

**Current Status Chart – 111<sup>th</sup> Congress,  
February 19, 2010**  
Information added since the last Update is in **PURPLE**

(This document is intended for reference. It is designed to help you check the status of issues of interest.  
Don't feel that you need to read every item. Just use it to check on issues you are following.)

**Follow the Money**

Bill	Status	Additional Information and Upcoming Action																																								
<p><b>FY 2011 Congressional Budget Resolution</b> For background, see 109th Update #68</p>	<ul style="list-style-type: none"> <li>➤ House and Senate Budget Committee hearings have started to review Administration's budget request. Early April deadline for reporting Congressional Budget Resolutions, followed by expedited debate in each body. Upon adoption of a final Budget Resolution, the appropriations process can begin, using the benchmarks of the Budget Resolution for a guide to total amounts.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Function 300 of the Congressional Budget covers natural resource and the environment, including EPA, NOAA, Army Corps of Engineers, Forest Service, Parks, FWS, BLM and other.</li> <li>➤ It is important for the budget resolution to provide as much as possible for Function 300 so sufficient allocations will go to the Interior Appropriations Subcommittees.</li> <li>➤ The Congressional Budget Resolution is an internal document; it does not go to the president for his signature.</li> </ul>																																								
<p><b>FY 11 Appropriations (for the year starting Oct. 1, 2010)</b></p>	<ul style="list-style-type: none"> <li>➤ Administration budget proposed a 3-year freeze in total discretionary non-security spending. Within the freeze, there were winners and losers.</li> <li>➤ EPA: Loser. But increased funds sought for CAA enforcement.</li> <li>➤ INTERIOR DEPT: Loser overall.</li> <li>➤ FISH &amp; WILDLIFE: emphasis on adaptation to climate change with increased \$\$ for research and landscape conservation cooperatives to protect wildlife corridors. To pay for this there would be small funding cuts in wildlife refuges and species evaluation.</li> <li>➤ NATIONAL PARKS: Slight reduction. Operations funding up but construction funds would decline. (Parks construction received \$750 M stimulus funding.)</li> <li>➤ LAND AND WATER CONSERVATION FUND: Winner: President proposed \$620 M, which would put the program on track for achieving his full funding goal for 2014, i.e. \$900 M.</li> <li>➤ FOREST SERVICE: small increase, with focus on watershed/ecosystem improvements, landscape-scale restoration</li> </ul>	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 15%;">FY 2009 Enacted Level</th> <th style="width: 15%;">FY 2010 Enacted Level</th> <th style="width: 10%;">FY 2011 Administ. Request</th> </tr> </thead> <tbody> <tr> <td>EPA</td> <td>\$7.6 B</td> <td>\$10.3 B</td> <td>\$10.02 B</td> </tr> <tr> <td>INTERIOR DEPT.</td> <td>\$11.32 B</td> <td>\$12.22 B</td> <td>12.18 B</td> </tr> <tr> <td>  Fish &amp; Wildlife</td> <td>\$1.45 B</td> <td>\$1.658 B</td> <td>\$1.65 B</td> </tr> <tr> <td>  National Parks total</td> <td>\$2.53 B</td> <td>\$2.73 B</td> <td>\$2.73 B</td> </tr> <tr> <td>    Operations</td> <td></td> <td>\$2.28 B</td> <td>\$2.32 B</td> </tr> <tr> <td>    Construction</td> <td></td> <td>\$233 M</td> <td>\$195 M</td> </tr> <tr> <td>LWCF*</td> <td>\$292 M</td> <td>\$450 M</td> <td>\$620 M</td> </tr> <tr> <td>FOREST SERVICE</td> <td>\$6.10 B</td> <td>\$5.32 B</td> <td>\$5.38 B</td> </tr> <tr> <td>TOTAL BILL</td> <td>\$27.6 B</td> <td>\$32.3 B</td> <td>N.A.</td> </tr> </tbody> </table> <p>*Land and Water Conservation Fund</p>		FY 2009 Enacted Level	FY 2010 Enacted Level	FY 2011 Administ. Request	EPA	\$7.6 B	\$10.3 B	\$10.02 B	INTERIOR DEPT.	\$11.32 B	\$12.22 B	12.18 B	Fish & Wildlife	\$1.45 B	\$1.658 B	\$1.65 B	National Parks total	\$2.53 B	\$2.73 B	\$2.73 B	Operations		\$2.28 B	\$2.32 B	Construction		\$233 M	\$195 M	LWCF*	\$292 M	\$450 M	\$620 M	FOREST SERVICE	\$6.10 B	\$5.32 B	\$5.38 B	TOTAL BILL	\$27.6 B	\$32.3 B	N.A.
