S. HRG. 110–383

Senate Hearings

Before the Committee on Appropriations

Department of the Interior, Environment, and Related Agencies Appropriations

Fiscal Year 2008

110*th* CONGRESS, FIRST SESSION

H.R. 2643/S. 1696

DEPARTMENT OF AGRICULTURE
DEPARTMENT OF THE INTERIOR
ENVIRONMENTAL PROTECTION AGENCY
NONDEPARTMENTAL WITNESSES

Department of the Interior, Environment, and Related Agencies Appropriations, 2008
(H.R. 2643/S. 1696)

S. HRG. 110–383

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2008

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON APPROPRIATIONS

UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

ON

H.R. 2643/S. 1696

AN ACT MAKING APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2008, AND FOR OTHER PURPOSES

Department of Agriculture
Department of the Interior
Environmental Protection Agency
Nondepartmental Witnesses

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2008

TUESDAY, MARCH 13, 2007

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 10 a.m., in room SD–124, Dirksen Senate Office Building, Hon. Dianne Feinstein (chairman) presiding.

Present: Senators Feinstein, Dorgan, Reed, Nelson, Allard, Craig, Domenici, and Alexander.

ENVIRONMENTAL PROTECTION AGENCY

STATEMENT OF STEPHEN L. JOHNSON, ADMINISTRATOR

ACCOMPANIED BY:

MARCUS PEACOCK, DEPUTY ADMINISTRATOR

BILL WEHRUM, ACTING ASSISTANT ADMINISTRATOR, OFFICE OF AIR AND RADIATION

OPENING STATEMENT OF SENATOR DIANNE FEINSTEIN

Senator FEINSTEIN. Let me begin by welcoming everyone here this morning, and thank you for attending this hearing on the Environmental Protection Agency's fiscal year 2008 budget request.

We have Steve Johnson, the EPA Administrator, as our principal witness. So, we look forward to the testimony.

I'd also like to thank Senator Craig, our ranking member, and other members who, hopefully, will join us this morning.

I think all of us should be extremely concerned about the cuts in EPA's budget for fiscal year 2008. The administration's request provides $7.2 billion for the EPA. That's $508 million less than 2007. That's a 6.6 percent cut. So, this, then, is the smallest EPA budget in more than a decade, and more than $1.1 billion less than the agency's budget in 2004.

Now, we all know we have to make tough fiscal choices, but—and we need to reduce the deficit, but I don't believe that cutting funding for clean water or clean air is the answer. In particular, I can't begin to understand why the administration would cut $400 million out of the Clean Water State Revolving Fund. That's a 37 percent cut. Congress funded this Fund at nearly $1.1 billion last year, because we know that our communities depend on this funding to meet their clean water needs. EPA's own GAP analysis tells us that our Nation needs hundreds of billions of dollars for clean

water infrastructure just to keep pace with our aging water systems.

I mean, I remember the day when no one used bottled water anywhere. We all drank water straight from the tap. That just simply is not true today. Water is not nearly as clean as it used to be.

In my State, the San Joaquin Valley has some of the worst air quality in the Nation. Its geography serves as a bowl that collects air pollutants from cars, trucks, and farm equipment, and it makes the challenges of meeting the Federal air-quality deadlines for ozone and particulate matter virtually impossible. As a matter of fact, it's one of the two nonattainment areas in the State.

The South Coast air district is also fighting severe pollution from ozone and particulate matter. To meet air-quality standards, they'll have to address pollution from a whole host of sources, including heavy trucks, oceangoing ships, and locomotives that move goods to the port. Yet, the air management district tells me that the EPA's recent locomotive and maritime diesel rule is insufficient to allow Southern California to meet its clean air deadlines. These districts need more Federal assistance to clean up their air, not less. In particular, they need the Federal Government to be a better partner on clean diesel programs.

While EPA is moving forward with regulations to reduce further diesel emissions, we have to deal with the 11 million diesel engines that are polluting our air today. So, this is a challenge that could cost billions of dollars.

Now, I'm very pleased that the administration's budget does contain $35 million to fund clean diesel grants. But, Mr. Administrator, we both know that $35 million is just not enough to get the job done. It's far less than the $200 million that Congress authorized for these cleanups, and it's even less than the President proposed last year. My own State is already spending $100 million each year for diesel emission reduction grants. It's not fair for the States to have to pick up the tab on this, so I hope the Federal Government can step up to the plate and provide more funding.

So, Mr. Johnson, bottom line, I hope you will commit to working with us to make that happen, and I look forward to your testimony.

I'll now call on the ranking member, distinguished Senator, Senator Craig.

STATEMENT OF SENATOR LARRY CRAIG

Senator CRAIG. Well, Madam Chairman, thank you very much.

I must say, at the beginning of my comments, they're going to sound a great deal like the chairman's, Steve. But, welcome before the committee. Marcus, it's great to have you back before the committee to look at your 2008 budget.

EPA has one of the most important and difficult missions of all of our Federal agencies. The agency's jurisdiction ranges from responsibility to cleanup—in the cleanup of Superfund sites such as the Coeur d'Alene site in my home State of Idaho, to funding clean water and drinking water infrastructure programs. If you come to my State, I think bottled water is a fad, Madam Chairman, not a necessity.

In Idaho?

Senator FEINSTEIN. It's not a necessity?

Senator CRAIG. It's a fad.

It's not a necessity.

But certainly there is infrastructure problem of severity and enforcement of the long list of environmental laws that are out there, is a phenomenal obligation to some of our jurisdictions.

The administration has requested $7.2 billion in the total budget authority for 2008. This is $500 million below the enacted level. While I am a supporter of the agency and the administration's efforts to curb spending, I think my priorities are not unlike the Senator from California's priorities, and the chairman of this committee. A reduction in EPA's budget is in the form of $396 million cut to Clean Water State Revolving Funds, at a time when they are desperately needed because of the new requirements in drinking-water standards, is tremendously important and enormously impossible, I guess is a great way to say it, in some of these small communities where the technology is simply not allowing them to comply because of the costs involved for the number of patrons that are recipients of the water delivered. So, that's a tremendously important issue. The State revolving funds work, they work very well. They are the kind of assistance we need.

Now, on a positive note, I am pleased that both the Asian-Pacific Partnership, $5 million, and Methane to Markets, $4.4 million, received funding in the budget request. Let me look at my home State a little bit. Coeur d'Alene is a beautiful city in the north end of my home State, adjacent to a Superfund site. I'm way too familiar with the difficulties surrounding cleanup processes with Superfund sites. They still are more valuable to litigate, it seems, than to partnership on the cleanups that are necessary. I appreciate the challenges the agency's facing with cleaning up 1,245 active Superfund sites on the national priority list. However, I am most concerned that EPA is pushing the Superfund program to not only complete construction on sites in a timely manner, but also to turn these areas into healthy and safe conditions.

As we emerge out of our difficulties in north Idaho, it is amazing the economic renaissance that can occur. But we spent 20 years fighting and spending lots of money to get there, and that does not seem like a very productive way to handle resources.

I would like to look past some of the science of drinking water to the realities of our rural communities in Idaho, as I mentioned, suffered from arsenic relations that are simply too big to deal with. Senator Domenici has just arrived. He and I have partnershiped on this issue, because we have communities that are in unique geologic regions of the country, where the reality of arsenic, with the standards currently set, are simply unattainable in a cost-effective way, compared with large municipalities.

So, those are some of our struggles, Administrator Johnson. I think you understand them well. We've had not only productive dialogue, but cooperation, as we've worked on these issues in the past. We'll continue to do so. But to start with a budget that is below last year is, in itself, a phenomenal challenge.

I would hope this isn't just the gamesmanship that oftentimes goes on when the administrations, Democrat or Republican, know that there are certain congressional priorities that they don't necessarily hold. So, if you get your funding, and your budget looks

good, then Congress will come along and stick some of the money in it that they want, and, in the end, maybe both win, but the budget loses. That's a reality that we all struggle with.

Madam Chairman, thank you very much.

Senator FEINSTEIN. Thank you, Senator Craig.

Does any other member have a statement they might like to make?

Senator, do you?

Senator DORGAN. Madam Chairman, just 1 minute, if I might, and——

Senator FEINSTEIN. Please.

Senator DORGAN [continuing]. No more than 1 minute.

STATEMENT OF SENATOR BYRON L. DORGAN

Senator DORGAN. Mr. Johnson, thank you very much.

My colleague from Idaho talked about spending less money than the previous year. That's been the case repeatedly in recent years on this subcommittee, despite the fact there are substantial needs. But, Administrator Johnson, I talked to you about the Center for Air Toxic Metals, which is a 12-year cornerstone program on this issue of research on technologies to deal with the air toxic metal issue. I talked to you about the fact that Congress has earmarked that for all of these years, because it's never put in the budget, I guess because you expect us to put it in. But I want to continue to work with you to make sure that, in that critical area dealing with the environment, that we don't have, in the intervening period, before Congress once again indicates its importance to that issue, that there not be layoffs and so on in that program before October 1st, when Congress almost certainly will fund it again.

So, I'm going to provide you some information again today relevant to our phone call, but thank you for your leadership. I look forward to working with you.

Mr. JOHNSON. Thank you.

Senator FEINSTEIN. Thank you.

Going—I beg your pardon. I said I was going to use the early-bird rule, and I didn't. I think you were in next, Mr.—Senator Allard. If you——

Senator ALLARD. Madam Chairman, it's not a problem. Thank you.

STATEMENT OF SENATOR WAYNE ALLARD

Senator ALLARD. I want to congratulate you for holding the hearing. I have a full statement I'd like to make a part of the record.

But I would just, first of all, like to congratulate the Environmental Protection Agency for their new building in Denver, which I understand is an energy-efficient building and——

Mr. JOHNSON. Yes.

Senator ALLARD [continuing]. Likely to get what they call the Silver LEEDs rating, which is very good. I want to congratulate you on that. I want to thank you for many of the cleanup areas that we've moved forward on in Colorado. This hasn't been just in the past year, but it's been over a period of time—Rocky Flats, Rocky Mountain Arsenal, Shattuck Cleanup Site—and we're working on some other sites, too. I appreciate your cooperation in that regard.

A concern that I raise in my comments is that we have to be very sensitive to what is happening in small communities. Many times when we're passing rules and regulations and doing enforcement in small communities, they simply can't afford to do whatever is required. I think we need to be sensitive, in some way. We just can't shut down the small community.

Mr. JOHNSON. Right.

Senator ALLARD. So, somehow or other, we need to figure out ways and, I think, maybe take more of a supportive role. Many of the fines and everything that get applied are very appropriate to a large community. But in a small community it's just—becomes unreasonable. I think that, somehow or the other—I don't know whether you have that flexibility because of current law; sometimes you don't—but in other—in some cases, where law permits—and I think we need to be somewhat flexible—there are some challenges on some clean-water issues for small communities and whatnot, and some environmental issues.

PREPARED STATEMENT

I've been contacted by a number of them. I'm sure that there's a number of Senators up here from smaller States that have had some of the same conversations with their smaller communities. So, I'd just bring that to your attention, and I'll have my full statement put in the record.

Thank you very much, Madam Chairman.

[The statement follows:]

PREPARED STATEMENT OF SENATOR WAYNE ALLARD

Madam Chairwoman, thank you for holding this hearing today. While the EPA oversees the many important environmental regulations and requirements, some of these regulations may have a disproportionate effect on small communities. I think that this fact makes it very important for Congress to exercise close oversight of the Agency and its funding.

I would like to begin by congratulating you, Administrator Johnson, on EPA's new home in Denver. I understand that the recently completed building is likely to receive a silver LEEDs rating. As a founding member of the Renewable Energy and Energy Efficiency Caucus I am very pleased to hear that the federal government is leading by example in this area.

I would also like to thank you for the leadership role EPA has played at the clean-up of the Rocky Flats site, the Rocky Mountain Arsenal and the Shattuck site in Denver. Those areas are of great importance to the people of Colorado and to me.

I cannot stress enough the need to utilize sound, peer-reviewed science when making decisions about increasing regulations. I also believe that the cost-benefit analysis of regulations should be given more weight in many situations—such a cost-benefit analysis should take into account the size of the systems and income level of the users who will bear the cost. Even with such considerations, some communities simply cannot afford to implement the types of upgrades that are required to meet ever evolving federal requirements. I believe that the federal government should step up and help these communities instead of pushing down yet another unfunded mandate on them.

Finally, I have mentioned in previous years that I have had concerns with a climate within EPA that seems to lean heavily toward enforcement. From communications I have had with constituents, it has seemed that EPA was no longer interested in assisting communities in complying with regulations set by EPA. Instead reports of heavy-handed enforcement were the norm. Although enforcement is certainly a responsibility that has been delegated—and sometimes mandated—to EPA from Congress, small communities often do not have the expertise to meet new regulations on their own. The EPA should be willing to help communities who operate in good-faith efforts to meet federal requirements, rather than simply wait until they are able to take enforcement action.

I am pleased to report this year that the news I have been hearing recently is more encouraging. Several of our small communities are reporting that EPA seems to have acquired new flexibility and is more willing to work with them. While things are not yet perfect, I am happy to hear of this progress. However I noted with some disappointment that EPA is requesting a substantial increase in their enforcement budget. When small communities are subjected to fines there is less funding for correcting the problems that triggered the fines in the first place. I think that we can all agree that upgrading water infrastructure, for example, is a far better use for a community's funds than is paying a fine. I hope this requested increase in funding does not mean that the agency is stuck in the mindset that enforcement of regulations is more important that helping communities meet those regulations.

I look forward to working with the Administrator, and my colleagues in the Senate, to see that EPA is able to reasonably carry out their mission. And I look forward to working with the committee to ensure that activities at the Environmental Protection Agency are funded in a manner that is responsible and sufficient.

Senator FEINSTEIN. Thank you, Senator.

Senator Domenici.

STATEMENT OF SENATOR PETE V. DOMENICI

Senator DOMENICI. Madam Chairperson, I will just make a very brief statement, knowing that it'll—eventually, I'll have a chance, during questions, to bring up the issue.

We have a terrible problem of arsenic in the small communities. So do you. We just can't meet the standard that they've set. Some of our small communities are now under the gun for real. We've been kind of putting it off, putting it off, begging, begging. But I think you've gotten to the point where you're going to have to do something, but I don't know what it will be. I don't think we're going to close a bunch of small communities' systems down. They're doing the very, very best they can. I'll ask some questions, just to see if there's any more chances that we have, and any opportunities, that our small communities have to get out again from under this yoke that's strangling them.

