriate for community-level use that depicts wildfire hazard severity. The Service is directed to consult specifically with the Bureau of Land Management on the wildfire hazard severity of land managed by the Bureau, as well as similar lands, to ensure at-risk communities have the best available information to help mitigate the risk of catastrophic wildland fire.

On page 72, insert the following before the paragraph titled “Bill Language”:

The Committee calls the Service's attention to the significant public interest in the environmental assessment it is conducting on the proposal to withdraw lands within the Superior National Forest's Boundary Waters Canoe Area Wilderness from mineral and geothermal leasing laws, subject to valid existing rights, and directs the Service to ensure it evaluates the environmental consequences of the proposed action, allows for State environmental agencies and the public to participate, and is completed no later than January 1, 2019.

On page 76, in the paragraph entitled “Indian Health Care Improvement Fund”, strike “\$81,736,000” and insert “\$125,666,000”.

On page 77, in the paragraph entitled “Village Built Clinics”, strike “\$11,000,000” and insert “\$18,000,000”.

On page 77, at the end of the Indian Health Services account, insert the following new paragraph:

Indian Health Professions.—The recommendation includes \$70,765,000 for Indian Health Professions, \$21,402,000 above the fiscal year 2018 enacted level. Loan repayments are funded at \$55,700,000 and an additional \$1,650,000 is provided for scholarships. The Committee recognizes the value of the loan repayment program and the scholarships program in helping to recruit and retain medical professionals.

On page 84, under the heading “Repair, Restoration and Renovation of Buildings”, insert the following word at the end of the first paragraph:

equipment

Make associated technical and conforming changes to the bill and report as necessary.

*Amend #2
offered*

NEWHOUSE 1

adopted YV

AMENDMENT TO H.R.

OFFERED BY MR. NEWHOUSE OF WASHINGTON

Page 142, after line 2, insert the following:

- 1 LIMITATION ON USE OF FUNDS FOR TRANSPLANTATION
- 2 OR INTRODUCTION OF GRIZZLY BEARS INTO NORTH
- 3 CASCADES ECOSYSTEM
- 4 SEC. _____. None of the funds made available by this
- 5 Act may be used for the transplantation or introduction
- 6 of grizzly bears into the North Cascades Ecosystem.



Amend # 4 offered

Aderholt-Visclosky

adopted V.V.

AMENDMENT TO INTERIOR APPROPRIATIONS

BILL,

OFFERED BY MR. ADERHOLT OF ALABAMA

(Offered on behalf of himself and Mr. Visclosky)

Page 131, strike lines 9 through 11.

Page 132, strike line 17 through line 2 on page 133.

Conforming amendment to the Committee Report:

Page 63, strike the third and fourth full paragraphs.



Amend # 6 offered

Cole #1

**Amendment to the Interior and Environment Appropriations Bill
Offered by Mr. Cole of Oklahoma**

deleted V.V.

On page 57 of the Report, after the paragraph titled "Use Attainability Analysis" insert the following new paragraph:

Water Quality Certification.-- The Committee encourages the Administrator of the Environmental Protection Agency to finalize guidance on the implementation of Clean Water Act Section 401 (33 U.S.C. 1341). Such guidance shall reinforce that the statutory time period for review does not exceed one year, that the scope of review is limited to Federal water quality standards, and that waiver of the certification obligation occurs when a State fails to act within one year from the date of application. The guidance shall also include a suggested schedule for a State making a Section 401 decision, which recognizes that the entirety of the State's review must occur within one year.

Amendment offered

Stewart

Amended V.V.

**AMENDMENT TO INTERIOR AND ENVIRONMENT
APPROPRIATIONS BILL
OFFERED BY MR. STEWART OF UTAH**

Page 142, after line 2, insert the following:

1 MANAGEMENT OF WILD HORSES OR BURROS
2 SEC. _____. Notwithstanding the first section and sec-
3 tion 2(d) of Public Law 92-195 (16 U.S.C. 1331 and
4 1332(d)), the Secretary of the Interior may hereafter
5 manage any group of wild horses or burros as a non-
6 reproducing or single-sex herd, in whole or in part, includ-
7 ing through chemical or surgical sterilization.