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## Programs and Issues

Bill	Status	Additional Information and Upcoming Action
<b>ANWR - wilderness status - HR 39, S 231</b>	<ul style="list-style-type: none"> <li>➤ Rep. Markey (D-MA) and Sen. Lieberman (I-CT) reintroduced bills to give 1.6 million acres of ANWR official wilderness status.</li> <li>➤ Both House and Senate moving slowly—especially since drilling proponents are now far short of having enough votes to open ANWR.</li> <li>➤ House Natural Resources and Senate Energy/Natural Resources Committees both are planning to move a large bipartisan package of bills designating wilderness and park areas.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Freshman Sen. Begich (D-AK) campaigned against the legislation in his run against Sen. Stevens. Now, Senate Democratic leaders don't want to embarrass him by bringing up the bill quickly.</li> <li>➤ Opponents claim creation of more public lands will hurt jobs and the economy because extraction would not be allowed on these lands. The issue is shaping up to be economy versus preservation.</li> </ul>
<b>Clean Air Interstate Rule (CAIR)</b>  <b>S. 2995 - Three Pollutant bill</b>	<ul style="list-style-type: none"> <li>➤ EPA Ass't Adm. for Air Gina McCarthy said 10/26/09 that EPA would review air pollution standards before 2011 for ozone, particulate matter, lead, SOx, NOx and carbon monoxide. Standards are supposed to be reviewed every 5 yrs. but EPA has not reviewed NOx or SOx since 1996 and CO since 1994.</li> <li>➤ Senators Carper (D-DE), Alexander (R-TN) and 9 bipartisan cosponsors on 2/4/10 proposed S. 2995, a "3-P" bill to curb emissions of soot (SOx), smog (NOx) and mercury (Hg) smokestack emissions. Bill would follow CAIR until 2011 and then aggressively tighten to stricter limits.</li> <li>➤ Sen. Voinovich (R-OH) and Inhofe (R-OK) want a bill to give EPA authority to implement either CAIR or its own replacement rule for NOx and SOx.</li> </ul>	<ul style="list-style-type: none"> <li>➤ DC Circuit Court of Appeals 7/11/08 struck down CAIR, saying EPA exceeded its authority and CAIR had fatal flaws. On 12/12/08, the same court reinstated the rule temporarily so a new rule could be written.</li> <li>➤ Industry wanted certainty about what the rules would be and was dismayed that entire rule was thrown out last July. That decision threw the SO<sub>2</sub> trading market, in place since mid-1990s, into limbo and threatens to idle new pollution abatement projects and derail expensive planned projects.</li> <li>➤ EPA says it will strive to make revised air pollution standards compatible with CO<sub>2</sub> and other GHG requirements under the climate bill so that industry will have an overall complete view of all future requirements.</li> </ul>
<b>Clean Water Authority Restoration Act (CWARA) – S.787</b>  <b>For background, see 111th Congress Update # 4, and 110th Congress Updates #13 #14.</b>	<ul style="list-style-type: none"> <li>➤ Senate Environment/Public Works Committee approved S. 787 on June 18, 2009 with a substitute amendment. The amendment to the bill originally introduced by Sen. Feingold (D-WI) incorporates a compromise by Sen. Baucus (D-MT), Klobuchar (D-MN) and Boxer (D-CA). Sen. Boxer thought the amendment found the "sweet spot" that addresses unintended consequences and criticisms while restoring Clean Water protections, <b>but it was not sweet enough and bill faces stiff opposition.</b></li> <li>➤ Sen. Crapo, Ranking Republican on the Water/Wildlife Subcommittee, immediately put a "hold" on the bill, signaling that he plans to filibuster it. Sen. Inhofe (R-OK) also has promised to filibuster.</li> <li>➤ Still nothing scheduled in the House. Rep. Oberstar's Committee on Transportation and Infrastructure has jurisdiction over CWARA but the Highway reauthorization has center stage there for now. Oberstar has been unable to overcome opposition.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Supreme Court 4-1-4 split decision 9/16/06 on <i>Rapanos v. U.S. et al</i> and the SWANCC case left wetlands enforcement issues unresolved and produced a regulatory snarl.</li> <li>➤ 110th Congress was unable to define a viable consensus on how best to untangle the policy regarding definition of "tributary" and "navigable waters."</li> <li>➤ Well-financed opposition from farmers, ranchers, forest products industry, realtors and developers, states' rights advocates and others continues.</li> <li>➤ Supporters include National Wildlife Federation, Trout Unlimited, Izaak Walton League, Ducks Unlimited and some sportsmen groups, as well as the Garden Club of America.</li> </ul>
<b>Community Gardens Act - HR 3225</b>	<ul style="list-style-type: none"> <li>➤ Rep. Inslee (D-WA) and 30 Democratic co-sponsors are seeking Republican sponsor.</li> <li>➤ It is not clear yet whether this bill has legs.</li> </ul>	<p>Bill would authorize Sec'y of Ag to make grants up to 80% of total cost to support development and operation of community gardens.</p>

<p><b>Conservation easement tax deduction, H.R. 1831, H.R. 4213</b>  <b>Conservation easement, cont.</b></p>	<ul style="list-style-type: none"> <li>➤ H.R. 4213, a bill that packaged extensions of dozens of expiring tax provisions, included a one-year extension until 12/31/2010 of the liberalized conservation easement tax deduction. The House passed it 12/9/09 by 241-181.</li> <li>➤ Senate was focused on the health bill which did not pass until Christmas eve, and so it never considered the tax-extension legislation in 2009..</li> <li>➤ The 2/11/10 draft of a large \$84 B bipartisan Senate jobs bill included one-year extension retroactive to beginning of 2010. Majority Leader Reid pulled that bill and substituted a much smaller \$15 B bill without the conservation easement tax deduction; it is scheduled for floor consideration the week of Feb. 22.</li> <li>➤ President Obama said he would sign the House-version of the tax extenders if it reached his desk. Sen. Grassley (R-IA) said 2/16/10 that "prospects are bleak."</li> <li>➤ Bill to make <b>permanent</b> the tax deduction for charitable contributions of real property interests for conservation purposes. expiring provisions was introduced 3/31/09 by Rep. Thompson (D-CA), Cantor (R-VA) and 264 cosponsors including a majority of both Republicans and Democrats. Bill was referred to the House Ways and Means Committee.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Existing tax provisions, which expire 12/31/09, were passed as part of the 2008 farm bill; there has been a 50% increase in conservation easements since then. Land prices are lower recently because of economic downturn.</li> <li>➤ This easement deduction provision would cost \$182 M over 10 years. It is subject to Pay-As-You-Go (PAYGO) budget rules, meaning that offsetting savings must be found.</li> <li>➤ Expiration of the liberalized deduction puts land trusts and other conservation organizations into limbo as far as recruiting additional donations of conservation easements. They are strongly advocating for a permanent bill, or at the very least a multi-year extension, effective retroactively to 1/1/10.</li> </ul>