I thank you for your cooperation, and your office. You have been out there to see how bad it is, and you know the arsenic standards for the small communities are, for all intents and purposes, not achievable.

With that I'll hold until my questions. Thank you for your time.

Senator FEINSTEIN. Thank you, Senator.

Mr. Johnson, we'll turn it over to you now. I think you've heard the concerns of individual committee members. I know they'd appreciate it, to the extent you can address them in your opening remarks.

SUMMARY STATEMENT OF STEPHEN L. JOHNSON

Mr. JOHNSON. Thank you very much, Madam Chairman. Thank you and members of the committee.

I am pleased to be here to discuss the President's fiscal year 2008 budget request for the Environmental Protection Agency. The President's $7.2 billion request builds upon EPA's record of accomplishments and funds its role as our Nation enters the next phase of environmental progress.

Over our 36 years, EPA has laid a strong foundation to shift America to a green culture. Our citizens are embracing the fact that environmental responsibility is everyone's responsibility. So, instead of having only 17,000 EPA employees working to protect

the environment, we now have 300 million Americans as environmental partners.

These are exciting times. Our air, water, and land are cleaner today than a generation ago. With this budget, our progress will continue.

The evolution of environmental progress has come in—about, in part, because we have proven that a healthy environment and a healthy economy can, in fact, go hand-in-hand. As the economy continues to grow, so do our energy needs. In order to help meet the President's ambitious clean energy and air goals, EPA's budget requests over $82 million to support our Energy Policy Act responsibilities. This includes $8.4 million to implement the Renewable Fuel Standards, and $35 million for grants to cut diesel emissions from trucks and school buses.

EPA also plays a vital role in advancing the administration's aggressive, yet practical, strategy for reducing greenhouse gas emissions. The President has requested $117.9 million for EPA's climate change programs, including $44 million for the successful Energy Star program, $5 million for the Asia-Pacific Partnership initiative, and $4.4 million for the Methane to Markets program.

The evolution of environmental progress requires EPA to work effectively with our State and local partners. The President's budget builds upon this cooperation by providing $2.7 billion to help our partners improve their water quality. We are also promoting the use of innovative, tax-exempt, private activity bonds for capital investments in drinking water and wastewater projects.

Additionally, collaboration is the key to protecting America's great water bodies. In order to strengthen the efforts of EPA and our partners, the President is requesting $28.8 million for the Chesapeake Bay, $56.8 million for the Great Lakes, $4.5 million for the Gulf of Mexico, and $1 million for the Puget Sound.

At EPA, we're working productively with our partners to deliver a healthier and more prosperous future. The President's budget provides $1.2 billion for the Superfund program to continue transforming hazardous waste sites back into community assets.

After highlighting some of these cooperative initiatives, we also must recognize the necessity of vigorously enforcing our Nation's environmental laws. The proposed fiscal year 2008 enforcement budget, $549.5 million, is the highest enforcement budget ever.

As EPA helps shape America's green culture, we understand the need to advance environmental science. The President's commitment to sound science is reflected in his $134 million request, an increase of $9.4 million, to fund human health risk, clean air, and nanotechnology research.

Finally, I must mention EPA's evolving role from being guardians of the environment to, also, guardians of our homeland. The President has requested $152 million for our homeland security responsibilities in water security and decontamination efforts.

While the Nation's environment progress continues to evolve, so does EPA's role. This budget will fulfill EPA's responsibilities of being good stewards of the environment and good stewards of our Nation's tax dollars.

PREPARED STATEMENT

By making smart use of our resources, we're not only building on our Nation's environmental accomplishments, we're creating a lasting legacy for future generations of Americans.

Thank you, and I look forward to addressing your questions.

Thank you, Madam Chairwoman.

[The statement follows:]

PREPARED STATEMENT OF STEPHEN L. JOHNSON

Madam Chairman and members of the committee, I am pleased to be here today to discuss the fiscal year 2008 budget request for the Environmental Protection Agency (EPA). The President has requested $7.2 billion to support the work of EPA and our partners nationwide. This funding illustrates the administration's unwavering commitment to setting high environmental protection standards, while focusing on results and performance, and achieving the goals outlined in the President's Management Agenda.

The President's request builds on EPA's long record of accomplishments and funds its role as America enters into the next phase of environmental progress. These are exciting times for our Nation's environment. Since its founding, EPA has laid a strong foundation of environmental progress. Our air, water and land are cleaner today than they were just a generation ago, and with this year's budget, this progress will continue.

While our Nation's environmental results are significant, it is important to understand how they're being achieved. Over our 36 years, EPA has laid a strong foundation to shift America into a "green" culture. Today, instead of having just 17,000 EPA employees working to protect the environment, we now have over 300 million Americans as environmental partners. Americans from all sectors of society—businesses, communities and individuals—have begun to embrace the fact that the environment is everyone's responsibility, not just the responsibility of EPA.

Madam Chairman, the fiscal year 2008 budget will fund our new role in this next exciting phase of environmental progress.

Our Nation is committed to balancing the budget, and EPA is a proud partner in this effort. EPA is not only a good steward of our environment, but it is a good steward of our Nation's tax dollars. We are accountable for spending the taxpayer's money efficiently and effectively, while focusing on wisely investing in environmental results.

CLEAN AIR AND GLOBAL CLIMATE CHANGE

The fiscal year 2008 President's Budget requests $912 million for the Clean Air and Global Climate Change goal at EPA. EPA implements this goal through its national and regional programs that are designed to provide healthier air for all Americans and protect the stratospheric ozone layer while also minimizing the risks from radiation releases, reducing greenhouse gas intensity, and enhancing science and research. In order to carry out its responsibilities, EPA utilizes programs that include many common elements, including: setting risk-based priorities; facilitating regulatory reform and market-based approaches; partnering with state, tribal, and local governments, non-governmental organizations, and industry; promoting energy efficiency; and utilizing sound science.

The Clean Air Rules are a major component of EPA work under Goal 1 and include a suite of actions that will dramatically improve America's air quality. Three of the rules specifically address the transport of pollution across state borders (the Clean Air Interstate Rule, the Clean Air Mercury Rule, and the Clean Air Nonroad Diesel Rule). These rules provide national tools to achieve significant improvement in air quality and the associated benefits of improved health, longevity and quality of life for all Americans. In fiscal year 2008, EPA will be working with the states and industry to implement these rules.

In order to address the Nation's growing energy challenges, EPA's request supports activities associated with the Energy Policy Act of 2005. These activities include the implementation of the Renewable Fuel Standards that will promote the use of renewable fuels, diversify our energy sources, and reduce our reliance on oil. EPA's request provides $35 million to support the new Diesel Emission Reduction Grants program that is designed to reduce diesel emissions in trucks and school buses through retrofitting and replacing existing engines. This program will target

projects in areas that don't meet air quality standards to help ensure improvements occur in areas of the country where the benefits are needed most.

In fiscal year 2008, EPA's climate protection programs will continue its government and industry partnerships to achieve reductions in greenhouse gas emissions and contribute to the President's goal of reducing greenhouse gas intensity by 18 percent in 2012. The President's request for EPA's voluntary partnership climate change programs and research on technology and science in fiscal year 2008 is $118 million. The request includes $4 million for the Methane to Markets Partnership which promotes methane recovery and use in landfills, coal mines and natural gas facilities. In addition, EPA's request provides $5 million to support the Asia Pacific Partnership—this partnership supports international efforts to reduce greenhouse gas emissions by creating new investment opportunities, building local capacity, and removing barriers to the introduction of more efficient technologies. EPA's climate partnership and technology research efforts are components of the administration's Climate Change Technology Program. In addition, EPA's Global Change research program coordinates its efforts and actively contributes to the administration's Climate Change Science Program.

CLEAN AND SAFE WATER

The fiscal year 2008 President's Budget requests $2.7 billion to implement the Clean and Safe Water goal through programs designed to improve the quality of surface water and drinking water. EPA will continue to work with its state, tribal, and local partners to achieve measurable improvements to the quality and safety of the Nation's drinking water supplies as well as the conditions of rivers, lakes and coastal waters.

The President's request continues the administration's commitments to the Clean Water and Drinking Water State Revolving Funds. The President funds the Clean Water State Revolving Fund (CWSRF) at $688 million, supporting the cumulative capitalization commitment of $6.8 billion for 2004–2011 and enabling the CWSRF to eventually revolve at an annual level of $3.4 billion. The budget proposes $842 million for the Drinking Water State Revolving Fund (DWSRF), essentially the same as the 2007 level. This request keeps the administration's commitment of achieving a long-term $1.2 billion revolving level.

EPA has worked with Treasury and other parts of the administration to propose expanded use of tax-exempt Private Activity Bonds for capital investments in drinking water and wastewater projects. The President's Budget proposes to exempt PABs from the private activity bond unified state volume cap. PABs are tax-exempt bonds issued by a state or local government, the proceeds of which are used by another entity for a public purpose or by the government entity itself for certain public-private partnerships. By removing drinking water and wastewater bonds from the volume cap, this proposal will provide states and communities greater access to PABs to help finance their water infrastructure needs and increase capital investment in the Nation's water infrastructure.

This Water Enterprise Bond proposal would provide an exception to the unified annual State volume cap on tax-exempt qualified private activity bonds for exempt facilities for the "furnishing of water" or "sewage facilities." To ensure the long-term financial health and solvency of these drinking water and wastewater systems, communities using these bonds must have demonstrated a process that will move towards full-cost pricing for services within 5 years of issuing the Private Activity Bonds. This will help water systems become self-financing and minimize the need for future subsidies.

LAND PRESERVATION AND RESTORATION

The Agency's fiscal year 2008 budget request to Congress implements the Land Preservation and Restoration goal through EPA's land program activities that promote the following themes: Revitalization, Recycling, Waste Minimization, and Energy Recovery; Emergency Preparedness and Response; and Homeland Security.

The President's budget provides $1.2 billion for the Superfund program to continue progress cleaning up the Nation's most contaminated hazardous waste sites. As of the end of fiscal year 2006, cleanup construction has been completed at 1,006 National Priorities List (NPL) sites. The Superfund program often completes short-term removal actions to mitigate immediate health threats at sites prior to completion of investigations and the start of long-term cleanup construction.

EPA has continued its efforts to efficiently utilize every dollar and resource available to clean up contaminated sites and to protect human health. In fiscal year 2006, EPA obligated $390 million of appropriated, state cost-share, and responsible party funding to conduct ongoing cleanup construction and post-construction work

at Superfund sites that includes nearly $45 million to begin construction at 18 new Superfund projects. Based upon the construction schedules, EPA expects to complete construction of all remedies at 24 sites in fiscal year 2007 and 30 sites in fiscal year 2008. EPA expects to complete construction at 165 sites during the fiscal year 2007 to fiscal year 2011 time period, the goal established in the Agency's fiscal year 2006 to fiscal year 2011 Strategic Plan.

In fiscal year 2008, the Agency is requesting $34 million for the Underground Storage Tank Program to provide assistance to states to help them meet their new responsibilities, that include: (1) mandatory inspections every 3 years for all underground storage tanks; (2) operator training; (3) prohibition of delivery to non-complying facilities; (4) secondary containment of financial responsibility for tank manufacturers and installers; (5) various compliance reports; and (6) grant guidelines. The Agency is also submitting new legislative language to allow states to use alternative mechanisms, such as the Environment Results Program, to meet the mandatory 3-year inspection requirement. This proposal provides states with a less costly alternative to meet the objectives of the Energy Policy Act.

HEALTHY COMMUNITIES AND ECOSYSTEMS

In fiscal year 2008, EPA's Budget carries out the Healthy Communities and Ecosystems goal via a combination of regulatory, voluntary, and incentive-based programs. A key component of the Healthy Communities and Ecosystems goal is to reduce risks to human health and the environment through community and geographically-based programs.

In fiscal year 2008, $162.2 million was requested for the Brownfields program to support research efforts with additional assessments, revolving loan fund, cleanup grants and workforce development programs. When leveraged with state and local resources, this Brownfield funding will help assess more than 1,000 properties, clean up more than 60 sites, and address petroleum contamination in more than 40 communities.

EPA focuses on collaborative place-based programs to protect the great waterbodies—the Chesapeake Bay, the Great Lakes, the Gulf of Mexico and the Puget Sound.

The Chesapeake Bay is the largest estuary in the United States and a water resource of tremendous ecological and economic importance. The greatest success in the last 5 years has been the water quality initiative that has resulted in new water quality standards for the Bay, the adoption of nutrient and sediment allocations for all parts of the watershed that meet new standards, and tributary-specific pollution reduction and habitat restoration plans. To continue to carry out these functions, the fiscal year 2008 President's Budget requests $29 million in fiscal year 2008, an increase of over $2 million from the previous President's Budget request. Within the request is $8 million for competitive grants for innovative, cost-effective non-point source watershed projects, which reduce nutrient and/or sediment discharges to the Bay.

The Great Lakes are the largest system of surface freshwater on earth, containing 20 percent of the world's surface freshwater and accounting for 84 percent of the surface freshwater in the United States. The goal of the Agency's Great Lakes Program is to restore and maintain the chemical, physical and biological integrity of the Great Lakes Basin Ecosystem. The President's fiscal year 2008 budget commits $57 million towards continuing efforts by EPA's Great Lakes program, working with state, local, and tribal partners and using the Great Lakes Regional Collaboration Strategy as a guide to protect and restore the Great Lakes. The Agency will focus on working with partners to clean up and de-list eight Areas of Concern (AOCs) by 2010, emphasizing clean up of contaminated sediments under the Great Lakes Legacy Act. EPA will continue to work towards reducing PCB concentrations in lake trout and walleye and keeping Great Lakes beaches open and safe for swimming during the beach season.

The fiscal year 2008 President's Budget Request provides $4.5 million for the Gulf of Mexico program to support Gulf States and stakeholders in developing a regional, ecosystem-based framework for restoring and protecting the Gulf of Mexico.

EPA efforts in the Puget Sound are focused on the Basin's highest priority environmental challenges: air and water quality. The fiscal year 2008 Budget provides $1 million for restoration activities to improve water quality and minimize the adverse impacts of rapid development.