In the report—

(1) on page 7, in the paragraph titled “*Wild Horse and Burro Management*”—

(A) strike “\$75,000,000” and insert “\$90,000,000”;

(B) strike “equal to” and insert “\$15,000,000 above”; and

(C) strike “\$8,281,000” and insert “\$23,281,000”;

(2) on page 8, in the second full paragraph, before the text insert the following: “In the bill, the Committee provides the Bureau legislative authority

to manage groups of wild horses and burros as non-reproducing or single sex herds, including through the use of chemical or surgical sterilization.”; and

(3) on page 9, in the paragraph titled “*Transportation and Facilities Maintenance*”—

(A) strike “\$169,201,000” and insert “\$154,201,000”;

(B) strike “\$50,875,000” and insert “\$35,875,000”;

(C) strike “\$110,702,000” and insert “\$95,702,000”; and

(D) strike “\$50,000,000” and insert “\$35,000,000”.



Amend # 10 offered

Amodei #2

*adopted
v.v.*

**AMENDMENT TO INTERIOR AND ENVIRONMENT
APPROPRIATIONS BILL
OFFERED BY MR. AMODEI OF NEVADA**

Page 62, line 20, strike the period and insert “; or”.

Page 62, after line 20, insert the following:

- 1 (3) a final rule for the Bi-State distinct popu-
- 2 lation segment of greater sage-grouse



Amend #12 offered

Herrera Beutler

adopted V.V.

**AMENDMENT TO INTERIOR AND ENVIRONMENT
APPROPRIATIONS BILL
OFFERED BY Ms. ^{HERRERA} BEUTLER OF WASHINGTON**

Page 142, after line 2, insert the following:

1 MARBLED MURRELET LONG TERM CONSERVATION
2 STRATEGY
3 SEC. ____ . None of the funds made available by this
4 Act may be used to approve, or require the development
5 or implementation of, a Marbled Murrelet Long Term
6 Conservation Strategy for the 1997 Washington State
7 Trust Lands Habitat Conservation Plan that sets aside
8 forested acres in excess of those identified as occupied
9 habitat, existing old growth stands, stands that will be-
10 come old growth within 70 years, and associated buffers.



Amend #13 offered

Valadao

adopted vv

**AMENDMENT TO INTERIOR AND ENVIRONMENT
APPROPRIATIONS BILL
OFFERED BY MR. VALADAO OF CALIFORNIA**

Page 142, after line 2, insert the following:

1 LIMITATION ON JUDICIAL REVIEW OF CALIFORNIA WATER
2 PROJECTS
3 SEC. ____ . Notwithstanding any other provision of
4 law, the Califed Bay-Delta Authorization Act (title I of
5 Public Law 108-361; 118 Stat. 1681), the water project
6 described in chapter 5 of part 3 of division 6 of the Cali-
7 fornia Water Code (sections 11550 et seq.) as in effect
8 on the date of enactment of this Act and operated by the
9 California Department of Water Resources, and all
10 projects authorized by section 2 of the Act of August 26,
11 1937 (chapter 832; 50 Stat. 850) and all Acts amendatory
12 or supplemental thereto, shall hereafter not be subject to
13 judicial review.