<p><b>Food Safety Enhancement Act - HR 2749, S. 510, S. 2758</b></p> <p><b>See Helen Elkins report Feb, 2010 for more details</b></p>	<ul style="list-style-type: none"> <li>➤ House passed HR 2749 by 283-142 on 7/30/09. Rep. Dingell (D-MI) worked with both sides to craft a bipartisan approach to overhauling the FDA's food safety system. Ag Chairman Peterson (D-MN) won changes to keep farms, livestock, poultry and feed grain from being subject to FDA oversight instead of USDA.. Bill would step up tracking the food supply chain and increase inspection at many food processing facilities.</li> <li>➤ S. 510, sponsored by Durbin (D-IL) and 15 cosponsors, was reported from Senate Health Committee 11/18/09 with amendments.</li> <li>➤ S.2758, the Growing Safe Food Act, would provide training, technical assistance to farmers engaged in farm processing. Its language could be added to H.R. 2749.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Related bill H.R. 875 introduced by Rep. Rosa DeLauro (D-CT), and S. 425 (Brown, D-OH) was very controversial—it was the topic of frenzied rumors and innuendo hinting that huge agribusiness groups were promoting a stealth expansion of federal regulation of all farmers, favoring genetically engineered crops, and squeezing out small and organic farms.</li> <li>➤ Word "facility" needs clarification in the legislation so that overregulation does not exclude smaller, direct-market operations from wholesale, school, institutional sales, restaurants and food coops.</li> </ul>
<p><b>Mercury emissions, H.R. 821</b></p> <p><b>For more information, see 109th Congress Update #53.</b></p>	<ul style="list-style-type: none"> <li>➤ Rep. Johnson (D-TX) introduced H.R. 821 to require EPA to issue a new rule requiring power plants to install MACT (Maximum Achievable Control Technology). It would put mercury reduction requirements under Sec. 112 of the Clean Air Act.</li> <li>➤ Senate action: See CAIR above.</li> <li>➤ EPA is working on BACT (Best Available Control Technology), making the legislation unnecessary.</li> <li>➤ CEQ's Sutley and rest of Obama Adm. rule out emissions trading for mercury because any mercury "hotspots" would be localized and dangerous.</li> <li>➤ Obama administration is seeking an international world treaty limiting mercury emissions. U.N. would be called on to help countries reduce their emissions.</li> </ul>	<ul style="list-style-type: none"> <li>➤ U.S. Circuit Court of Appeals struck down the Bush administration's Clean Air Mercury Rule (CAMR) last February (2008). CAMR used the Clean Air Act's Sec. 111 to create a cap-and-trade mercury emission trading program which would gradually reduce mercury emission but could result in mercury hot spot concentrations.</li> <li>➤ EPA last year petitioned the Supreme Court to reinstate the CAMR. States and environmental groups asked the court to deny the administration petition.</li> <li>➤ Industry prefers a comprehensive multi-pollutant approach that would put mercury under cap-and-trade along with CO<sub>2</sub>, SO<sub>2</sub>, and NOx. SO<sub>2</sub>, is already under the anti-acid rain SO<sub>2</sub>, cap-and-trade program.</li> </ul>
<p><b>Mining Reform H.R. 669, S. 796, S. 140, S.1777</b></p>	<ul style="list-style-type: none"> <li>➤ Rep. Rahall (D-WV) and Sens. Bingaman (D-NM) and Feinstein (D-CA) introduced bills to reform hard rock mining for first time in 137 years.</li> <li>➤ Senate Energy &amp; Natural Resources Comm. held hearing 7/14/09.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Antiquated 1872 mining law is out of date. Reform is contentious, pitting industry against environmental groups.</li> <li>➤ Bills would let Interior Dept. increase gross royalties on existing mining</li> </ul>

	<ul style="list-style-type: none"> <li>➤ House Natural Resources Subcommittee on Energy &amp; Mineral Resources held hearing 2/26/09. Concerns about possible mining job loss were expressed.</li> <li>➤ Sens. Udall (D-CO), Bingaman (D-NM) proposed "Good Samaritan" bills to make it easier for groups to clean up abandoned mines without fear of liability under the Clean Water Act. Bingaman proposed a mining severance tax to help pay for cleanups. Clean water groups say the problem is funding, not fear of liability.</li> </ul>	<p>operations and new operations, and use funds to help clean up abandoned mines in the West.</p> <ul style="list-style-type: none"> <li>➤ Similar bill passed House in 2007 but did not progress through Senate.</li> <li>➤ Pres. Obama campaigned in favor of reform. Stimulus funding is going to clean up abandoned mines.</li> </ul>
<p><b>Mountaintop Removal H.R. 1310, S. 696</b></p>	<ul style="list-style-type: none"> <li>➤ House bill introduced by Reps. Pallone (D-NJ), Reichert (R-WA) and 162 cosponsors, and Senate bill by Sens. Cardin (D-MD) and Alexander (R-TN) would reverse Bush administration rules on valley fill. No action has been taken on either bill.</li> <li>➤ DOI Sec. Salazar 4/28/09 called Bush regulation of mountaintop coal mining defective and instructed Justice Dept. to ask U.S. District Court for DC to vacate it. Two environmental coalitions had previously challenged the rule in court.</li> <li>➤ Army Corps of Engineers on 7/15/09 suspended issuance of so-called nationwide permits for mountaintop-removal coal mining in KY, OH, PA, TN, VA, and WV. Work already started under nationwide permits could continue for up to one year. (Clean Water Act allows nationwide permits for projects with "minimal cumulative environmental impacts.")</li> <li>➤ Six controversial Army Corps of Engineers mountaintop mining permits were put on hold so new Obama Administration EPA could review them. On 8/11/09, Corps issued a revised permit to Consol Energy's 817-acre Peg Fork mine, allowing only two valleys to be filled initially instead of the requested eight, adding stream monitoring requirements, and permitting the remaining six valleys to be filled if first two are found safe.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Environmental groups are aghast that the Corps issued a permit to Consol. There are already tree sitters and activists chaining themselves to WV EPA door—stay tuned for more outcry and calls for Obama administration to stiffen its spine.</li> <li>➤ Legal challenges: A coalition of environmental groups asked the Supreme Court on 8/17/09 to overturn an appeals court decision upholding the Corps authority to issue mountaintop mining permits 4th and 6th Circuit courts usually hear mining appeals. The 15-member 4th Circuit balance shifted to a 6-5 Democratic-appointed majority when the Senate voted 72-16 to confirm Judge Andrew Davis on 11/10/09. There are still 4 vacancies remaining; <b>Obama administration nominees for three of these vacancies are pending confirmation.</b></li> <li>➤ <b>A major grassroots lobbying campaign has been launched against Massey Energy Co's Coal River Mountain WV mine—complete with EPA sit-ins.</b></li> <li>➤ <b>Push-back comes from the American Coalition for Clean Coal Electricity (ACCCE) which is investing \$120 million in a 3-year effort to promote jobs and low-cost power from coal.</b></li> </ul>