Another major focus of the Healthy Communities and Ecosystems goal is identifying, assessing, and reducing the risks from pesticides. In fiscal year 2008, EPA will continue identifying and assessing potential risks from pesticides. In addition, EPA will set priorities for addressing pesticide risks and promoting innovative and

alternative measures of pest control. EPA will continue to meet its pesticide-related homeland security responsibilities by identifying and reviewing proposed pesticides for use against pathogens of greatest concern for crops, animals, and humans. EPA will continue to work closely with other federal agencies and industry to implement its Registration Review program that will review existing pesticide registrations on a 15-year cycle to ensure that registered pesticides in the marketplace continue to be safe for use in accordance with the latest scientific information.

COMPLIANCE AND ENVIRONMENTAL STEWARDSHIP

The EPA's fiscal year 2008 Budget request of $743.8 million for the Compliance and Environmental Stewardship goal provides funding for programs that monitor and promote enforcement and compliance with environmental laws and policies. The Agency will also support stewardship through direct programs, collaboration and grants for pollution prevention, pesticide and toxic substance enforcement, environmental information, and continuing an environmental presence in Indian Country.

In fiscal year 2008, the budget for this goal also provides $56.9 million for GAP grants, which will build tribal environmental capacity to assess environmental conditions, utilize available federal information, and build an environmental program tailored to tribes' needs. The grants will develop environmental education and outreach programs, develop and implement integrated solid waste management plans, and alert EPA to serious conditions that pose immediate public health and ecological threats. Through GAP program guidance, EPA emphasizes outcome-based results.

ENFORCEMENT

In fiscal year 2008, the proposed total of $549.5 million represents the highest requested enforcement budget. This request for an increase of $9.1 million reflects the administration's strong commitment to the vigorous enforcement of our Nation's environmental laws and ensures that we will have the resources necessary to maintain a robust and effective enforcement program.

EPA's enforcement program continues to achieve outstanding enforcement results with settlements over the past 3 years resulting in commitments of nearly $20 billion in future pollution controls. As an outcome of EPA's Superfund enforcement actions in fiscal year 2006, parties held responsible for pollution will invest $391 million to clean up 15 million cubic yards of contaminated soil and approximately 1.3 billion cubic yards of contaminated groundwater at waste sites. These results show a strong and vigorous enforcement program that will be attainable under the fiscal year 2008 Request.

RESEARCH

EPA conducts research that provides a scientific foundation for the Agency's actions to protect the air that all Americans breathe. In fiscal year 2008, EPA's air research program will support implementation of the Clean Air Act, especially the National Ambient Air Quality Standards (NAAQS). The NAAQS programs will focus on tropospheric ozone, particulate matter, carbon monoxide, sulfur dioxide, nitrogen oxides, and lead. EPA also conducts research to improve understanding of the risks from other hazardous air pollutants, known as air toxics. EPA is also one of many federal agencies that actively contribute to the administration's Climate Change Science Program.

Other important areas of research in fiscal year 2008 will include: (1) development of molecular microarrays for detection of bacterial pathogens and non-pathogenic microbes in drinking water source waters; (2) epidemiological studies on the illness rates resulting from untreated groundwater and distribution systems; (3) studies on the practices, such as blending, for handling significant wet weather events to identify "best practices" for preventing peak wet weather flows from overwhelming wastewater treatment facilities while protecting water quality; and (4) providing more efficient monitoring and diagnostic tools through continued research to develop methods of using landscape assessments for monitoring and assessing watershed conditions. These programs will help assess risks and priorities for ensuring clean water.

EPA is requesting $10.2 million in fiscal year 2008 for nanotechnology research, which will focus primarily on the potential implications of manufactured nanomaterials on human health and the environment. The Agency's efforts are coordinated with other federal agencies through the National Nanotechnology Initiative (NNI), which the administration has identified as a fiscal year 2008 research and development budget priority. In fiscal year 2008, EPA's Science to Achieve Results (STAR) program will continue to fund exploratory grants on the potential im-

plications of manufactured nanomaterials on the environment and human health, in collaboration with other federal agencies.

The Agency also will continue in-house nanotechnology research initiated in fiscal year 2007. The integrated programs will focus on: (1) assessing the potential ecological and human health exposures and effects from nanomaterials likely to be released into the environment; (2) studying the lifecycles of nanomaterials to better understand how environmental releases may occur; (3) developing methods to detect releases of nanomaterials; and (4) using nanotechnology to detect, control, and remediate traditional pollutants.

Recognizing that environmental policy and regulatory decisions will only be as good as the science upon which they are based, EPA makes every effort to ensure that its science is of the highest quality and relevance, thereby providing the basis for sound environmental decisions and results. EPA uses the federal Research and Development (R&D) Investment Criteria of quality, relevance, and performance in its decision-making processes through: (1) the use of research strategies and plans; (2) program review and evaluation by the Board of Scientific Counselors (BOSC) and the Science Advisory Board (SAB); and (3) independent peer review.

HOMELAND SECURITY

Following the cleanup and decontamination efforts after the terrorist incidents in 2001, the Agency has focused on ensuring we have the tools and protocols needed to detect and recover quickly from deliberate incidents. The emphasis for fiscal year 2008 is on several areas including decontaminating threat agents, protecting our water and food supplies, and ensuring that trained personnel and key lab capacities are in place to be drawn upon in the event of an emergency. Part of these fiscal year 2008 efforts will continue to include activities to implement a common identification standard for EPA employees and contractors such as the Smartcard initiative.

EPA has a major role in supporting the protection of the Nation's critical water infrastructure from terrorist threats. In fiscal year 2008, EPA will continue to support the Water Security Initiative (formerly known as Water Sentinel) pilot program and water sector-specific agency responsibilities, including the Water Alliance for Threat Reduction (WATR), to protect the Nation's critical water infrastructure. The fiscal year 2008 budget provides $22 million for the Water Security Initiative to continue operation at the existing pilot systems and to begin deployment of the last pilot systems. Ultimately, an expansion of the number of utilities will serve to promote the adoption of Water Security within the water sector. Functioning warning systems, among several utilities of potentially divergent configurations, will afford a more compelling outcome than just one utility. After start-up of the remaining pilot systems in 2008, the program will ramp down as EPA shifts its focus to evaluation of the pilots. EPA will continue support of each pilot for 3 years, after which the host cities will assume maintenance of these systems and over time bring them to full-scale operation. By the end of fiscal year 2007, EPA will issue interim guidance on design and consequence management that will enable water utilities to deploy and test contamination warning systems in their own communities.

In fiscal year 2008, the Agency, in collaboration with our water sector security stakeholders, will continue our efforts to develop, implement and initiate tracking of national measures related to homeland security critical infrastructure protection activities.

In summary, this budget will enable us to carry out the goals and objectives as set forth in our Strategic Plan, meet challenges through innovative and collaborative efforts with our state, tribal, and private entity partners, and focus on accountability and results in order to maximize environmental benefits. The requested resources will help us better understand and solve environmental challenges using the best available science and data, and support the President's focus on the importance of homeland security while carrying out EPA's mission.

Senator FEINSTEIN. Thank you very, very much. Appreciate it.

Mr. JOHNSON. Thank you.

SAN JOAQUIN VALLEY

Senator FEINSTEIN. If I may, let me raise an issue of concern to me, which is the San Joaquin Valley. As you know, it is a nonattainment area. It faces very serious strictures, which could shut down the economy if they can't meet their attainment standards.

There is virtually no way, presently, that they know how to meet those attainment standards. The valley's geography traps pollution; and so, there are too many different sources coming into the valley, many of which are of no fault to the valley. Additionally, it's a big area; consequently, the diesels play a role.

Mobile sources are the biggest polluters, but there's no way it can meet its Federal ozone standard by 2013, even if it were to ban all cars and all trucks from the San Joaquin Valley.

What are you doing to help them comply? What could the EPA do, if Congress provided additional resources?

Mr. JOHNSON. Well, Madam Chairman, we, too, share your concern about the San Joaquin Valley, and, in fact, are committed, and have been working through our Region 9 office to help businesses and the local air-management districts there. As you point out, they are going to require additional time for attainment. Their final draft of their ozone plan, which was issued in January, moves the attainment time to 2023. This will provide some additional time to help, but also will entail additional requirements to add local measures to try to help achieve.

Senator FEINSTEIN. Do you——

Mr. JOHNSON. So, we're——

Senator FEINSTEIN [continuing]. Support that—moving the attainment time? Can it be done, legally?

Mr. JOHNSON. Yes, it can be done, legally. We're very supportive of working with the Valley and the businesses to help in every way we can. Of course, the steps that we've taken for diesel, both on-road and off-road, as well as the recent proposal for locomotives and marines, again, all help. You have my commitment that we're going to continue to work to help the Valley achieve their attainment status as quickly as possible.

CLEAN DIESEL GRANT

Senator FEINSTEIN. Well, as you know, you have to convert 11 million diesels. As you also know, the Clean Diesel Grant is authorized at $200 million. You only ask for $35 million in your budget this year. Why is that?

Mr. JOHNSON. We believe that we are committed to make the diesel puff of smoke something you only read about in history books, and, through our regulations, as well as through the President's request of $35 million, we believe we continue to make progress in doing that. The good news is, we're going to continue to deliver results while meeting a balanced budget. The $35 million requested as part of the President's budget, will be leveraged through the grant mechanism into $72 million. Putting it in terms of health benefits, that will derive $1.4 billion in health benefits. So, while there is much to be done, this continues to deliver results, and we're committed to make that happen.

NONATTAINMENT AREAS

Senator FEINSTEIN. Now, 30 percent of your request, about $10.5 million, will go to States to fund grants for nonattainment areas, but the remaining money, about $24.5 million, is not targeted to any particular need or region. What is the plan for that $24.5 million?

Mr. JOHNSON. Let me ask our Acting Assistant Administrator, Bill Wehrum, to come to the table, and he can describe the plan in greater detail.

Bill?

Mr. WEHRUM. Good morning, Madam Chair. My name is Bill Wehrum. I'm the Acting Assistant Administrator for Air and Radiation.

There are needs across the country with regard to funding diesel retrofit programs, so we tried to create a balance, in the budget that has been proposed: to target a significant amount of money in the areas that need it most, which are the nonattainment areas, but not to leave out many other areas of the country that have clean air, but also have dirty diesels.

Senator FEINSTEIN. Well, will this be done on a priority basis?

Mr. WEHRUM. We try very hard to prioritize, but also to provide adequate and substantial funding for the many needs across the country, Madam Chair.

Senator FEINSTEIN. Well, I mean, this is a problem for me. If you have an area that geographically can't meet its ozone requirements—and this area can't meet it, even as I say, if they prohibited every car and truck from entering the area, they still can't meet them. Therefore, the only thing they can do is make the changes in the diesel engines. It's a priority area, because it's a nonattainment area. I don't think any of these other areas, outside of Los Angeles, perhaps, in the United States, have the same problems as this area does. So, it's a pretty important priority, it seems to me. What you sounded like is, this is going to be another revenue-sharing program that's going to be spread, kind of, based on the politics of it. I hope that's not the case.

Mr. Johnson.

Mr. JOHNSON. Well, Madam Chairman, we are very interested in prioritizing these grants to those areas of nonattainment. As you aptly point out, the San Joaquin Valley and Cleveland, Houston, Dallas/Fort Worth, are all areas that are in nonattainment that would greatly benefit by these kind of grant monies. Again, our first priority is to try to help in those nonattainment areas.

Senator FEINSTEIN. Well, I appreciate that, and I thank you for going on the record.

Mr. JOHNSON. Thank you.

Senator FEINSTEIN. The next question—and I'll—this is my last one—is, this is just 30 percent, about $10.5 million would go to States in nonattainment areas. I would ask you to work with me on that and re-look at it, based on these nonattainment areas around the United States, and what the strictures are on them, and what options they have, and then perhaps tailor this money to the most needy.

Mr. JOHNSON. Look forward to working with you.

Senator FEINSTEIN. Thank you very much, Mr. Johnson.

Senator Craig.

CLEAN WATER STATE REVOLVING FUND

Senator CRAIG. Administrator Johnson, I spent a little time in the San Joaquin on agricultural issues and labor issues. In just conversation with the agricultural community alone, I'm always

amazed at the amount of money they are now committing to retrofitting and changing and trying to come into compliance. It is literally hundreds of millions of dollars annually. Of course, the Senator from California and I work on agricultural issues. We know that sometimes their profitability margins are, at best, marginal, and their input costs are phenomenal. This is an input cost in that valley that is—if it were in Idaho, based on our cropping patterns, it would shut our agriculture down. It would really be quite that simple. They could not afford what California is attempting to afford, at this time.

Let me talk about Clean Water State Revolving Fund. We've all expressed our concern about it. You've heard the Senator from New Mexico and I talk about uniqueness's that we have, but also a standard that—you know, I can question the science of it. It—that hardly makes a headline anymore. The reality is, here, the standards have been accepted, and now everybody rushes to comply, or attempt to comply.

Can you tell me how EPA intends to help rural and poor communities maintain sewage plants and mitigate nonpointsource pollutions, and face the reality of what they need to get done, with that kind of a proposed cut?

Mr. JOHNSON. Well, Senator, we are committed, as an agency, to help each of the States, whether they be small water systems or large water systems, to comply. The Clean Water State Revolving Loan Fund, that the President has requested in 2008, is at a level that supports his commitment. It's his commitment to extend the coverage from 2004 to 2011. This year's request is $687.6 million, revolving at $3.4 billion. That's the money side of it.

This year, the President is proposing a very innovative solution, and that is the use of private activity bonds. Of course, that will require a change in the internal tax code, which we would urge Members of Congress to pass. We continue to support full-cost pricing and other programs, including research and development. In part of the President's budget for 2008, there are monies to help in infrastructure research and development. So, we think these, coupled with improvements in efficiency, will help move us to a sustainable infrastructure.

PRIVATE ACTIVITY BONDS

Senator CRAIG. Steve, you mentioned private activity bonds. I'm on the board of a think tank out West called the Center for the New West. We've held a series of meetings across the West and in California about the realities of all of these water issues—sewage, waste, water quality, urban water in—the whole combination of things—along with Bureau of Reclamation and their responsibility. There's a very obvious bottom line out there; and that is, nobody should expect the Federal Government to pay for all of it.

Mr. JOHNSON. Right.