Amend # 15 offered

adopted

Rep. Andy Harris

AMENDMENT TO THE REPORT ACCOMPANYING THE FY 2019 INTERIOR AND ENVIRONMENT
APPROPRIATIONS BILL

OFFERED BY REP. HARRIS OF MARYLAND

At the appropriate place in the Committee Report, insert the following:

“The Committee is aware of the potential for consumers to misfuel with E15 and higher ethanol grades of gasoline in engines not designed, approved, or warranted to use blends above 10 percent ethanol content (E10). Misfueling can damage engines, void product warranties, and result in undue economic loss to consumers. The Committee has previously encouraged EPA to utilize general funds to establish and implement public educational outreach for proper and EPA-approved usage of 15 percent by volume ethanol blended gasoline in accordance with the Misfueling Mitigation Program. The Committee notes that no action has been taken to date on a consumer education campaign, and continues to encourage the EPA to establish new outreach methods to educate consumers on misfueling.”

Amend #16 offered

Kaptur - 2

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adopted v/v

**AMENDMENT TO INTERIOR AND ENVIRONMENT
APPROPRIATIONS BILL
OFFERED BY MS. KAPTUR OF OHIO**

In the appropriate place in the Committee Report,
insert the following:

“The Committee notes the backlog of applications under the Renewable Fuels Pathway II rule finalized in 2014. No applications for the electric pathway – which could help support rural agricultural communities – have been approved since the rule went into effect. The Committee strongly encourages the Agency to take action on the existing applications within 90 days of the enactment of this Act.”.



Amodei IT files

[Interior Appropriations Bill]

Amodei #1

*agreed N.C.
26-21*

AMENDMENT TO H.R. _____

OFFERED BY MR. AMODEI OF NEVADA

At the end of title I, insert the following:

1 RESTRICTION ON USE OF FUNDS RELATED TO WATER

2 RIGHTS

3 SEC. _____. None of the funds made available in this
4 or any other Act may be used—

5 (1) to condition the issuance, renewal, amend-
6 ment, or extension of any permit, approval, license,
7 lease, allotment, easement, right-of-way, or other
8 land use or occupancy agreement on the transfer of
9 any water right, including sole and joint ownership,
10 directly to the United States, or any impairment of
11 title, in whole or in part, granted or otherwise recog-
12 nized under State law, by Federal or State adjudica-
13 tion, decree, or other judgment, or pursuant to any
14 interstate water compact; or

15 (2) to require any water user to apply for or ac-
16 quire a water right in the name of the United States
17 under State law as a condition of the issuance, re-
18 newal, amendment, or extension of any permit, ap-

- 1 proval, license, lease, allotment, easement, right-of-
- 2 way, or other land use or occupancy agreement.



Amended 7/19 of record

Cole #2

Adopted W

**AMENDMENT TO INTERIOR AND ENVIRONMENT
APPROPRIATIONS BILL
OFFERED BY MR. COLE OF OKLAHOMA**

Page 142, after line 2, insert the following:

1 OIL AND GAS ROYALTIES FROM ALASKA COASTAL PLAIN
2 SEC. ____ . Section 20001(b) of Public Law 115-97
3 is amended—
4 (1) in paragraph (5)(A)—
5 (A) by striking “50” and inserting “47”;
6 and
7 (B) by inserting before the semicolon “and
8 3 percent shall be deposited into the Fund es-
9 tablished in section 6 of Public Law 92-203 to
10 be divided and distributed in the same manner
11 as ‘revenues’ pursuant to section 7 of such
12 Act”; and
13 (2) by adding at the end the following:
14 “(6) USE OF DISTRIBUTIONS.—Notwith-
15 standing any other provision of law, amounts re-
16 ceived as a distribution under paragraph (5)(A) shall
17 be used for the purpose of providing for the social
18 and economic needs of Natives (as defined in section

1 3 of the Alaska Native Claims Settlement Act (43
2 U.S.C. 1602)).”



Amend # 22 offered

Kaptur 1

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adopted in

AMENDMENT TO H.R. _____
(INTERIOR AND ENVIRONMENT APPROPRIATIONS
BILL)
OFFERED BY M. _____

Page 82, after line 6, insert the following:

The Administrator of the Environmental Protection Agency is not authorized to obligate or expend more than \$50 of the funds made available under this title for the purchase of any individual fountain pen.