<p><b>National Park Park Partnership Project Grants, previously the Centennial Fund</b></p> <p><b>For more information, see 110th Congress Update #11, item 10</b></p>	<ul style="list-style-type: none"> <li>➤ <b>Centennial Fund did not fly and eventually morphed into the "Park Partnership Project Grants." Administration requested \$25 million but only \$15 million was appropriated in FY 2010. Administration request for FY 2011 is \$5 million.</b></li> </ul>	<ul style="list-style-type: none"> <li>➤ Bush Administration proposed \$100 M a year for 10 years—\$1 billion in all—for a public-private matching Centennial Fund for projects to restore and enhance National Parks from 2006 to 2016. Rep. Rahall and some others opposed this saying it would lead to commercialization at the parks.</li> <li>➤ <b>American Recovery and Reinvestment Act provided \$735 million, much of it for projects similar to those of the Park Partnership Project Grants, including \$146 M for deferred maintenance and critical repairs; \$15 M for a historic preservation fund; and \$589 M for construction and infrastructure projects.</b></li> </ul>
<p><b>Oceans – UN Law of the Sea (UNCLOS)</b></p> <p><b>For more information, see 110th Congress Update #13.</b></p>	<ul style="list-style-type: none"> <li>➤ <b>Still on the back burner in line behind health care, jobs, financial reform and climate bills.</b> Leadership will be challenged to find the week or so of floor time required to consider UNCLOS.</li> <li>➤ Sen. Kerry (D-MA) is working to find time for hearing and votes to ratify the Law of the Sea Treaty in this non-election year,</li> <li>➤ If all Democrats vote for the Treaty, 12 Republican votes would be needed to reach the 67 votes required (assuming another Democrat in Sen. Kennedy's seat.) Sen. Murkowski (R-AK) has pledged support.</li> </ul>	<ul style="list-style-type: none"> <li>➤ United States signed the UN Law of the Sea implementing agreement in October 1994 and submitted it to the US Senate. Fifteen years later, it still has not been ratified.</li> <li>➤ Conservative Republicans led by Sen. Inhofe (R-OK) oppose ratification, saying it would impinge on U.S. sovereignty. Supporters include Sec'y of State Clinton, CIA Director Panetta and VP Biden.</li> <li>➤ Push to get the Senate to ratify the Law of the Sea treaty stalled out in the 110th Congress because there was not enough floor time for lengthy process of overcoming a filibuster staged by a handful of opponents, and the treaty was not ratified</li> </ul>

<p><b>Oceans policy task force</b></p>	<ul style="list-style-type: none"> <li>➤ Ocean Policy Task Force issued an interim report in September, 2009, setting goals for protecting ocean resources, declaring U.S. policy to protect health and biological diversity of ocean resources and support sustainable, safe, secure uses of the ocean. It calls for <u>ecosystems-based management</u> of ocean resources rather than project-by-project approach of separate agencies.</li> <li>➤ Task Force released <u>Interim Framework for Effective Coastal and Marine Spatial Planning</u> (Interim Framework) for a 60-day public review and comment on 12/14/09. With competing interests in the ocean coasts and Great Lakes, the Interim Framework offers a comprehensive, integrated approach to planning and managing uses and activities—coastal and marine spatial planning would be regional in scope, developed cooperatively among Federal, State, tribal, local authorities, and regional governance structures, with substantial stakeholder and public input.</li> </ul>	<ul style="list-style-type: none"> <li>➤ The president issued a memorandum on 6/12/09 to heads of Exec. Branch departments and agencies establishing a temporary Interagency Ocean Policy Task Force led by CEQ Chair Sutley. Task Force is to report on a National Ocean Policy to protect and restore oceans, coastal and Great Lakes ecosystems, and to develop a framework for effective coastal and marine spatial planning addressing conservation, economic activity, user conflict and sustainability.</li> <li>➤ 10 Democrats and 59 Republicans in the House sent a letter to CEQ chair Sutley saying they fear the task force's proposals could inhibit offshore oil/gas production.</li> </ul>
<p><b>Roadless rule and forest management, H.R. 2692, S. 1728</b></p>	<ul style="list-style-type: none"> <li>➤ HR 2692, introduced by Rep. Inslee (D-WA) and 157 cosponsors would identify roadless areas and direct the USDA to manage them as roadless. S.1728 introduced by Sen. Cantwell (D-WA) and 24 cosponsors would identify and protect roadless areas and ban logging in inventoried roadless areas.</li> <li>➤ One year moratorium: While court battles drag on, Ag. Sec'y Vilsack 5/28/09 signed a directive giving himself sole power for one year to make road building and timber harvest decisions in areas covered by the 2001 Roadless Area Conservation Rule. This buys time for Obama administration to develop policy for roadless forests.</li> <li>➤ Ag Sec'y Vilsack in a major speech 8/14/09 outlined comprehensive public &amp; private forest policy including strong roadless rule, addressing climate change and preventing forest loss to development. He said the administration will write new regulations on managing national forests and write a new roadless rule if needed. He wants the planning process for new regulations to integrate all the administration's priorities from wildlife conservation to economic concerns to collaborations with stakeholders. He called for replacing polarized positions on forest policy with "shared vision"—commitment to restoration, protecting water resources, and making forests more resilient to climate change.</li> </ul> <p><u>U.S. District Court for D.C. ruled 2/17/09 that U.S. Forest Service was entitled to designate more than 1.2 million acres of Tongass National Forest as off-limits to logging. Forest Service has opened about 3.4 million acres of Tongass to development, including 663,000 acres for timber production—about half is in roadless areas. Sec'y Vilsak said (May '09) no projects in roadless areas would proceed for one year.</u></p>	<ul style="list-style-type: none"> <li>➤ ROADLESS RULE promulgated at end of Clinton administration was postponed by Bush administration and then rewritten in 2005 to allow piecemeal protection on state-by-state basis. 2005 Bush regulations were challenged in court.