Senator CRAIG. At the same time, this standard is a Federal mandate, "You will comply," period. It's not a local mandate. It's not a State mandate. It is a Federal mandate.

Having said that, though, the world in which we live in today out West is not the world of 70 years ago, when we were developing the West; it is a pretty developed, sophisticated, and very wealthy

area today, in most respects. But when it takes on some of these water projects that are just phenomenally expensive, it needs flexibility in doing so—a little Federal help, local help.

Talk to us more about this tax-exempt idea. I assembled a group of Wall Street investors in San Diego, Madam Chairman, about 3 months ago, to have this kind of conversation with urban and municipal water managers and developers. The Federal Government really does need to move in this area. We ought to be sensitive to the values of it, because it is a great new way of finding resources that we simply cannot budget up to, if you will, at the Federal level.

Beyond just talking about it, what do you plan to do about it? Is it going to be advocated by the administration? Is it going to be part of their proposal? Are they going to go before the Senate Finance Committee, try to accomplish something like this?

Mr. JOHNSON. It is part of the President's 2008 budget request. We are advocating that the tax code be changed to remove the cap that's currently in the tax law. That would allow private activity bonds so that additional investments could be made.

Some of the analysis that we've done would indicate that, with these private activity bonds, we would see investments literally in the billions of dollars that would otherwise not be available because of the current cap in the current law. Here's a great opportunity for us to help strengthen our infrastructure by an infusion of monies through private activity funds. Yes, the administration is very supportive.

Senator CRAIG. There are also concepts, Madam Chairman, that we ought to look at that are scored differently, or it is believed they would be scored differently than private activity bonds so that they don't fit the kind of frustration that OMB has as it relates to the expansion of some of these types of things being, if you will, a liability factor involved. They really hinge on opportunity and tax—unique tax advantagements within—advantages within the investment community that don't push a Federal obligation.

Thank you.

Senator FEINSTEIN. Thank you——

Mr. JOHNSON. Madam Chairman, if I might just add, on March 21 through March 23, we are having a summit on innovative financing. It's a summit that we've been working with, with the Western Governors.

Senator CRAIG. That's good.

Mr. JOHNSON. You're all welcome to come.

Senator FEINSTEIN. Thank you very much. Thank you.

Senator Allard, you're next.

COST-BENEFIT ANALYSIS

Senator ALLARD. Madam Chairman, thank you.

I'm just curious, do you include a cost-benefit analysis when you're setting your new regulations, or when implementing new thresholds? If you are, are you applying that to certain specific groups of size communities?

Mr. JOHNSON. The Executive Order No. 12866 requires that any economically significant regulation, which is defined as greater than $100 million impact, include a cost-benefit analysis. Now,

having said that, there are certain restrictions that are inherent in legislation. For example, in establishing a National Ambient Air-Quality Standard, as Administrator, I am strictly forbidden by law to consider the costs associated with setting the health standard. Other laws, in some cases, specifically, require that a cost-benefit analysis be done, regardless of that threshold. So, understand that we have an executive order that requires cost-benefit analysis, laws sometimes require that we conduct it; in some cases, as I make a decision, I'm strictly prohibited from including that cost consideration in my decision. The National Ambient Air-Quality Standard is a prime example of the latter.

GOOD SAMARITAN BILL

Senator ALLARD. I see. Now, one of the things that we're working on in Colorado—and it's a bipartisan effort, both Republicans and Democrats working on it—is a Good Samaritan bill——

Mr. JOHNSON. Yes.

Senator ALLARD [continuing]. Which looks at abandoned mines and relieves the new owner of some liability if they move forward with cleanup of those particular mines. It's a particularly sensitive problem. We have these old abandoned mines that continue to discharge and cause water pollution problems, and yet nothing's done to clean them up. Until we can get that piece of legislation through the Congress, are you doing anything, administratively, in your—in the Environmental Protection Agency to move that forward so we can begin to get some of those abandoned cleaned? As you know, some of them are——

Mr. JOHNSON. Well——

Senator ALLARD [continuing]. Pretty toxic.

Mr. JOHNSON. Our commitment is to do everything we can to address the estimated 500,000 abandoned—and that is the key word—abandoned hardrock mines. We——

Senator ALLARD. That's throughout the country——

Mr. JOHNSON. That's throughout the country, principally in the West.

Senator ALLARD. That's a—sure.

Mr. JOHNSON. Principally in the West.

Senator ALLARD. Yeah.

Mr. JOHNSON. We have put in place, through our administrative procedures, at least one agreement, with Trout Unlimited, to actually clean up a mine. It was very resource-intensive. We believe that the best solution is legislation, as you have suggested. So, we would certainly urge Members of Congress to pass the Good Samaritan legislation. It makes sense to have groups who don't want to assume liability for an entire site, to go in and make a difference and help clean it up. So, we certainly are very supportive of Good Samaritan legislation.

Senator ALLARD. It doesn't make sense, when they didn't cause the problem, to hold them——

Mr. JOHNSON. That's exactly——

Senator ALLARD. It doesn't make any sense——

Mr. JOHNSON [continuing]. Right.

Senator ALLARD [continuing]. At all. And——

Mr. JOHNSON. It doesn't make any sense.

Senator ALLARD [continuing]. And they're there for the full sole purpose of making that property better, you know——

Mr. JOHNSON. Exactly.

Senator ALLARD [continuing]. From an environmental perspective. So——

Mr. JOHNSON. Good.

Senator ALLARD. Okay.

Madam Chairman, that concludes my questioning. Thank you. Or—Mr. Chairman.

I'm sorry. I didn't see who was in charge around here.

Senator CRAIG [presiding]. We're going to third reading right quickly.

Let me turn to the Senator from New Mexico. Senator Domenici?

Senator DOMENICI. Thank you. Thank you very much, Mr. Chairman. I will just take a minute. Thank you, Senator Allard.

First of all, I wanted to ask, Do you—did you know Paul Gilman?

Mr. JOHNSON. Yes. Yes. A great scientist, great colleague, and he served the agency and the Nation well. So, yes——

Senator DOMENICI. I was——

Mr. JOHNSON [continuing]. Sir, I did.

Senator DOMENICI [continuing]. Going to tell you, that's—I figured you and some of your cohorts knew him, but I wanted to report that I heard from him the other day. They're up—he's working in a private laboratory, and he has—his twins are growing like asparagus sprouts, and Angela, my secretary of years, was his personal friend——

Mr. JOHNSON. Yes.

ARSENIC STANDARD

Senator DOMENICI [continuing]. He and his wife's, and they sent for her the other day. She went up to spend a long weekend. She was used to babysitting, so they sent her up to do something akin to that.

Sir, I want to tell you, the problem of arsenic has not—while it—you know, we continue to say it's just around the corner, and therefore, we think it isn't going to bite us. It's there, and it's terrible, and we haven't done much about it. But I appreciate your ever-consistent ear of concern for the very small facilities that are really not going to be able to put in this equipment for this new standard. You began enforcing the standard in 2006. The level from 50 parts per billion down to only 10 parts. My home State of New Mexico has high levels of natural-occurring arsenic in its volcanic soil, so that 20 percent of the State's municipalities will have to treat their drinking water to meet this standard, compared to only 5.5 percent of the municipalities nationwide. Of the New Mexico communities impacted by this requirement, 90.93 percent are small communities—most, well below the national median household income level—and yet, they face increased costs of water, exceeding $50 to $90 a month. When EPA promulgated these new rules in 2001, small-community variances were not allowed, because EPA claimed that the rule was affordable for small communities based on extraordinary cost thresholds of $1,000 per family. I am pleased that EPA has agreed to consider revisions to the national level affordability and methodology for very small drinking water systems.

However, the development of a new methodology by a lower affordability threshold by itself may not help poor communities in my State and some of the other States involved.

Can you commit to me that the EPA will quickly perform this revision, and the revision will apply retroactively to arsenic standard?

Mr. JOHNSON. Well, Senator, what I can commit to you is that we'll continue to aggressively work with the small communities in your State, and others, to help them achieve compliance with the arsenic standard. In the President's fiscal year 2008 budget, there's $1.8 million for continuing the 50 demonstration projects, where we're looking at 15 cost-effective technologies that would help small systems. One of the provisions in the Arsenic Rule is to allow States to monitor; some States have availed themselves of additional time for monitoring to help sort through things.

In addition, we have been working with them through administrative orders to provide sufficient time to try to help them meet the standard. The good news is that, as we sit here today, approximately 50 percent of the systems have been able to comply with this new standard. The good news, 50 percent have; but we have work to do, and that's what we're committed to do to help.

Senator DOMENICI. Well, listen, I would be remiss if I didn't tell you that we very much owe you a debt of gratitude for your concern and consideration, and you're doing everything humanly possible. When you go out there and find this little tiny system out in the boonies, you're not closing them down. It wouldn't accomplish a great deal, you know, in terms of real effectiveness. I included four or five other questions in my packet of questions for today.

Mr. JOHNSON. Thank you.

Senator DOMENICI. I would appreciate your—if you would answer them. Maybe, if we have to, we'll get you and our experts together soon.

Mr. JOHNSON. Be happy to.

Senator DOMENICI [continuing]. To talk about what we might do.

Thank you.

Thank you very much, Mr. Chairman.

Mr. JOHNSON. Thank you.

Senator CRAIG. Pete, thank you very much. We've just been joined by Senator Reed. Please proceed, if you're ready.

CLEAN WATER ACT

Senator REED. Thank you, Mr. Chairman. Thank you, gentlemen.

The Rhode Island Department of Environmental Management recently sent my office a letter concerning a proposed EPA rule regarding the Clean Water Act, section 106 grant funding. The proposed rule would set aside a portion of State section 106 funding to be distributed only to those States that generate 75 to 100 percent of their NPDS program costs through user fees. The Clean Water Act does not require the use of fees to fund the NPDS program. So, what legal authority are you using to require the States effectively to impose fees in order to qualify for these monies?

Mr. JOHNSON. Well, thank you, Senator. We believe that it's important that we invest in clean water. We believe that this section, 106 NPDS permit rule provides a financial incentive to utilize ade-

quate fee programs. The comment period closed on March 5, 2007. We're reviewing those comments. We believe this proposal helps promote sustainable management of State and local services, and we look forward to reviewing the public comments as we make our final determination on this rule.

Senator REED. Thank you very much, Mr. Administrator. Let me point out that, for Rhode Island to meet these proposed levels to qualify, they would have to increase fees seven times their current levels, which would be extraordinarily disruptive. Also, the State of Rhode Island contributes their general-fund monies, their own monies, to help regulate and administer the NPDES program. So, I would appreciate you keeping me posted about the rulemaking that goes forward, and to take into consideration the burden that this would impose on my State. I'm sure I'm not alone.

Mr. JOHNSON. Pleased to do so. Thank you, sir.

STAG PROGRAM—REDUCTIONS

Senator REED. Each year, EPA generates 50 or so new rules. They expect the States to make the changes, implement them, et cetera. It gets harder and harder to do that when the administration continues to propose significant cuts to the STAG program. How can we reconcile the ever-increasing burden, changes, et cetera, when there are decreasing monies—or at least proposed decreases in the STAG program?

Mr. JOHNSON. We believe that the President's fiscal year 2008 continues to deliver results while meeting a balanced budget. We continue to use the tax dollars to not only be good stewards in the environment, but good stewards of taxpayer dollars. We have an excellent working relationship with our States, and want to continue that. Certainly, we look for opportunities to leverage those tax dollars for the environment. Of course, Brownfields is an excellent example of that, as well as our actual enforcement program. So, certainly we are committed to working with our State partners to continue to improve and to use our resources wisely.

CLEAN WATER FUNDING

Senator REED. Well, let me ask a final question. It follows on, I think, a point that Senator Craig made with respect to rural communities. That's the proposed cuts in the budget for clean water funding. There's a national annual need of almost $20 billion, with the Federal share being close to about $5 billion for public health and economic development with respect to clean water. The demand, I know, not only in rural communities, but also in urban areas, like Rhode Island, is increasing for these clean water projects. One, I think a more robust funding level would be in order. Two, perhaps better incentives for the smarter use of these dollars might be called for, too. Do you have a comment?

Mr. JOHNSON. We think that there are a number of tools that we need to employ. One is the President's request for private activity bonds which requires a change in the tax code, which I certainly urge Members of Congress to do. We think that helps. Full-cost pricing helps. Another tool is a program that I launched recently, called WaterSense, which is modeled after Energy Star that would bring water efficiency labeling into products as a piece. We're—and,

obviously, continue to support meeting the President's commitment for both clean water as well as drinking water, State Revolving Loan Funds.

As I mentioned just briefly, we are hosting a conference, beginning on March 21 through the March 23. The title is "Paying for Sustainable Water Infrastructure: A Summit on Innovative Financing." We are looking at financing, and we're looking at policy. The last piece, which I didn't mention, is an investment in research and development, not only for small-community water systems, dealing with issues such as arsenic, but infrastructure needs, in general. So, we think that all of these tools will help us move in the direction of a more sustainable infrastructure.

Senator REED. I think what's been happening is that we've been taking water—its prevalence and its accessibility and its affordability for granted. I think we're beginning to see that—you know, systems all across the country having more and more difficult problems, in terms of infrastructure. Up our way, it's age. We have water systems that are upwards of 100-plus years old. But we have a big bill to pay. Our concern—my concern is that we're not putting the resources, either through appropriations or the tax system, to make it—to pay the bill, and do it in a smart way now.

Thank you.

Mr. JOHNSON. Thank you.

Senator REED. Thank you, Mr. Chairman.

ARSENIC STANDARDS

Senator CRAIG. Thank you, Senator.

We have a revolving chairmanship going on here which is fine, because other Senators are coming.

Let me, in passing through to Senator Alexander, Administrator, ask this question, and then I'm going to leave.

You've heard the whole conversation here. I understand policy sometimes can drive a variety of things to happen before it's feasible for them to happen. It can drive technology, it can do a variety of things. It is also something that is phenomenally intimidating to well-meaning people when they feel they are out of compliance and cannot get there, have no way of getting there without subjecting their clientele and—or their voter—to a cost that is just unrealistic. Do you think that setting arsenic standards at 10 parts per billion is affordable and feasible for a community of less than 1,000 people? Or should not, in doing that, there have been some kind of off-ramp, with certain activities in mind, that they might follow over a course of time as technology catches up to us?

