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SPECIAL REPORT:

Senate Interior Department Appropriations and California Implications - *September 20, 2001*

By voice vote on July 12, 2001, the Senate passed its version of H.R. 2217, the FY 2002 Appropriations Bill for the Department of the Interior and Related Agencies. It had passed the Senate Appropriations Committee on June 28 by unanimous consent, after having been approved on a voice vote by the Interior Subcommittee earlier that same day. The Committee Report is S.Rept. 107-36. This Senate bill analysis is available at <http://www.calinst.org/pubs/int02s.htm> . A printable version in Adobe Acrobat (pdf) format is also available at <http://www.calinst.org/pubs/int02s.pdf> .The following represents a quick analysis of the bill from a California perspective as prepared by the California Institute. We apologize for any errors or omissions in our discussion of these documents, and would appreciate any input/feedback on how to make improving corrections. The ordering of items generally reflects their presence in the bill and does not mean to imply any relative importance.

The House passed its version of the bill on June 21, 2001, by a vote of 376 to 32. A California Institute analysis of that bill is available at <http://www.calinst.org/pubs/int02.htm> .

The Senate Appropriations bill provides \$18.5 billion in new budget authority for the Department of the Interior and related agencies for FY 2002.

BUREAU OF LAND MANAGEMENT

Management of Land and Resources - The bill recommends an appropriation of \$775,962,000, an increase of \$15,650,000 above the budget estimate.

Land Resources - The bill provides \$500,000 for management of the Headwaters Forest Reserve.

Land Acquisition

The bill provides the following funds for BLM land acquisition:

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| California Wilderness | \$375,000 |
| Cosumnes River Preserve | \$1,500,000 |
| King Range National Conservation Area | \$2,500,000 |
| Otay Mountain/Kuchamaa HCP | \$3,500,000 |
| Santa Rosa and San Jacinto Mountains National Monument | \$1,500,000 |

Oregon and California Grant Lands

The Committee recommends an appropriation of \$106,061,000, an increase of \$896,000 above the budget request. The increase is for fixed costs.

U.S. FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

Ecological Services - The Committee recommends \$211,217,000 for ecological services, an increase of \$12,724,000 above the budget estimate. The bill includes an increase of \$1,500,000 for consultation, of which \$500,000 is for the Central Valley and Southern California Habitat Conservation Plan, and \$1,000,000 in general programs to address the increasing demand for consultations.

Also within the ecological services section, the Senate Committee recommends a decrease of \$1,000,000 below the budget estimate for CALFED for project planning.

Refuges and Wildlife

Salton Sea - A total of \$993,000, the budget estimate, is recommended to continue the Salton Sea recovery program, contingent on matching funds from the State of California. The Committee report states that it does not object to including this program in the regular operations account in fiscal year 2003 and beyond.

Migratory Bird Management, Joint Ventures - The bill includes \$225,000 for the San Francisco Bay Joint Venture.

Construction - The Committee recommends \$55,526,000 for construction, an increase of \$19,677,000 above the budget estimate, and includes the following projects:

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|--|-------------|
| Condor facilities, CA & ID Recovery facility construction and renovation | \$1,750,000 |
| Humboldt Bay NWR Seismic safety rehabilitation, Phase I (p/d) | \$190,000 |
| San Pablo Bay NWR Office Renovation, Phase II (c) | \$2,500,000 |

Land Acquisition - The Senate bill recommends \$108,401,000, a reduction of \$56,000,000 below the President’s budget request, for FWS land acquisition, which is funded through the conservation spending category. Within these funds, the bill recommends the following project amounts:

| | |
|----------------------------|-------------|
| Sacramento River NWR (CA) | \$1,100,000 |
| San Diego NWR (CA) | \$4,600,000 |
| San Joaquin River NWR (CA) | \$2,000,000 |

In related report language, the Senate report language states, “Acquisition of the 19,000 acres of property adjacent to the Don Edwards National Wildlife Refuge represents a unique environmental opportunity to acquire and restore wetlands at the edge of San Francisco Bay where wetlands loss has been significant. Congress provided \$8,000,000 in fiscal year 2001 for the initial purchase of this property. The owner of the property is seeking \$300,000,000 for the land. The Committee believes this amount is excessive. If there were to be a reasonable offer, the Committee would consider adding future funding.”

NATIONAL FOREST SYSTEM

Law Enforcement Operations - The bill recommends \$80,000,000 for law enforcement operations, which is \$4,076,000 above the President’s request. The Committee report notes the increase in drug related incidents on Forest Service lands in California and other states, and supports the Services’ efforts to increase enforcement activities to deal with these incidents.