</li> <li>➤ Appeals Court decisions in CA 9th and WY10th circuits yielded different results on the nationwide application of the roadless rule: <ul style="list-style-type: none"> <li>○ <u>10th District</u> Court Judge Clarence Brimmer ruled in July, 2003 that the roadless rule violated the Wilderness Act and NEPA. He reaffirmed his ruling on 8/12/08 and issued a nationwide <u>permanent injunction</u> against the roadless rule. Environmental groups and the Obama Administration appealed that decision to the 10th Circuit Court of Appeals in Denver. A three-judge panel will soon begin weighing arguments. Bush administration issued its own rule that allowed (but did not require) individual states to petition for roadless protections. <u>Two vacancies on 10th District bench (1 R, 1 D) offer chance to move court to more pro-environment outlook with new appointees.</u></li> <li>○ <u>9th U.S. Circuit (CA)</u> Dist. Ct. Judge Elizabeth Laporte on 9/20/06 threw out the Bush roadless rule and reinstated the Clinton rule. In 2008, to resolve the conflict between 9th and 10th Circuit decisions, Laporte limited the Clinton rule to apply to only NM and the 9 states in the 9th Circuit. Meanwhile, her 2006 ruling was under appeal; a 3-judge appeals court panel upheld it 8/5/09.</li> </ul> </li> <li>➤ Sec'y Vilsak says administration will <b>NOT</b> appeal Laporte's ruling and will ask Brimmer to lift his injunction. Supreme Court review still possible but much less likely under Obama administration.</li> </ul>

<b>Transportation reauthorization</b>	<ul style="list-style-type: none"> <li>➤ House Transportation Committee Chair Oberstar (D-MN) is standing firm in his quest to reauthorize the massive and multi-faceted \$500 B transportation act in 2009. Against all predictions, he is still holding out for his bipartisan bill that nearly doubles the investment in surface transportation.</li> <li>➤ Administration and Senate leaders sought an 18-month extension to postpone consideration of a transportation act overhaul until March, 2011.</li> <li>➤ Rep. Oberstar's subcommittee draft was approved 6/24/09 by voice vote. When it became clear that a transportation overhaul could not be legislated before SAFETEA-LU expired, Rep. Oberstar pushed a 3-month extension through the House. The Senate balked.</li> <li>➤ Three temporary short-term fixes were enacted as part of the appropriations continuing resolution process. <u>The current extension expires 2/28/10.</u></li> <li>➤ What's next? Probably another extension—exactly what legislators wanted to avoid: a series of short term extensions that leave the future uncertain and make planning state transportation projects problematical. <u>The House-passed jobs bill extended SAFETEA-LU through Sept. 30, 2010 and added Highway Trust Funds to keep finances solvent. The jobs bill" working its way through the Senate includes an extension of SAFETEA-LU through Dec. 31, 2010.</u></li> </ul>	<ul style="list-style-type: none"> <li>➤ The five-year SAFETEA-LU, (the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) expired Sept. 30, 2009.</li> <li>➤ States are chafing for a resolution: under the terms of the continuing resolution, their federal highway funding is reduced by 30% from SAFETEA-LU levels. They want this resolved before springtime road building begins.</li> <li>➤ Hearings in the 110<sup>th</sup> Congress indicated strong interest in mass transit, intra- and inter-city rail links and highway toll roads.</li> <li>➤ Current 18.4 cents-per-gallon gasoline tax (in place since 1993) won't cover program costs and new revenue sources are being sought.</li> <li>➤ <u>Gas tax increase</u> is advocated by some study groups and commissions as a way to replenish the highway trust fund which finances road/bridge construction. National Surface Transportation Policy and Revenue Study Commission in 2008 urged an increase of 40 cents-per-gallon over a five-year period, which lawmakers promptly opposed.</li> <li>➤ <u>Mileage tax</u>: Rep. Oberstar advocates the "vehicle-miles-traveled" (VMT) system as replacement for gasoline tax. Car owners would be charged according to how many miles they drove, thereby raising revenue based on road use rather than gasoline consumption which may wane as electric and hybrid vehicles become widespread.</li> <li>➤ Rep. Oberstar told NAL conference in Cannon Caucus Room that the transportation bill this year will require treatment of <u>storm water runoff</u>.</li> </ul>
<b>SBA tree planting program - H.R. 4509</b>	<ul style="list-style-type: none"> <li>➤ Reps. Shrader (D-OR) Davis (D-TN) and Blumenauer (D-OR) introduced an extension of the community tree planting program, which authorizes \$50 million/yr. from 2011-2015 for tree planting projects.</li> </ul>	<ul style="list-style-type: none"> <li>➤ No action on this bill yet. <u>The Alliance for Community Trees is promoting this bill along with the nursery industry.</u></li> </ul>
<b>WRDA - Water Resources Development Act</b>	<ul style="list-style-type: none"> <li>➤ Transportation Committee's Subcommittee on Water Resources and Infrastructure hearing 11/18/09 kicked off the next WRDA round.</li> <li>➤ Representatives have until 12/3/09 to submit their requests for Corps projects to the Committee.</li> <li>➤ Administration's FY 2011 Corps of Engineers budget request was \$4.9 B, down from \$5.4 B in 2010. There is a \$60 B backlog of Congressionally-authorized projects. Budget request includes funds for aquatic ecosystem restoration and Louisiana wetlands.</li> </ul>	<ul style="list-style-type: none"> <li>➤ This is the legislation that authorizes new projects for the Corps of Engineers. Congress was unable to pass a bill for six years but Gulf hurricane led to enactment of a bill in November 2007 after both houses overrode a veto.</li> <li>➤ Among the projects advocated at 12/3 hearing were more flood surge protection in Louisiana, Everglades restoration projects, and flood protection in Cedar Rapids.</li> </ul>
<b>Energy and Climate Change Issues</b>		
<b>Bill</b>	<b>Status</b>	<b>Additional Information and Upcoming Action</b>
<b>SENATE GHG emission limits</b>	<ul style="list-style-type: none"> <li>➤ Climate bill continues to be scheduled after health care, jobs and financial reform. Majority Leader Reid continues to say he will bring the bill up "in the spring" but 60 votes are not lined up to force consideration of the measure.</li> <li>➤ Loss of Democrat's "supermajority" and half a dozen announced Democratic</li> </ul>	<ul style="list-style-type: none"> <li>➤ Republicans on the Environment &amp; Public Welfare Committee boycotted the mark-up in November. Republican leadership is hardening against any cap-and-trade bill.</li> <li>➤ Democrats cannot count on all their Senators either. Many have strong</li> </ul>