Mr. JOHNSON. With regard to arsenic, or, for that matter, any chemical, we need to focus our decisions on: What is the level that provides sufficient health protection to our Nation's population, whether they're in a small community or a large community or wherever they might live? Of course, that's what was done for arsenic.

Senator CRAIG. Ten parts per billion, you believe the science was amply there to make the decision that was made.

Mr. JOHNSON. Yes, I do.

Senator CRAIG. Ok.

Mr. JOHNSON. So, then it becomes a matter of, if that is the health protective standard, then what are the steps that we can take to help communities achieve that, and achieve that in the most cost-effective way. That's what we're very actively working on, on arsenic, as well as other contaminants of concern across the United States.

Senator CRAIG. Ok.

Thank you very much. I'm going to have to leave, so I'll turn to the Senator from Tennessee, but I'll also turn him over the chairmanship.

How's that?

Senator ALEXANDER [presiding]. This is a very——

Senator CRAIG. I was granted——

Senator ALEXANDER [continuing]. Dangerous thing to do.

Senator CRAIG. I was granted that authority by the chairman, so have at it.

Senator ALEXANDER. Thank you very——

Senator CRAIG. Thank you both very much for being with us.

Mr. JOHNSON. Thank you, sir.

Senator ALEXANDER. Thank you, Senator Craig. I thank the chairman for this.

Administrator, welcome. I'm——

Mr. JOHNSON. Thank you.

CLEAN AIR INTERSTATE RULE

Senator ALEXANDER [continuing]. Glad to have a chance to talk with you. I'd like to talk with you a little bit about the Clean Air Interstate Rule——

Mr. JOHNSON. Yes.

Senator ALEXANDER [continuing]. A little bit about the success you've had over the last 15 years working on sulfur and nitrogen, and ask you about the future.

Mr. JOHNSON. Yes.

Senator ALEXANDER. Let me start with the Clean Air Interstate Rule. My sense of the Clean Air Interstate Rule is that it—which is the rule that you've adopted, I guess, nearly 2 years ago, to—in the EPA, to——

Mr. JOHNSON. Yes.

Senator ALEXANDER [continuing]. To regulate the use of sulfur and nitrogen—the emission of sulfur——

Mr. JOHNSON. Emission of sulfur dioxides——

Senator ALEXANDER [continuing]. And nitrogen——

Mr. JOHNSON [continuing]. Yes.

Senator ALEXANDER [continuing]. Pollutants. How would you describe the acceptance of that rule by those who care about the environment in the United States?

Mr. JOHNSON. Well, we're making great progress. There are 28 States and the District of Columbia that are subject to the Clean Air Interstate Rule. Nineteen States and the District of Columbia are preparing full State implementation plans. Eight States are preparing abbreviated, and two States are adopting the Federal implementation plan. We're very pleased that there is good progress.

Senator ALEXANDER. Is it generally accepted—I know this is a generalization, but does it seem to be generally accepted that the—

those are sufficiently strong rules to clean the air of sulfur and nitrogen over a period of time, or——

Mr. JOHNSON. Well, as with any EPA regulation, we believe that they are not only sufficient, but appropriate for achieving significant health benefits. As with any regulation, there are those who believe that we have gone too far, and others who believe we haven't gone far enough. But at EPA, we believe the Clean Air Interstate Rule provides significant public-health benefits. When you combine that rule, plus the rules I have signed dealing with diesel, these are the most health-protective rules in the history of the Environmental Protection Agency, with the possible exception of getting lead out of gasoline. So, it's a——

Senator ALEXANDER. Well, that——

Mr. JOHNSON [continuing]. Significant health benefit.

Senator ALEXANDER [continuing]. That's what I was getting around to. Let me take it one step further. Do you recommend that the rules that you've adopted, the Clean Air Interstate Rule and the standards you've set for sulfur and nitrogen, be adopted by law, codified in law?

Mr. JOHNSON. We do, and, in fact, would urge Congress to push forward the President's Clear Skies legislation, for a number of reasons. First is that it codifies them in law. Second is that it makes it nationwide. Because of the limitations of the Clean Air Act and our use of Title I for the Clean Air Interstate Rule, we were limited in our ability to make it nationwide.

Senator ALEXANDER. Right. Just so I understand you accurately—so, you're suggesting that the—that, in essence, the Clean Air Interstate Rule be codified.

Mr. JOHNSON. Yes.

Senator ALEXANDER. The standards that are there be standards in the law, so that there—so that people who care about the environment can see that that's permanent, and those who are in business and who are making plans can have certainty as they make these very large investments to rid the air of sulfur and nitrogen.

Let me pick up on something you just said. I would——

Mr. JOHNSON. Just to answer that, yes.

Senator ALEXANDER. Is yes to that. Well, I would—I would urge you to urge the administration to more strongly urge our Congress to codify the Clean Air Interstate Rule, and take credit for it. Because I agree with you, I think there are a number of actions this administration have taken which are strong environmental actions and strong conservation actions, and I think you should urge the Congress to adopt it, and take credit for it. Specifically, I've been a critic of the administration, and of other proposals, that haven't been strong enough on sulfur and nitrogen, because I live in a part of the country, the Great Smoky Mountains, which we have discussed—has a clean air problem. But I believe that the sulfur and the nitrogen provisions in the Clean Air Interstate Rule are sufficiently strong to address that problem, and that they ought to be codified.

Second, I think you're exactly right that the low-sulfur diesel-fuel provision that the EPA stuck to, that was started under President Clinton, but it was implemented under President Bush. I think you deserve credit for that. As I look at my area of the country, the

Great Smoky Mountains, we have—one of our truck stops there is the second-busiest big truck stop in the United States, and the low-sulfur diesel-fuel provision will make a big difference, in terms of the health of our citizens and the visibility of the Great Smoky Mountains.

When I look at the fact that you are proposing the first regulations on mercury——

Mr. JOHNSON. Yes.

Senator ALEXANDER [continuing]. I think you should take credit for that. Now, I would like to see them a little bit stronger, but the fact of the matter is, no one has proposed doing that before you did it. Last session, the Congress enacted legislation that extended drilling for oil and gas into the Gulf of Mexico, but it also took $1 out of $8 and put it into the State side of the Land and Water Conservation Fund, on a mandatory basis, as a conservation royalty. I know that's not under the EPA, but, to me, it's important as a conservation matter. I also like the fact, since I live next to the Great Smoky Mountains and not far from other areas, that the President has proposed a 10-year centennial initiative that basically gives all the—gives the national parks all the money they need——

Mr. JOHNSON. Yes.

Senator ALEXANDER [continuing]. For the next 10 years, with a bold initiative to attract private money for that.

So, I think this administration is greener than it gets credit for being, and I think, part of the reason, it doesn't take enough credit for itself. One thing I would like to see is stronger advocacy by the administration to codify the Clean Air Interstate Rule.

I'd like—in doing that, I'd like to ask you a question about how it applies. My sense of the regulations over the last 15 years on—well, let me put it this way, there's a lot of talk today about a cap-and-trade system, a market-based so-called cap-and-trade system——

Mr. JOHNSON. Yes.

Senator ALEXANDER [continuing]. For dealing with carbon.

Mr. JOHNSON. Yes.

CAP-AND-TRADE PROGRAM

Senator ALEXANDER. Well, we've had a good deal of experience with that, starting in the early 1990s. How has that worked? How successful has it been?

Mr. JOHNSON. Our cap-and-trade program has been very successful. It started with the Acid Rain Program——

Senator ALEXANDER. What year was that?

Mr. JOHNSON. That was—Bill——

Senator ALEXANDER. First President—that was under the first President Bush, I believe.

Mr. JOHNSON. Enacted in 1990——

Senator ALEXANDER. Yeah.

Mr. JOHNSON. Our focus was, what is the level of environmental control that's needed? That is, that cap. There are a variety of ways to do trading: input allocations or output allocations. Our experience with the Acid Rain Program was input allocation. The Acid Rain Program showed significant progress. Our Clean Air Inter-

state Rule was modeled after the Acid Rain Program. The Montreal Protocol was a success, as well. We have a great deal of experience, and believe that it's a very effective way of controlling SO_X and NO_X.

Senator ALEXANDER. What's——

Mr. JOHNSON. Since——

Senator ALEXANDER [continuing]. What has been the reduction of SO_X and NO_X, of sulfur and nitrogen——

Mr. JOHNSON. Well, our——

Senator ALEXANDER [continuing]. Pollutants?

Mr. JOHNSON [continuing]. Clean Air Interstate Rule will achieve approximately 70 percent reduction.

Senator ALEXANDER. Will. But what about the last 15 years?

Mr. JOHNSON. Over the last 15 years, about 9 million tons.

Senator ALEXANDER. Is there a percentage——

Mr. JOHNSON. That's——

Senator ALEXANDER [continuing]. That can be—from the level where we were in the early 1990s to the level where are today, what amount of reduction is—what percentage reduction is that?

Mr. JOHNSON. Cut about in half.

Senator ALEXANDER. Cut about——

Mr. JOHNSON. That's what——

Senator ALEXANDER [continuing]. In half?

Mr. JOHNSON. Yes.

Senator ALEXANDER. Then——

Mr. JOHNSON. Yes.

Senator ALEXANDER. Then, you'd go—so, if that's 50 percent, you'd go on to 70 percent——

Mr. JOHNSON. Seventy——

Senator ALEXANDER [continuing]. Reduction——

Mr. JOHNSON [continuing]. Percent.

Senator ALEXANDER [continuing]. With the Clean Air Interstate——

Mr. JOHNSON. That's correct.

Senator ALEXANDER [continuing]. Rule, if that were——

Mr. JOHNSON. That's correct.

Senator ALEXANDER [continuing]. Codified or if it stayed a rule. If I may——

Mr. JOHNSON. Oh——

Senator ALEXANDER. Go right ahead.

Mr. JOHNSON. I was just going to say, if I might add just two interesting facts. When you look at the history of the United States over the past 35 years or 36 years ago, we've had a population increase of about 40 percent. We've had vehicle miles more than tripled, our GDP almost tripled, and yet, when you look at the air pollutants, they have come down 51 percent. So, it indicates a number of things to me. One is that economic development and environmental success go hand-in-hand. The other is that we're not finished yet. We're continuing to move down that path of accelerating environmental progress while maintaining our economic competitiveness.

The last comment I just wanted to make on the issue of mercury is that, we are the first country in the world to regulate mercury from coal fired powerplants. It is a regulation now in place. I'm

very proud of the fact that this was done under my watch, and under the President's watch. Another great example of commitment that the President has to improving the environment—at the same time, maintaining our economic competitiveness.

CAP-AND-TRADE SYSTEM

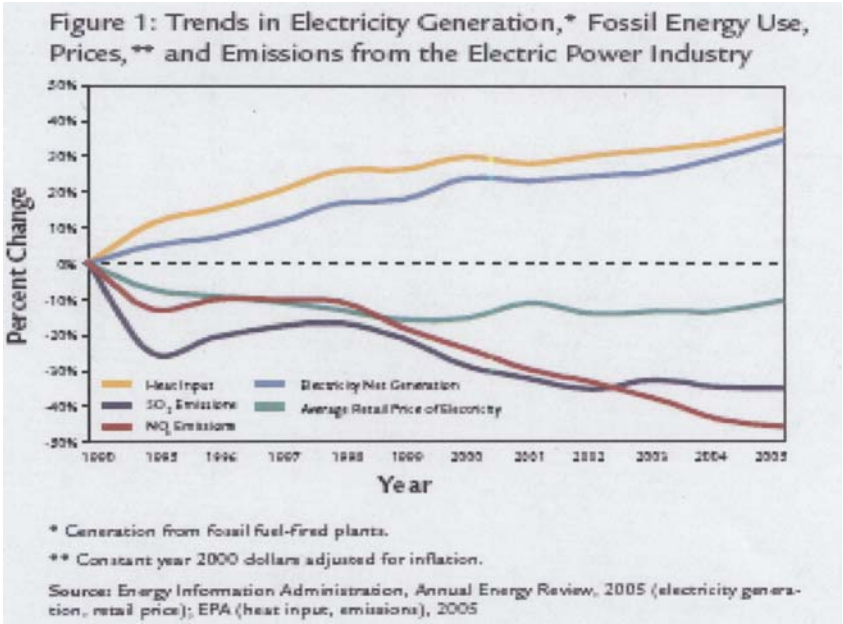
Senator ALEXANDER. Could you give me, in a follow-up note, an estimate of—or any comment that you might have now—about the cost of reducing the sulfur—SOx and NOx over the last 15 years through this cap-and-trade system and its effect on our competitiveness. I know, at the time that it was proposed, there were a great many people who were afraid that the imposition of the cap-and-trade system and the regulations on sulfur would produce an—a burdensome cost on utilities and an excessive addition to the ratepayers. My impression is, that's not been the case, but I don't know the—I don't have the facts. Can you give me——

Mr. JOHNSON. Be happy to respond to the record.

[The information follows:]

IMPACTS OF TITLE IV OF THE CLEAN AIR ACT AMENDMENTS ON U.S. COMPETITIVENESS

When the Clean Air Act was being amended in 1990, EPA projected that the full cost of implementation of the $S0_2$ portion of the Acid Rain Program would be about $6.9 billion per year (in 2006 dollars). In 2005, a study in the *Journal of Environmental Management* estimated annual costs of the Acid Rain Program in 2010 will be $3.5 billion (in 2006 dollars) with the $S0_2$ program accounting for about $2.3 billion. This decreased overall cost has also lead to less impact on consumers and competitiveness in general. Generally retail electricity prices have remained at or below what they were in 1994 before the program began (see figure 1 below). While this does not definitively show that prices would not have been even lower in the absence of the Title IV program, it at a minimum suggests that increases have not been significant. This is consistent with work that EIA has done on this subject. In 1997, EIA looked at the cost of compliance for six utilities and concluded, "compliance has not caused electricity prices to increase at least for the six utilities examined in this report." While there have been increases in electricity prices since 2000, those prices are generally related to other factors such as increases in natural gas prices. Both EPA and EIA have looked into the issue of whether Title IV contributed to increases in natural gas prices and have concluded that it did not.



Mr. JOHNSON. From our analysis, the benefits significantly exceeded the costs associated not only with the Clean Air Interstate Rule of controlling SO_X and NO_X, but mercury. The same is true for our diesel rules, as well. We see a significant increase in public-health benefit for, you know, relatively minimal costs.