Headwaters and Lake Tahoe -

Vegetation and Watershed Management - The Committee recommends \$191,126,000 for vegetation and watershed management, an increase of \$3,213,000 above the budget estimate. Increases include \$1,950,000 for various restoration efforts at Lake Tahoe, and \$500,000 for restoration efforts at the Headwaters Forest Preserve. Of the amounts above the request provided for Lake Tahoe \$500,000 is for adaptive management activities, \$600,000 is for mechanical

treatments and fuels reduction, \$250,000 is for wetland and riparian restoration, and \$600,000 is for urban lot management activities. The Committee report also notes that with “the increases provided by the Committee not less than \$5,850,000 is included within the National Forest System appropriation for work at Lake Tahoe which is authorized by the Lake Tahoe Restoration Act. To the extent that a change in the program of work necessitates movement of these funds to other line items within the National Forest System appropriation, the agency may reallocate funds within the appropriation upon notification and consultation with the Committee. The Committee notes that it has also provided \$3,000,000 in the Capital Improvement and Maintenance appropriation, \$5,000,000 in the State and Private Forestry appropriation, and \$6,600,000 in the Land Acquisition appropriation for projects at Lake Tahoe. The Committee expects the Forest Service to work collaboratively with State, Federal, and private groups in the area in order to maximize accomplishments on the ground.

USDA FOREST SERVICE

Cooperative Forestry - \$5,000,000 is provided for Lake Tahoe erosion grants.

Quincy Library Group - The bill recommends \$26,000,000 for the Quincy Library Group project, which is equal to the President’s request. According to the Committee report, funding for this project is included in both the national forest system and wildland fire management appropriations.

Wildland Fire Management - The bill includes the following language: “The Committee notes with increasing concern the ground fuels build up within the Giant Sequoia National Monument and along its boundary interface with the Tule River Indian Reservation. Current drought conditions raise the likelihood of a fire jeopardizing the monument and reservation. The Committee directs the Forest Service to assist the Tule River Tribal Reservation with its ground fuels mitigation program, the acquisition of appropriate fire suppression equipment, and the training of a tribal Hot Shot crew.”

Later in the Senate Report, language states, “The Committee has included language in the bill authorizing the Secretary of Agriculture to limit competition for fire and fuel treatment and watershed restoration contracts in the Giant Sequoia National Monument and the Sequoia National Forest. The purpose of this language is to give priority consideration to dislocated workers in Tulare, Kern and Fresno counties. By providing this authority to the Secretary, the Committee in no way implies its approval or disapproval of the process by which the Monument was established, nor does the grant of this authority in any way address the legality of the President’s use of his powers under the Antiquities Act in this instance.”

Roads - The bill recommends \$242,211,000 for road maintenance and capital improvement, an increase of \$4,320,000 above the request. Increases above the request include \$800,000 for a total amount of \$3,000,000 for retrofitting and road decommissioning in the Lake Tahoe Basin.

Land Acquisition

Within a total of \$128,877,000, the Senate bill includes the following recommendations for land acquisition activities within the national forest system:

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| Cleveland NF (CA) (Rutherford Ranch) | \$675,000 |
| Lake Tahoe Basin MU (High Meadows) | \$4,000,000 |
| Lake Tahoe NF (Urban lots) | \$2,600,000 |
| Pacific Crest Trail (CA/WA/OR) | \$2,000,000 |
| Tahoe NF North Fork American River | \$1,700,000 |

NATIONAL PARK SERVICE

Construction - The Committee recommends \$338,585,000 for National Park Service construction, a decrease of \$1,217,000 below the President’s budget estimate and an increase of \$38,273,000 above the fiscal year 2001 enacted level. The funding includes the following projects:

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| Golden Gate NRA (Immigration Museum study) | \$500,000 |
| Golden Gate NRA (Pier 2 seismic safety) | \$13,000,000 |
| Lava Beds NM (replace visitor center) | \$4,131,000 |
| Point Reyes NS (lighthouse access, utilities) | \$1,285,000 |
| Redwood NP (remove failing roads) | \$2,552,000 |
| San Francisco Maritime NHP (rehabilitate C.A. Thayer) | \$ 2,000,000 |
| Sequoia NP (complete restoration of Giant Forest) | \$1,480,000 |

Land Acquisition and State Assistance - The Senate bill recommends \$287,036,000 for land acquisition and State assistance, an increase of \$71,895,000 above the enacted 2001 level and a reduction of \$270,000,000 below the budget request. Within these funds, the bill recommends \$1,000,000 for the Golden Gate National Recreation Area, and \$500,000 for the Point Reyes National Seashore.

Bureau of Indian Affairs - \$500,000 is provided for the Indian Arts and Craft Board, of which \$250,000 is for enhancements to the Pomo Indian exhibits at the Grace Hudson Museum in Ukiah.

MINERALS MANAGEMENT SERVICE

Royalty and Offshore Minerals Management - The Senate bill provides \$151,933,000 for royalty and offshore minerals management. Language following the section notes that the bill contains language similar to that in the FY2001 appropriations bill which prohibits the use of funds for Outer Continental Shelf leasing and development activities in certain areas. Related provisions focused on areas outside of California were added during Senate floor debate.

DEPARTMENT OF ENERGY

Elk Hills School Lands Fund - The bill recommends \$36,000,000 for the Elk Hills school lands fund, the same as the budget request and the fiscal year 2001 level. The Committee report notes that it has not derived these funds by transfer as proposed by the House Interior Appropriations bill. The funds will become available on October 1, 2002, according to the report.

In 1996, Congress authorized the sale of the Elk Hills Naval Petroleum Reserve and created a process by which to pay California for its claims to two sections of land within the Elk Hills Naval Petroleum Reserve. As part of the \$3.65 billion sale of Elk Hills, a total of \$324 million was set aside for California State Teachers Retirement System. These funds are being paid to STRS at a rate of \$36 million per year.