<p><b>SENATE GHG, cont.</b></p> <p><b>For more information on 2008 bill, see Update #8.</b></p>	<p>retirements have changed the calculus—look for a less ambitious bill.</p> <ul style="list-style-type: none"> <li>➤ But EPA's steps to regulate GHGs under the Clean Air Act have many opponents now thinking that perhaps cap-and-trade legislation would be better than EPA regulations.</li> <li>➤ "Stop EPA"—Sen. Murkowski (R-AK) plans to bring up S.J.Res.26 in March to curb EPA's authority to regulate GHG emissions from vehicles, power plants and other sources. Many Senators and Representatives see this as a "free vote" because a veto is certain and two-thirds vote in both bodies to override is required.</li> <li>➤ Two committees have reported: Environment &amp; Public Welfare (S 1733) and Energy &amp; Natural Resources (S.1462), Four other committees have yet to act.</li> <li>➤ Senators Kerry (D-MA), Graham (R-SC) and Lieberman (I-CT) are working on a consensus bill capable of getting the 60 votes needed for cloture. It could include clean coal, nuclear power (see below), offshore oil/gas, sector-by-sector instead of nationwide caps, more/less giveaways, consumer assistance, forestry, farming and endangered species, international trade, and safety valve if gasoline prices rise too high. Look for March unveiling.</li> </ul>	<p>reservations about various interests including coal, farm impact, offshore oil.</p> <ul style="list-style-type: none"> <li>➤ Cloture in 2008 failed 48-54 (counting absentees who would have backed cloture had they been present). Ten moderate Democrats expressed concern about economic costs of the bill. Four Democrats voted against cloture; all are still Senators (Brown (OH), Dorgan and Johnson (ND) and Landrieu (LA).</li> <li>➤ Seven Republicans voted FOR cloture in 2008: of them, only Collins and Snowe are still in the Senate.</li> <li>➤ EPA is about to issue regulations on greenhouse gas emissions. Affected industries and state clean air administrators are getting a look at how onerous the regulatory approach administered by 50 states would be compared to market-based cap-and-trade with plenty of political accommodations. They are trying to "stop EPA" but aren't ready to embrace cap-and-trade.</li> </ul>
<p><b>HOUSE – GHG emission limits - H.R. 2454</b></p> <p><b>For more information, see Update #4.</b></p>	<ul style="list-style-type: none"> <li>➤ The House narrowly passed a bill, HR2454, on 6/26/09 on a 219-212 mostly-party-line vote. Eight Republicans joined 211 Democrats to vote yes: Bono Mack (CA), Castle (DE), Kirk (IL), Lance, LoBiondo and Smith (NJ), McHugh (NY), and Reichert (WA).</li> </ul>	<ul style="list-style-type: none"> <li>➤ House-passed bill was full of compromises and trade-offs, with most of the emission allowances being given away to industries and interests whose support was required for passage. It is, at least, a beginning of what will be a decades-long process of reducing GHG emissions and weaning the economy off carbon. The bill calls for reducing GHGs 17% below 2005 levels by 2020 and 83% by 2050.</li> </ul>
<p><b>CAFE (Corporate Average Fuel Efficiency) standards for motor vehicles—California rule</b></p>	<ul style="list-style-type: none"> <li>➤ EPA on 6/30/09 gave California its long-sought waiver under the Clean Air Act to impose tighter GHG auto/truck emissions standards. 13 other states also have adopted the CA standard.</li> <li>➤ EPA and Transportation Dept. will jointly issue new CAFE regulations effective for model year 2012 which would reduce CO<sub>2</sub> emissions by nearly a billion tons from 2012 to 2016. BY 2016, new vehicle fleets would average 35.5 mpg. (2007 law required 35 MPG by 2020.) New regulations expected to become final 3/31/10.</li> <li>➤ Advocacy groups pushing for 45 mpg CAFE level by 2020.</li> <li>➤ "Cash for Clunkers" took many guzzlers off the road, saving an estimated 72 million gallons of gasoline a year—approximately 2.2% of annual consumption.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Citing concern about financial impact tighter CAFE standards would have on the struggling automobile industry, Bush administration left office without finalizing the 25% increase in auto CAFE standards it proposed in April 2008.</li> <li>➤ Federal Clean Air Act allows California to establish motor vehicle emissions standards that are stricter than the federal government's if granted a waiver by EPA. California adopted tighter standards in 2004 and petitioned EPA for an emissions waiver in 2005. After much delay, EPA finally refused to grant a waiver in December, 2007, stating that federal CAFE changes in the energy bill took care of the issue. California sued EPA in the summer of 2008 seeking to reverse EPA.</li> </ul>
<p><b>Comprehensive energy bill: S. 1462</b></p> <p><b>S. 1462, cont. Power line siting, Renewable standard, Nuclear power</b></p>	<ul style="list-style-type: none"> <li>➤ Senate Energy and Natural Resources Committee completed mark-up on 6/17/09 of its comprehensive energy bill. Vote was 15-8. No votes included Landrieu (D-LA) and Menendez (D-NJ). Yes votes included Republicans Murkowski (AK), Brownback (KS), Sessions (AL) and Corker (TN).</li> <li>➤ This bill will be folded into a comprehensive climate bill, probably next spring.</li> <li>➤ Provisions: <ul style="list-style-type: none"> <li>▪ Bill would overhaul federal financing for clean energy projects and sets up efficiency measures.</li> <li>▪ Federal power line siting powers: would create "high priority" transmission lines planned by one or more large regional entities. FERC would have only backstop authority if states rejected projects.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>➤ House-passed climate bill (HR 2454) included titles dealing with a federal renewable standard, low-carbon fuels, smart grid transmission, and energy efficiency</li> <li>➤ The enacted 2009 economic stimulus package included funds for a 21st C energy grid (\$45B), a Clean Energy Finance Authority (\$11B) weatherization(\$5B), state energy efficiency grants (\$6B), greening federal buildings (\$4.5B), plug-in electric vehicle initiatives, smart appliances and other energy conservation efforts.</li> <li>➤ When the energy provisions reach the Senate floor, there will be efforts to both strengthen and weaken various provisions.</li> <li>➤ Republicans are promoting the "Clean, Affordable, Reliable Energy Act" (CARE), S. 1333, which includes opening up reserves offshore and in ANWR, removing environmental and regulatory barriers for development, and providing incentives for</li> </ul>

	<ul style="list-style-type: none"> <li>▪ <u>Renewable standard</u>: 15% by 2021 (see renewable electricity below.)</li> <li>▪ Expands offshore oil and gas leasing in the eastern Gulf of Mexico.</li> <li>▪ Sets up mechanisms to integrate energy and water decisions.</li> <li>▪ <u>Nuclear power</u>: calls for a study of alternative means to deal with nuclear waste.</li> </ul>	alternative energy sources. Similar House Republican bill, with 116 cosponsors, is H.R. 2846.