Senator ALEXANDER. Well, I——

Mr. JOHNSON. But I'd be happy to provide that for the record.

Senator ALEXANDER. I would appreciate—and I understand the public-health benefit, but I'm just trying to get a rough idea of——

Mr. JOHNSON. Sure.

Senator ALEXANDER [continuing]. What the—how much it added to the electric bill in order to take it down.

Mr. JOHNSON. Yes.

Senator ALEXANDER. Now, if I could pursue, a little bit, your comment, the—when you impose this cap-and-trade system, as I understand it, you basically, 15 years ago, and you continue to do that, give a set of allowances, or you set limits on the amount of pollutant that can come out of a smokestack, and you say to a company: "You can—here are 100 units. You can pollute this much." That's—one way to do that is to look into history and say: "Here's what you're doing today; and so, we're going to permit you to do this much this year, this much next year, this much this year, and your allowances go down." Another way to—that's called "input," as I understand it.

Mr. JOHNSON. That's correct.

Senator ALEXANDER. Another way to do that would have been an output system, where you look at some goal and say to someone emitting pollution, "All right, here's your goal, and we'll spread these allowances around over the entire industry." Can you tell me why you chose the input system, or the historical system, for the

cap-and-trade system that you imposed 15 years ago? What would be the effect on the utilities around the country if you were to make an abrupt change of that kind of an input allocation system to an output allocation system?

Mr. JOHNSON. Well, I'd like to invite Bill Wehrum, who's the Acting Assistant Administrator Office of Air and Radiation, to come to the table and can give you a lot more specifics.

Bill?

Senator ALEXANDER. Senator Nelson, I will wind up my comments in just a moment, and you'll become the chairman of the subcommittee.

We have a—so—if that's all right.

Senator NELSON. Quite a promotion, yes.

Senator ALEXANDER. So——

Mr. WEHRUM. Thank you, Senator Alexander.

ACID RAIN PROGRAM

Senator ALEXANDER. Yeah.

Mr. WEHRUM. Again, my name is Bill Wehrum. I'm the Acting Assistant Administrator for Air and Radiation.

Going back to the Acid Rain Program, we used an input allocation system, because that's what the law required. We had to make a choice, when the Clean Air Interstate Rule was designed, as to whether to continue with that approach or to shift to a different approach, and an output basis was the choice that was available to us.

Our judgment was that it was far better to be consistent with the Acid Rain Program, because we were trying to dovetail the Clean Air Interstate Rule into the existing obligations created by the Acid Rain Program, to have a seamless structure over time that would create predictability and consistency for the regulated community.

Shifting from input allocation to output allocation could have significant financial impacts both to the benefit and to the detriment of companies. The number of allowances we allocate would not change, regardless of the system we use. What would change is how many allowances each particular regulated entity gets. So, if we were to shift from the current input basis to an output basis, many of the entities that are getting significant allowance allocations right now under the Acid Rain Program and the Clean Air Interstate Rule would no longer get those allocations, because they would be sent to other companies. So, the financial consequences for individual companies could be significant.

Interestingly, in the aggregate——

Senator ALEXANDER. They would have to buy them from other companies, wouldn't they?

Mr. WEHRUM. That's exactly right. The primary advantage of using an input basis is, the allowances are allocated in a proportion to the amount of emissions, and they're proportioned such that the allowances don't cover the current level of emissions, and that's what provides incentive for emissions reduction to occur under the program. But the basic concept of the input approach is that we look at the level of emissions across the industry and then allocate proportional to the emissions that people have experienced in the recent past.

Senator ALEXANDER. What happens to the allowances when the standards come down a level as you move through 2009 and 2010?

Mr. WEHRUM. The number of allowances we allocate goes down in proportion to the step——

Senator ALEXANDER. So, the——

Mr. WEHRUM [continuing]. Reduction——

Senator ALEXANDER [continuing]. Allowances track the limits.

Mr. WEHRUM. That's exactly right. The Administrator made an excellent point, and I believe you're making an excellent point, which is, the amount of environmental control achieved under these cap-and-trade programs is dictated by where the cap is set and the total number of allowances that are distributed. If we have an economically efficient market system in place, which we believe we have, under the Acid Rain Program, and will have under CAIR, the allowance trading system gives regulated entities the ability to make financially efficient judgments as to where to install air-pollution controls, versus where they should buy allowances to cover the emissions that they make. So, that's one of the great values of Acid Rain, you get permanent significant reductions in emissions, but, at the same time, have an economically very efficient way of managing the emissions reductions.

Senator ALEXANDER. So, whether it's an input allowance system or an output allowance system, the clean air standard stays the same, the amount—the environmental standard stays the same. The issue is about——

Mr. WEHRUM. That's correct.

Senator ALEXANDER [continuing]. Who pays the bill——

Mr. WEHRUM. That's correct——

Senator ALEXANDER [continuing]. To reach that——

Mr. WEHRUM. [continuing]. Senator. That's exactly right.

Senator ALEXANDER [continuing]. To reach that standard.

Mr. WEHRUM. That's exactly right, Senator.

Senator ALEXANDER. Senator Nelson, do you have time for me to ask one more question, or are you——

Senator NELSON. Sure, that's okay.

CARBON CAPTURE AND STORAGE—ENERGY STRATEGY

Senator ALEXANDER. It'll be—if you'll—out of respect for his time, you'll give him—I want to explore, just for a moment, the carbon capture and storage that is so much talked about around here. All of us are interested in a coal-based—I say "all of us"—many of—Senators are interested in a coal-based solution to clean energy, for a variety of obvious reasons; and the limit on it is capturing the—and storing—the carbon. What's your opinion about the viability of capturing and storing large amount of CO_2 emissions from fuel-based—fuel-fired powerplants? What resources would it take, if you don't have it now, to help you assess the implications of carbon capture and sequestration so it can be a viable strategy for our country in developing clean energy? That will be my last question.

Mr. JOHNSON. Let me start off, and Bill can add to it.

Certainly we, at EPA, want to help the President meet the energy security and clean energy goals that he has outlined, and certainly would encourage Congress to pass the legislation to, one, change the CAFE standard, provide Department of Transportation

with the authority to make that change, and also the alternative fuel standard. As part of our overall energy strategy, we're working cooperatively with the Department of Energy on the issue of carbon sequestration, both in their focus on the technologies to be able to sequester the carbon and on our end, in particular, of what are the environmental safeguards that need to be put in place to make sure that it can not only be captured in a cost-efficient way, but also: What do we do with that carbon? We want to make sure that the environment isn't going to be harmed as we, if you will, inject the carbon, or whatever we end up doing with it. So, we're working very cooperatively with Department of Energy to address that.

Bill, I don't know if you have any additional comments.

Mr. WEHRUM. Sure. Thank you, Mr. Administrator.

EPA's role today primarily is focused on the sequestration piece of your question. My office, in conjunction with the Office of Water, were asked a question and made a determination as to whether the Underground Injection Control Program should be applied to those who want to get a permit for operating CO_2 and carbon sequestration wells. After careful consideration, we made a determination that, in fact, we do believe the Underground Injection Control Program should apply, and determined that, from now into the near future, these wells should be permitted under what's called Class 5, which is an experimental classification that allows case-by-case decisions to be made. We also understand, and believe, that there's a need for greater certainty in the long run. There are many, many people talking about doing carbon sequestration projects, on many scales and in various parts of the country and around the world, so we are already actively working on a new classification for carbon sequestration wells that would apply specifically to that type of well and have a set of requirements that's tailored to the particular needs of people who want to engage in that activity. So, we're spending a lot of time and effort on that issue right now. As the Administrator pointed out, we're working closely with the Department of Energy, and the DOE is focusing most of its attention and resources on the capture side of this question.

In any event, we would be more than happy to respond, to the record, to particular questions you have on this topic.

Senator ALEXANDER. Thank you very much.

Senator NELSON [presiding]. Thank you.

Well, first of all, I want to thank the Administrator for coming before the committee this morning. And I appreciate your time.

Mr. JOHNSON. Thank you.

OMAHA LEAD SITE

Senator NELSON. I'd like to ask you a few questions about the lead cleanup project that EPA has been administering at the Omaha lead site for a number of years. As you know, EPA has completed soil cleanup at about half of the 5,600 household sites agreed to as a part of its interim action plan. While I'm obviously glad to see continued progress in addressing the soil remediation, I have concerns about the project as a whole. Does the EPA agree that education activities for homeowners, landowners, and tenants would be a vital part of the overall effort to limit toxic exposure of lead in children? I'm concerned, for example, that we're being

foolish if we don't provide education on the dangers of the interior of the home as we physically address the exterior problems. For example, I know my constituents in Omaha have had a very difficult time securing funds for these activities. So, I'd like to know what they need to do to get adequate funding, since cleaning up the yard's one thing, being in a house, breathing toxic fumes with lead-based paint is another thing. Is it possible for EPA to coordinate with other agencies such as HUD, if that's what's necessary? What I need to have you tell me is: What can we do so that we're not cleaning up yards and leaving the interior of homes as toxic as they can possibly be? It just doesn't make a lot of sense to spend all the money to fix someone's yard and leave the homes as they are.

Mr. JOHNSON. Well, Senator, we are committed to cleaning up the Omaha lead site. Putting that site in perspective, Love Canal was about 70 acres, and the Omaha lead site is approximately 9,000 acres. So, when we talk about the complexity of the Superfund sites today, versus yesterday, the Omaha lead site, unfortunately, is a prime example of the complexity. We're committed to, and we will continue to, clean up the yards there. As you point out, we've completed about 2,800 yards.

We are committed, across the Nation, to eliminate childhood lead poisoning, and we are in the process now of working on a final regulation, called the Renovation and Remodeling Rule, which focuses on the households that you are referring to. Just within the past couple of days, we released a new study that we had commissioned to help us better understand what are the safe practices for remediating lead in buildings, homes, and our commitment is to continue to work to that end, to have a final regulation in place that helps to eliminate childhood lead poisoning. It is a priority for us. We expect to finalize the rule by 2008. In fact, this is such a priority area that there is actually an increase in the President's 2008 budget request of $2.2 million to help us finalize and implement this rule.

One last point, specifically for the Omaha lead site, we, too, share the concern about making sure that people are informed. In fact, last year, we provided $160,000 to the Douglas County Department of Health for outreach and education. We continue to believe that that's an important effort for outreach and education. We, too, believe that it's important for us to use those dollars wisely. Actually what we see from cleaning up these yards is that, indeed, blood lead levels are coming down. That's what our goal is. So, thank you.

Senator NELSON. So, would part of the funding for the preparation/completion of the rule involve making people aware of it? In other words, education about the existence of the rule so that, if you've got remodeling and remediation underway of a building, that the contractor would be aware of what you do, or the homeowner would be aware of what you would do, if you want to do it yourself, within your own home—repainting, whatever——

Mr. JOHNSON. That——

Senator NELSON [continuing]. It may be?

Mr. JOHNSON. That will certainly be part of the role of education and outreach, the appropriate methodologies for actually doing the lead abatement, as well as the test to make sure that, once you

have cleaned and remediated, that you have addressed it? So, we're looking at a variety of ways to get the word out, but it is an important area for us, and a priority as part of this 2008 budget request.

Senator NELSON. We appreciate what's being done. We looked at the budget, and your budget actually requests, for Superfund cleanup, almost 11 percent less than fiscal year 2006 funding levels. EPA has averaged soil cleanup of about 1,000 yards per year in 2005 and 2006 in Omaha. I guess my questions is, Can you commit to me that your fiscal year 2008 budget request provides enough funding to complete soil cleanup of at least 1,000 more households in the Omaha lead site in fiscal year 2008? Also, what date do you have scheduled for completion?

Mr. JOHNSON. Certainly have my commitment that it is a priority, and remains a priority, to clean up the Omaha lead site. The precise number, let me ask Susan Bodine, the——

Senator NELSON. She was nodding her head, so I assume she's got an answer.

Ms. BODINE. Susan Bodine, Assistant Administrator for Office of Solid Waste and Emergency Response. Yes, the cleanup of the yards has been proceeding at a tremendous rate. With the 2008 budget, that progress will continue at the same rate. As you know, ongoing work is being done under an interim ROD, and that the agency is working on a final ROD. That work is ongoing. So, because of that, I don't have a date for when the whole site will be cleaned up. But the yards are being cleaned up as quickly as they can, and that pace is going to continue.

Senator NELSON. Well, are we looking at 3, 4, or 5 years, or do you have a ballpark number of what timeframe you might be looking at?

Ms. BODINE. I'm going to have to get back to you, for the record, on that one.

Senator NELSON. If you would, I would appreciate that.

[The information follows:]

TIMEFRAME FOR CLEANUP

EPA anticipates that the soil cleanup at the most highly contaminated residential properties on the Omaha lead site will be completed during the 2008 construction season. EPA plans to issue a final Record of Decision (ROD) in 2008 that will determine the scope of the final remedy and the time required for remedy implementation. Moreover, this schedule provides for continued cleanup work so that there should be no stop in work during the transition from the Interim to the Final ROD. Currently, EPA is performing ongoing work, including a treatability study and a final risk assessment that will support the final remedy selection.

Mr. JOHNSON. A statistic that I do recall is that there may be as many as 16,000 yards that may need to be remediated. We're committed to work to turning this problem property into a community asset. I should also point out that, with regard to Superfund, the President's request is actually higher than last year's request and——

Senator NELSON. Well, yes, but it's 11 percent less than——

Mr. JOHNSON [continuing]. The response——

Senator NELSON [continuing]. 2006.

Mr. JOHNSON [continuing]. The response cleanup program. So——

Senator NELSON. Well, obviously, at 1,000 a year, 16—I haven't decided whether I'm going to try to be around here that long. So, I would hope that maybe we could—I'm not suggesting it's easy to get done, and it takes a while to get the yards—but I would hope that we might be able to move a little faster than 1,000, if it's going to take 16 years. That's going to challenge all of us, timewise. So, that is one of the reasons my concern is such about the funding for 2008.

Mr. JOHNSON. Well, I think you point out, again, the greater complexity of the sites today compared to yesterday. Then, there's a variety of ways to look at that. I mentioned the acreage. As you're well aware, 9,000 acres, roughly speaking, for the Omaha lead site is a lot different than 70 acres of Love Canal. We've done some analysis of remedies per site, and the remedies of the early days of Superfund were, you know, 1.7——

Ms. BODINE. Yes, 1.7 to 1.8 per site.

Mr. JOHNSON [continuing]. To 1.8. Today, they are over four remedies per site. So, we're still devoting the same amount of work and energy, but these sites are definitely more complex.

SUPERFUND CLEANUP—HASTINGS, NEBRASKA

Senator NELSON. I have one other question. I just met with the mayor and a city council member from the city of Hastings, Nebraska, which has had significant issues with Superfund cleanup. On the billing, I guess this is an appropriations question as much as it is a substantive question—on the billing that I just saw, is it true that the EPA grosses up whatever the expenses is—are by 50 percent—adds 50.1 percent to whatever the—has indirect cost for direct cost and would be billing the city of Hastings 44,000 plus 22,000, with the half—the grossing-up, for the Department of Justice? I guess I'm a little confused about how appropriations and budgeting must work, if you're collecting money for the Department of Justice and grossing it up 50 percent to the—as charges to the city of Hastings. I just saw the billing. I wish I'd have brought a copy of it.

Ms. BODINE. Yeah, we—I'd have to ask to look at the specific numbers and get back, for the record.

[The information follows:]

HASTINGS, NEBRASKA

As a Potentially Responsible Party (PRP), the community would be charged by EPA for its share of both direct and indirect costs. EPA's indirect cost rate is 50.69 percent, which is based on a methodology approved by the Government Accountability Office and upheld by the courts in several challenges.

Ms. BODINE. However, under the Superfund program, EPA is spending taxpayer dollars and the Department of Justice is spending taxpayer dollars. When we have responsible parties at a site, we then take enforcement actions to make the taxpayer whole, and collect those funds. That includes not just direct costs, but also indirect costs, which are real costs. I mean, the costs associated with running the agency are real costs, and to the extent——

Senator NELSON. Aren't those—excuse me—aren't those included within the appropriations that are sent back to the agency?

Ms. BODINE. Then—yes, the funds are paid for by appropriations, and then we seek cost recovery. Those cost-recovery funds go back into the trust fund——

Senator NELSON. Well, I understand——

Ms. BODINE [continuing]. And then——

Senator NELSON [continuing]. That the direct costs would, but I guess I'm a little surprised that there would be indirect costs going back into the Superfund that—for the Department of Justice.

Ms. BODINE. Well, the Department of Justice is also funded out of the Superfund.

Mr. JOHNSON. Again, the general concept is, if we can identify a responsible party, we want to make sure that the polluter is paying. We——

Senator NELSON. Well, this is the city of Hastings. I just——

Mr. JOHNSON. Again, the way the Superfund law is, whether it be a city or another Federal agency or an individual business, it is the responsibility of the polluter to pay.

Senator NELSON. There are some questions about whether the audit has to be done on site, with the grassed-in, fenced-in area, versus looking at the reports that are submitted—that are reviewed once they're looked at in Hastings—versus what could be submitted to Region 7 or to some other location. I think the costs—this is something I'd like to take up—not the whole committee, here, but I do have some serious questions about the significant bills that are being run up with direct and indirect costs that I think can—could otherwise be handled without as many personal visits and audits as are occurring, because much of the work is just simply reports that are reviewed on site in Hastings, that could be reviewed, either electronically submitted to the EPA—to try to cut down on some of the costs to the local community. They are taxpayers' dollars. These people aren't complaining. They asked me about it, and I'm complaining.

Mr. JOHNSON. Be happy to work with you, sir.

Senator NELSON. Okay. Thank you.

Mr. JOHNSON. Thanks.

Senator NELSON. I think that's—those are all the questions that I have.

SUBCOMMITTEE RECESS

Thank you very much. The subcommittee will stand in recess to reconvene at 2:30 p.m., Wednesday, March 28 in room SD–124. At that time we will hear testimony from the Honorable Mark E. Rey, Under Secretary for Natural Resources and Environment, U.S. Department of Agriculture.

[Whereupon, at 11:30 a.m., Tuesday, March 13, the subcommittee was recessed, to reconvene at 2:30 p.m., Wednesday, March 28.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2008

TUESDAY, MARCH 20, 2007

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 10:03 a.m., in room SD–124, Dirksen Senate Office Building. Hon. Dianne Feinstein (chairman) presiding.

Present: Senators Feinstein, Reed, Nelson, Cochran, Domenici, Bennett, Craig, Allard, and Alexander.

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

STATEMENT OF HON. DIRK KEMPTHORNE, SECRETARY

OPENING STATEMENT OF SENATOR DIANNE FEINSTEIN

Senator FEINSTEIN. Good morning, ladies and gentlemen.

Let me begin by welcoming our former colleague, Dirk Kempthorne, Mr. Secretary, welcome. We're pleased to have you with us, and we look forward to hearing your perspective on the 2008 budget request.

I also want to welcome Tom Weimer, the Assistant Secretary for Policy, Management, and Budget, and Pam Haze, the Director of the Department's Budget Office. We very much appreciate your being here as well.

Mr. Secretary, in the 10 months that you've been at the Department of the Interior, I suspect you've come to appreciate that you have one of the most diverse and difficult jobs in Washington.

The Interior Department and its 73,000 employees, are responsible for managing—among other things—more than 500 million acres of land, operating 390 National Parks, 547 National Wildlife Refuges, and providing educational opportunities to 46,000 Native American children through 184 Bureau of Indian Affairs schools. As my granddaughter might say—that's a lot of stuff.

Obviously, the centerpiece of the Department's 2008 budget is the National Parks Centennial Initiative. The discretionary side of this proposal would provide an additional $219 million for base operations at our National Parks. I know that additional rangers, guides, and maintenance workers funded through this initiative will be really, a welcome addition. I'm particularly pleased to see

that our Western parks will finally get the extra attention that they deserve.

I also want to commend you, Mr. Secretary, for putting a halt to the recent practice of not fully funding fixed costs. Over the past 6 years, the Department has absorbed more than $450 million in fixed costs that were not budgeted for. As you know, the fact of the matter is, these costs do not go unfunded. Instead, they end up being nothing more than back-door cuts to programs and services.

So, I very much applaud your efforts on this front, and I'm glad to see that all of the $214 million in fixed costs were provided for in your budget.

Now, unfortunately, the laws of budgeting are a lot like the law of nature. For every funding increase in one part of the budget, there's going to be a decrease in another. It appears that this budget is no exception.

For example, the land acquisition accounts, for Federal and State conservation projects have been cut $58.5 million—that's a 58 percent reduction from the current enacted level. The construction budgets for the National Park Service, the Fish and Wildlife Service, and the Bureau of Land Management have been cut $123 million—that's a 35 percent cut, and the construction budget for the Bureau of Indian Affairs has been cut by $74 million, that's a 27 percent reduction. Most of it comes from the K–12 School Construction Program.

The Payments in Lieu of Taxes program, which both Senator Craig and I are very much interested in, known as PILT, has been cut by $42.5 million, another 18 percent reduction. The Indian Land Consolidation Program, which helps alleviate trust management problems caused by fractionated Indian lands has been cut by $24 million, or 71 percent.

I'm concerned, Mr. Secretary, that some of these proposals really don't make sense, and I believe some of my colleagues on this subcommittee have similar concerns. So, we really look forward to hearing from you, and then being able to ask some questions.

Now, let me now turn to my friend from Idaho, the ranking member of the committee, Senator Craig, for any opening remarks he may wish to make, and then—unless others have statements, we'll go directly to the witnesses.

We have a vote at 11 a.m., and I'm hoping to conclude this hearing, if it's agreeable to everybody, by that time.

Senator ALLARD. Madam Chairman, I do have a statement, I'd just like to make it a part of the record.

Senator FEINSTEIN. All right.

Senator ALLARD. Then——

Senator FEINSTEIN. Directly following the ranking member.

Senator ALLARD. Yeah, that's correct, yeah.

Senator FEINSTEIN. The order is early bird, so we've got that list, thank you.

OPENING STATEMENT OF SENATOR LARRY CRAIG

Senator CRAIG. Well, Madam Chairman, thank you very much, for holding this hearing today on the budget for the Department of the Interior. It's also an extreme pleasure for me to have before us today, Boise's former mayor, one of my Senators, my Governor, and

now our Secretary of the Interior, Dirk Kempthorne. Idaho is extremely proud, Secretary Kempthorne, to have you at the helm of the Department of the Interior and to be Idaho's second largest landlord. With that comes a local responsibility that I hope you won't forget.

Having delivered that message——

He wasn't your Governor.

Senator FEINSTEIN. It might be useful if he were.

Senator CRAIG. But having said that, your Department administers over 570 million acres of land—that's roughly one-fifth—of the land area of the United States. It's an extremely tough, and oftentimes controversial job, and I know that when our President chose you, I felt confident you would be able to handle it, and you're handling it very well.

The total request for the Department is $9.7 billion, which is roughly $190 million less, or 2 percent below fiscal year 2007's enacted level. Much of the decrease, the $130 million, is explained by the bulk of the abandoned mine lands programs shifted across from discretionary to mandatory—we understand that. The most significant aspect of the Interior budget, the chairman has already mentioned, the National Park Service Centennial Initiative, this proposal would add about $219 million for operations to our National Parks, that would be the single-largest increase ever proposed by any administration.

Part of the Centennial Initiative relies on authorizing legislation that would make available an additional $2 billion on a matching basis, over a 10-year period. I think Americans given an opportunity to work with our government, and share in that responsibility for the sustenance of our parks is going to contribute at that level. I think that breaks out at, what, $100 million a year to be matched, and that's going to be extremely important.

The chairman has already mentioned PILT—as a former Governor working with county commissioners and local communities, I think, Mr. Secretary, you know all too well that over the last three decades, or more, as Americans have fallen in love with their public lands. Often times it's local units of government that have to pick up the cost. We see it go on day after day as a hiker is lost, or a mountain climber is lost—who picks up the bill? In the first instance, it's oftentimes, it's either local government, or it could be State government, if the National Guard is employed, and all of those kinds of resources are used, and to cut PILT doesn't make a lot of sense to me.

Maybe it's OMB's way of looking at budgets and saying—as they often do—"Well, let's see, that's a program Congress really likes, so we know they'll fund it, so we can cut it." I've watched that go on year after year, I hope that isn't the case here, but it obviously appears to be the case, and that's frustrating.

I also don't support the administration's decisions to eliminate the Range Improvement Fund of about $10 million. Ranching still remains a vital part of public land resource management, both in Idaho, and across the Western Range Lands, and I think this cut really shifts to States a responsibility that they can't be very good stewards of, simply because of the Federal responsibility, and so I think we have to take a look at that.

Finally, we can also see from watching the nightly news over the last 2 weeks—the fire season has begun. Last year, a record season of 10 million acres of lands burned. That could well play out itself again this year. Moisture in our watersheds is at 50 to 60 percent of normal. We set a new heat record in Boise on Saturday—1 degree above a heat record in 1952, so you know what's happening in the watersheds of Idaho—snow is disappearing very, very rapidly, and as a result of that, the ability of the Forest Service, the BLM, the National Fire Center in Boise, to work cooperatively together will be, I suspect, stressed dramatically.

Last, we've got a little problem that you've—by necessity, and I do not criticize it—had to recuse yourself of, and that's a little issue of wolves. At minimum count, there are now over 700 wolves roaming the hills of Idaho, and probably a considerable amount more. Wolves are showing up everywhere—even in most of our small communities' backyards and neighborhoods.

I have said, and said tragically, maybe we will get really excited about this when a life is taken—a human life. The wolves are marauding the back country, they're destroying our elk and our deer base, they're coming into our neighborhoods now, and taking dogs down, and cats—it is a problem that, I know, as Governor you started to deal with, I'm sorry that Secretary Scarlett is not with us today, I've been her kindest and loudest critic-friend on this issue, because this is an issue that deserves to be expedited.

At the same time, I understand that those who love the wolves—but don't have to live with them—are probably going to sue us and take us through the walk, as we try to de-list the wolves for Idaho, and as we work on this issue to bring some balance, and allow our State Fish and Game Departments to once again, manage the wildlife in the public lands, instead of to allow Judges and the Endangered Species Act to do that.

So, I know you're moving ahead on that, you have a friend in that issue, you also will have somebody who will be right behind you pushing, to make sure it happens as quickly as it possibly can.

Thanks for being with us, it's great to see you again, Mr. Secretary.

Thank you, Madam Chairman.

Senator FEINSTEIN. All right, thank you very much, Senator Craig. The order is, Senator Alexander, Allard, Cochran and Nelson.

Senator Alexander.

Senator ALEXANDER. Thank you, Madam.

Senator FEINSTEIN. If you have a comment, otherwise we'll——

Senator ALEXANDER. No, I'd like to hear the testimony, and then I'll come——

Senator FEINSTEIN. All right, thank you, Senator Alexander. Excuse me, Senator Allard.

Senator ALLARD. Madam Chairman, I just have my comments I'd like to have inserted in the record.

Senator FEINSTEIN. Thank you, so ordered.

[The statement follows:]

PREPARED STATEMENT OF SENATOR WAYNE ALLARD

Madam Chairman, thank you for holding this hearing today. I am pleased to have a chance to discuss the projected budget for the Department of Interior. I would like to welcome Secretary Kempthorne to his first appearance before this Committee. This is at least his first appearance on that side of the dias.

The Secretary states in his testimony that his department manages one in every five acres of land in this country, and the bulk of that land is in the West, so as a western Senator the budget for the Department of Interior is very important to me. There are many issues difficult issues that face the agencies under your purview. I won't address all of them, but I would like to touch on a few.

First, one of the biggest problems that public land is facing right now in my state of Colorado is the bark beetle. I know that this is a problem that also exists in the home states of the Chair and Ranking Member, as possibly other members of this subcommittee. The state, quite simply, has become a danger zone with beetle infected areas growing larger and larger all the time. We have to get a handle on these insects before they ensure that the entirety of our forests is wiped out. This is of gravest concern when we consider that, as a headwaters state, the condition of Colorado's waters have the potential to be severely impacted by the continued degradation of our forests. This will mean a great deal to our neighboring states that receive water that flows out of Colorado.