<b>Ethanol regulations H.R. 2409, S. 1148</b>	<ul style="list-style-type: none"> <li>➤ Agriculture Comm. Chair Peterson (D-MN) is livid over EPA proposed regulations and has introduced H.R. 2409 with 46 bipartisan cosponsors to block EPA's rule and ease limits on sources of biomass used to make renewable fuels. Sen. Grassley (R-IA) sponsored the bill in the Senate, S. 1148, with three cosponsors.</li> <li>➤ Ethanol/renewable fuel standard was deleted from House climate bill as a concession to moderate and conservative legislators. In August, EPA released its 500-page independent peer review of the analysis behind the proposed regulations. It generally agreed that EPA's approach was scientifically objective. Ethanol industry is not mollified.</li> </ul>	<ul style="list-style-type: none"> <li>➤ EPA released draft rules in May, 2009 to implement the 2007 renewable fuels standard enacted as part of that year's energy bill. Rule requires "lifecycle" emissions assessment of ethanol production. This includes measuring emissions from plowing up previously uncultivated lands to grow corn or other ethanol crops and deforestation in other countries so that corn or soy previously imported from the U.S. can be grown. <u>This approach has fueled the "Stop EPA" anti-regulation fervor.</u></li> <li>➤ Ethanol industry groups want a low-carbon fuel standard that applies to <u>all</u> transportation fuels, not just biofuels and does not count indirect international land use.</li> </ul>
<b>National Climate Service - H.R. 2407</b>	<ul style="list-style-type: none"> <li>➤ The House-passed climate change bill incorporated as Sec. 452 a provision to establish a National Climate Service. The provision had bipartisan support.</li> <li>➤ <u>The administration announced 2/8/10 that it plans to reorganize far-flung NOAA offices into a NOAA Climate service. Authorizing legislation is not required since the various offices and functions are already part of NOAA, but funds will have to be shifted and this will require approval in the Commerce Appropriations bill.</u></li> </ul>	<ul style="list-style-type: none"> <li>➤ New Climate Service would be a single point of contact for federal agencies, state and local governments and other users of climate information. It would include the National Weather Service, NOAA's drought forecasting and monitoring program, and NOAA regional climate centers.</li> </ul>
<b>Nuclear power</b>	<ul style="list-style-type: none"> <li>➤ <u>President Obama on 2/17/10 announced \$8.3 B in federal loan guarantees for two nuclear power plants in Georgia, out of \$18.5 B already authorized (leaving enough for about 2 to 4 more new plants). Administration's FY 2011 budget calls for tripling federal support for nuclear energy by adding \$36 B in loan guarantees for nuclear plants ramping up to \$54 B over 10 years (enough for 7 new plants). At the same time, the president proposes cutting \$36.5 B in subsidies to oil and natural gas companies. He endorsed nuclear power as necessary to achieving a low-carbon future.</u></li> <li>➤ <u>Sen. Graham (R-SC) has drafted a renewable power bill that includes nuclear power. The Senate energy bill and House-passed bill excluded nuclear from the definition of "renewable." Sen. Lieberman has separate even more ambitious bill.</u></li> </ul>	<ul style="list-style-type: none"> <li>➤ <u>Nuclear power generates zero carbon or other GHG emissions.</u></li> <li>➤ <u>Twenty percent of U.S. electricity generation comes from the 104 nuclear power plants currently operating in the U.S., all 40 years old or older. Many are nearing the end of their useful lives and will be decommissioned.</u></li> <li>➤ <u>Firms accepting federal loan guarantees must pay fees for them; fee level depends on the likelihood of default. Cong. Budget Office and others say there is 50% chance of default, but power companies and Dept of Energy say it is much less. Even with lower fees, the two Georgia power companies may refuse the loan guarantees.</u></li> <li>➤ <u>Opponents of the nuclear power strategy contend that nuclear energy cannot make a significant dent in GHGs from U.S. power plants for decades, and in the meanwhile drain resources from cheaper renewable sources.</u></li> <li>➤ <u>What to do with spent nuclear fuels is a major unresolved issue. The Yucca Mountain repository project is dead; a commission is studying the waste issue. Bill Gates is betting on a new type of nuclear power plant that reuses waste uranium from existing nuclear reactors. Babcock &amp; Wilcox is promoting underground "mini-reactors" that generate 125-140 megawatts, 1/10th of large reactors, that will store their own waste internally for the 60-year reactor life.</u></li> </ul>

<p><b>Renewable electricity requirement:</b>  <b>Renewable portfolio standard (RPS)</b>  <b>Renewable energy standard (RES)</b></p>	<ul style="list-style-type: none"> <li>➤ <u>SENATE</u>: Bill reported by Energy &amp; Natural Resources Committee requires utilities to generate 15% of their power from renewable sources by 2021. Up to one-fourth of this could come from conservation measures.</li> <li><u>HOUSE</u>: H.R. 2454 passed with a renewable energy requirement calling for 20% of electricity to come from renewable sources by 2020.</li> <li>➤ Environmental groups wanted a very ambitious 25% standard.</li> <li>Siting of renewable energy transmission corridors and facilities on public lands is being reviewed by Interior Sec'y Salazar and congressional committees. Hearings in November highlighted the need for collaboration and planning. Administration streamlined siting review process and made one agency the lead on a project.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Most <u>southeastern states</u> allege that they do not have wind or other renewable sources readily available and thus cannot meet the standard.</li> <li>➤ The Southern Company and Entergy, two major power companies, oppose the renewable standard. Biomass power generation is abundant in the South however.</li> <li>➤ Renewable power generation in 2007 was 2.5% of total power—some suggest that the Bingaman and Markey goals may be more "aspirational" than achievable. CT, MA, AZ, NV, CA and NY are having trouble complying with current 10-15% goals," but Texas (think Boone Pickens) is using huge wind power resources to exceed its goals.</li> </ul>
<p><b>Renewable motor fuels requirement:</b>  <b>Renewable fuels standard (RFS)</b></p>	<p>EPA on 1/26/09 withdrew its proposed rule to implement the renewable fuel standard enacted in 2007. One issue was how to address indirect GHG emissions from increased farming of biofuel crops—using current lands for growing fuel leads to new land clearing elsewhere for food production. Land clearing releases CO2 from burning trees and brush and from opening up the soil</p>	<ul style="list-style-type: none"> <li>➤ Energy bill passed at the end of 2007 increased ethanol production requirement to 9 billion gallons annually in 2008, 11 B gal in 2009, climbing to 36 B gal annually by 2022, of which more than half must be from non-cornstarch products such as cellulose or sugar.</li> <li>➤ Lower oil/gasoline prices mean renewables will be more expensive than conventional fuels. This makes the economics of renewable fuels difficult—developers cannot attract investment dollars in this difficult credit market .</li> </ul>
<p><b>Offshore drilling - Outer Continental Shelf (OCS) - Plan for 2010-2015</b>  <b>HR 3534, HR 2227, S 1462</b></p>	<ul style="list-style-type: none"> <li>➤ Sec'y Salazar is working on a draft plan for 2010-2015 that would greatly expand leasing in Atlantic and Pacific (beyond Alaska and the Gulf of Mexico where it is already allowed) but he is unlikely to follow the Bush outline. He held hearings across the country earlier in the year, and MMS (Minerals Management Service) received half a million comments.</li> <li>➤ Senate energy legislation (See S.1462 above) includes Dorgan (D-ND) amendment to allow leasing and production as close as 45 miles from Florida gulf coast and would open gas-rich Destin Dome, even closer to shore. Rep. Rahall vows to address this in House-Senate Conference on the climate bill.</li> <li>➤ 98 House Republicans sent letter 7/31/09 to Interior Sec'y Salazar urging expansion of offshore oil/gas leasing to include regions on Atlantic and Pacific coasts along lines of draft Bush plan for offshore drilling. Nat. Resources Comm. held hearing 9/9/09 on HR 2227, backed by a GOP and moderate D's, Republican bill to codify Bush-era proposal to expand leasing with 30% of royalties going to coastal states.—hearing was to be ready in case Senate includes offshore provisions in Climate bill.</li> <li>➤ House Natural Resources Committee Chair proposed alternative bill, HR 3534 to draft bill 5/27/09 to create new Interior Dept. agency to govern oil/gas leasing on federal lands and waters. New agency would combine MMS and BLM energy responsibilities. Provisions still awaiting action. Sec'y Salazar to testify 9/16/09.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Long-standing prohibitions on off-shore drilling unraveled last year. Congressional bans (carried on appropriations bills) on offshore drilling expired at end of September and administration ban was lifted last summer. A 2006 bill put a large portion of the eastern Gulf of Mexico off limits until 2022.</li> <li>➤ Natural Resources Chairman Rahall(D-WV) might start with "compromise" provisions from last year that passed in the House and then died in the Senate: allow drilling in federal waters more than 100 miles offshore, allow drilling between 50-100 miles only if states agreed and prohibit drilling closer than 50 miles offshore</li> <li>➤ <b>Public opinion shift:</b> July poll by Public Policy Institute of California found that 51% of Californians now support new offshore drilling—quite a change from previous implacable opposition. In <u>Florida</u>, long strongly opposed to drilling, the House passed a bill to allow drilling up to within three miles offshore; the bill died in the Senate but it signals changing sentiment. <u>Alaska's</u> Gov.Parnell asked Sec'y Salazar to allow drilling on the Arctic shelf. <u>Virginia's</u> house speaker (R) and governor (D) asked Salazar to allow oil/gas exploration off VA coast</li> <li>➤ Offshore renewables: Sec. Salazar published final rule in the Federal Register on 4/29/09 governing offshore renewable energy projects in the OCS. (<a href="#">Click here</a>).* Rule took effect 60 days after publication</li> </ul>

<p><b>Natural gas hydraulic-fracturing &amp; Oil shale development on public lands</b></p> <p><b>HR 2766</b></p>	<ul style="list-style-type: none"> <li>➤ House Energy/Commerce chair Waxman (D-CA) and Energy Subcommittee chair Markey (D-MA) launched investigation on environmental and public health impacts of the types and quantities of hydraulic fracturing fluids, including impact on drinking water. These fluids, including diesel fuel, are injected into shale formations to release natural gas.</li> <li>➤ HR 2766 was introduced by Rep. DeGette (D-Co) and 17 others to repeal the exemption from the Clean Water Act for hydraulic fracturing. No further action has occurred.</li> <li>➤ Interior Sec'y Salazar says shale development R&amp;D efforts are appropriate and should be continued because of the vast resources in CO, UT, and WY. However, moving forward with a regulation to allow full-scale commercial development and leasing of millions of acres "was not the wise thing to do at this time" because of unanswered questions. He canceled oil/gas leases in</li> <li>➤ Sec. Salazar canceled or deferred oil/gas leases and sales on parcels of federal land in Utah, Wyoming, and Colorado, many national parks and wilderness lands.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Natural gas combustion releases less CO<sub>2</sub> than oil, and much less than coal, making it a desirable short term step in reducing GHGs. Estimates of natural gas reserves increased 35% with introduction of hydraulic fracturing extraction method.</li> <li>➤ Huge oil shale potential: U.S. holds more than half the world's 2.6 trillion barrels, with more than 72 percent found on federal lands in the west. It is very costly to extract oil from shale and the technology is still in development.</li> <li>➤ Environmental impacts: Getting oil from shale creates emissions 5 times those from oil/gas; uses vast quantities of water, a scarce resource in the west.; risks acid drainage and introduction of metals in to surface and groundwater; sulfur gas emissions; particulate air pollution; and generates enormous left over fill.</li> <li>➤ Oil shale research and development is proceeding on six federal leases in the West. Shell is testing in-situ conversion on private lands in western Colorado.</li> <li>➤ <u>NEPA</u>: the Utah leases occurred pursuant to a final environmental impact statement in a "resource plan" which environmentalists claim ignored the effects of ozone pollution and climate change.</li> </ul>
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