I would also like to touch briefly on the Endangered Species Act. As you are well aware there are a number of proposals before Congress to reform this Act and discussions on this issue will likely be ongoing. I firmly believe the best way to prevent extinction in species is not to place them on a list, but to work proactively up front to ensure that they never need to be listed. That said, compliance with the ESA costs landowners a great deal of money and time every year. The federal government needs to do more to help landowners comply with the ESA instead of simply forcing more mandates down their throats. I appreciate the work that the Department has done to this end thus far and look forward to hearing more about how the Department plans to continue these efforts.

It is my understanding that Landsat 8 is a project being worked on jointly by USGS and NASA. It is also my understanding that Landsat 5 and 7 have thermal infrared (TIR) sensing capability. This capability is very important to the state of Colorado. The state is using this technology to ensure it meets its interstate compact obligations on the Arkansas River. Other uses for this technology include surface and ground water management, interstate water use agreements, and dealing with drought and wildfire, and other emergency management and military applications.

In this year's budget request USGS has requested funds to develop the land-based Landsat control system, to collect and disseminate the data, but no funds for the satellite or thermal sensor. NASA has not requested the funds for the thermal sensor either and I will have a question on this during that portion of this hearing.

Finally I was interested to note in your testimony the request for Safe Indian Communities Initiative to combat methamphetamine—or meth—in tribal communities. As you may be aware, earlier this year the Colorado Methamphetamine Task Force report cited Denver as a major distribution center for meth in the United States. This led me to introduce the Methamphetamine Trafficking Enforcement Act of 2007 to help curb the trafficking of meth both within and across the Nation's borders. This problem is one that will not be solved without many people coming at it from many different directions and I am pleased to see that the Department is working to curb the meth problem in Indian Country.

I think that we are all aware that this is going to be another tough budget year. That is why hearings such as this one are so important. So I look forward to working with you, and the rest of the Committee, again this year, Madam Chairman, to see that worthy projects and programs continue to be funded in a responsible manner.

Senator FEINSTEIN. Senator Cochran. Thank you.

Senator COCHRAN. I'll submit a statement for the record.

Senator FEINSTEIN. Thank you very much.

[The statement follows:]

PREPARED STATEMENT OF SENATOR THAD COCHRAN

Madam Chairman, I am pleased to join you in welcoming my friend, Secretary Dirk Kempthorne to the committee this morning. Mr. Secretary, as you know, Mississippi is still suffering the effects of Hurricanes Katrina and Rita. I want to thank

you and your staff for helping with the recovery of the Gulf Coastregion. A year and half later, we are still working to restore our coast and coastal islands, as well as the schools, homes, and businesses, and transportation resources that were devastated by these horrible hurricanes.

The Department of the Interior's budget is of great interest to me and the people of Mississippi. The National Parks and Wildlife Refuges in Mississippi receive thousands of visitors every year, and I am pleased to see that the fiscal year 2008 budget focuses on the importance of maintaining and protecting our natural treasures. I am interested in the new National Parks Centennial Challenge being proposed by the Department, and I am hopeful that Mississippi's Natchez Trace Parkway and the Gulf Islands National Seashore will have the opportunity to benefit from this initiative.

Mr. Secretary, we appreciate your outstanding public service, and I look forward to hearing your testimony.

Senator FEINSTEIN. Senator Nelson.

Senator NELSON. I may submit a statement for the record as well, thank you.

Senator FEINSTEIN. Thank you very much.

Secretary Kempthorne, welcome.

SUMMARY STATEMENT OF DIRK KEMPTHORNE

Secretary KEMPTHORNE. Thank you.

Chairman Feinstein, thank you very much for your opening statement, for the courtesy and the professionalism by which you conduct these hearings.

Senator Craig, thank you for your comments, as well. To all members, the distinguished members of this committee, it's a great pleasure to be before you.

As I looked at the membership of this committee, I had the honor of serving with 15 of the 17 sitting members of this committee, and those I did not, our gubernatorial routes intersected, so I appreciate this opportunity.

I'm pleased to present our 2008 Budget Request for the Department of the Interior to this committee. In undertaking this task, I committed to ensure that the Department of the Interior and its agencies would maintain high levels of service to the American people, and reach even higher levels of excellence.

I look forward to working with you, Chairman Feinstein, and other members of the subcommittee to achieve this goal, as we move forward in the budget process.

I thank you for your efforts for securing a final 2007 budget, after three continuing resolutions, and I appreciate the extra steps that you took to provide us a portion of the 2007 pay costs, and funding increases for some of our most important programs. We have developed our operating plans for 2007, and they have been submitted to you.

2008 BUDGET REQUEST

The President's overall 2008 budget request for the Department of the Interior is $10.7 billion. This subcommittee has oversight responsibilities for most of our Department, excluding the Bureau of Reclamation and Central Utah Project. So, the 2008 budget for programs under the jurisdiction of this subcommittee, as you note, Senator Craig, is $9.7 billion.

FIXED COSTS

Within this request, our budget includes an increase of $214 million to fully cover the fixed costs of the entire Department. Madam Chairman, I appreciate what you said about this, and the significance of the fixed costs. This was critical to the well-being of the Department. The success of our programs depends on the skills and the dedication of our 73,000 employees.

My formal testimony outlines many specific features of our budget. This morning, I'd like to focus on four initiatives—our National Park Centennial Challenge, our Healthy Lands Initiative, our Safe Indian Communities, and our Improving Indian Education initiative.

NATIONAL PARK CENTENNIAL CHALLENGE

Our first initiative, the National Park Centennial Challenge, will foster a decade-long partnership with the American people to renew and to revitalize our National Parks system for its 100th anniversary in the year 2016. To inaugurate this effort, we propose a record $2.4 billion budget for the National Park Service. This amount includes $2.1 billion for park operations, $219 million above the 2007 enacted level.

As part of the Park operating budget, we propose a Centennial Commitment of $100 million, to upgrade both our park infrastructure and the experiences of people visiting our parks. This funding will allow us to hire 3,000 more seasonal National Park rangers, guides, and maintenance workers. It will enable us to repair buildings, to improve landscapes, and enroll more children in the Junior Ranger Program.

We believe our Centennial Challenge will inspire another generation of Americans to walk along the Appalachian Trail, to climb Mt. Rainier and marvel at the vibrant marine life at Dry Tortugas. Linking children to nature will help keep them physically fit, so that they can fully enjoy the world around them. It will also lay the foundation for this next century of conservation.

We're also requesting $100 million in mandatory spending under the Centennial Challenge, to match contributions for signature sites and projects. We anticipate that with this incentive, Americans will provide $100 million in contributions for projects that will improve our parks, and open the way for better visitor experiences.

Our budget request anticipates that Centennial Challenge funding will continue at this level for the next 10 years, providing at least an additional $3 billion over the next decade to support our parks.

I look forward to joining with all Americans, in the historic celebration of our national parks in the year 2016.

HEALTHY LANDS INITIATIVE

Our second initiative, the Healthy Lands Initiative, will restore nearly half a million acres of Federal land in six targeted areas of the West through cooperative conservation. These six areas face growing challenges in maintaining wildlife habitat, while providing opportunities for energy production, recreation, and other uses.

We have requested $22 million to partner with local communities and companies, and conservation groups, to rehabilitate and protect working landscapes. We anticipate our partners will provide an additional $10 million, in voluntary contributions. Using these funds, we will transform land management from the current parcel by parcel approach, to landscape-scale management. Through our Healthy Lands Initiative, we will preserve habitat corridors and sites that benefit species such as sage grouse and pronghorn antelope.

SAFE INDIAN COMMUNITIES

Our final two initiatives will help ensure a brighter future in Indian country, especially for Native American children. A scourge of methamphetamine has devastated communities and families across our country in recent years, but few places have seen more devastation than Indian country. Tribal leaders I've met with describe a methamphetamine crisis, with a potential to destroy an entire generation, if left unattended. They call this the second small pox epidemic.

One of the challenges we face, is lack of adequate law enforcement on many tribal lands. As a result, organized crime and drug cartels have targeted Indian reservations as a hub for the distribution and the transportation of methamphetamine. We're requesting $16 million in new investments for a Safe Indian Communities Initiative to empower tribes to shut down these peddlers of poison. With these funds, we will help tribes hire additional officers, and provide specialized drug enforcement training that they need to protect their communities.

For example, our budget will increase the number of officers that are certified drug enforcement activity officers from 11, currently, to 111—a 10-fold increase.

IMPROVING INDIAN EDUCATION

This is more than a budget issue—it's a moral issue. We must end this scourge. It's not enough to protect Indian children, however, we must also provide them a brighter future through better educational opportunities. We're requesting $15 million in new funding, under our Improving Indian Education Initiative, to do just that. Using this funding, we will provide educational program enhancements and tools for lower-performing schools, in the school system which, Madam Chairman, you have identified.

PREPARED STATEMENT

Every child in America deserves a safe environment. Every child in America deserves a chance to succeed. Our initiatives will help Indian country achieve these goals.

Madam Chairman, I'd be pleased to respond to the questions which members of the committee would have, concerning the budget.

[The statement follows:]

PREPARED STATEMENT OF DIRK KEMPTHORNE

It is a pleasure to appear before you today to discuss the President's fiscal year 2008 budget for the Department of the Interior. This is my first appearance before

this subcommittee. During my time in the Senate, I had the pleasure of serving with fifteen of the current members of this subcommittee. I hope to work with all of you as we chart the future course for what I consider to be one of the most interesting and important cabinet agencies: the Department of the Interior.

Since becoming Secretary, I have traveled extensively in order to see Interior at work and to talk with Interior employees. I have addressed thousands of Interior employees. I have been impressed by the dedication and experience of the talented and dedicated Interior workforce. Every day, a Bureau of Indian Education teacher, a park ranger, a biologist, geologist, naturalist, or land manager is making a difference to help Interior fulfill its responsibilities.

Developing a budget for the Department of the Interior is an extraordinary exercise. We have an extensive mandate that rivals just about any governmental agency in its breadth and diversity—and its importance to the everyday lives of our citizens. Our 73,000 employees live and work in communities across America and its territories. We have 2,400 field offices. We manage 145,000 assets—second only to the Department of Defense. Our work stretches from pole to pole, from wildlife refuges in the Arctic to scientific research at the South Pole.

Managing one in every five acres in the United States, we oversee land and resources that stretch across 12 time zones from the Caribbean to the Pacific Rim. The sun literally never sets on the Department of the Interior. We have the third largest contingent of Federal law enforcement officers, with 3,400 officers and agents. Interior-managed lands and water generate one-third of the Nation's domestic energy supply. The Department serves American Indians, including 561 federally recognized Tribes, Alaska Natives, and our Nation's affiliated island communities. We undertake research and provide information to understand the Earth and to assist us in the management of the Nation's water, biological and mineral resources, and monitor all manner of natural hazards including volcanoes, earthquakes, and landslides. We also work with States to restore abandoned mine land sites and protect communities.

Our overall 2008 request for the Department of the Interior is $10.7 billion. Included within that is $9.7 billion for programs that this subcommittee oversees. Taking into account the shift of funding for the Abandoned Mine Land program from discretionary to mandatory, the budget is $35.4 million below the 2007 Joint Resolution, enacted on February 15, 2007.

The 2008 budget was carefully crafted within the President's commitment to continue to fund the nation's highest priorities while eliminating the deficit in five years. The administration is on track to achieve this goal.

At the heart of our budget are four major initiatives:

—The National Parks Centennial Initiative to enhance National Parks as we approach their 100th anniversary in 2016;

—The Healthy Lands Initiative, which will allow access to public lands for a number of uses and provide for energy for the nation while also protecting critical lands and habitat;

—The Safe Indian Communities Initiative to combat the methamphetamine crisis on Indian lands; and

—The Improving Indian Education Initiative that will enable Indian children to grow up in an environment that allows them to achieve their dreams.

THE NATIONAL PARKS CENTENNIAL INITIATIVE

The President's 2008 parks budget totals a historic $2.4 billion. The park operating budget, at $2.1 billion, the largest budget for park operations ever, an increase of $219 million over the level funded in the Joint Resolution. This is $258.3 million over the 2006 level.

Last August, in honor of the 90th Anniversary of the National Park Service, and with an eye on the upcoming centennial in 2016, President Bush directed me to establish specific performance goals to help prepare the national parks for another century of conservation, preservation and enjoyment. In addition, the President asked that I identify signature projects and programs consistent with these goals and that continue the NPS legacy of leveraging philanthropic, partnership, and government investments for the benefit of the national parks and their visitors.

The President's budget for fiscal year 2008 sets the stage for the next 100 years of our national parks. It includes the National Parks Centennial Initiative, one of my highest priorities. This Initiative proposes up to $3 billion in new funds for the national park system over the next ten years.

Within our operating budget increase, we propose a $100 million Centennial Commitment over 10 years, for a total of $1 billion dedicated to park operations. Our Centennial Initiative will also inspire philanthropic organizations and partners to

donate $100 million per year over 10 years to the National Park Service. The Centennial Challenge Federal Fund will match all private donations up to an amount of $100 million. These Federal mandatory matching funds and philanthropic contributions, together with the $100 million annual Centennial Commitment in discretionary funds for park operations, would infuse up to $3 billion into the park system over the next decade.

During the last five years, the NPS has built a strong foundation of improving parks, with more than 6,600 park improvements completed or underway. The Centennial Initiative funds are in addition to the nearly $1 billion in the President's budget for National Park maintenance and construction programs. The proposed fiscal year 2008 budget will further improve our national parks during the next decade leading up to the 2016 centennial celebration.

The 2008 budget and the National Parks Centennial Initiative emphasize three key goals:

—To engage all Americans in preserving our heritage, history and natural resources through philanthropy and partnerships, with a special emphasis on linking children to nature. An increase of $100 million is proposed for these programs, plus another $100 million in mandatory funds to match donations.

—To reconnect people with their parks through enhanced technology and the seamless network of the trails system.

—To build capacity for critical park operations to sustain these efforts over the next century.

Our Centennial Challenge offers an outstanding opportunity to engage this Nation's youth with the outdoors. Our initiative will link children with nature through an expanded Junior Ranger program, increased visitor services, an improved trail system, and relevant interpretive programs for our young people. The Parks Centennial will help ensure that our parks offer improved physical activity, play and recreation, and opportunities for learning and social interaction.

Each year, the NPS welcomes more than 270 million visitors as they discover America the beautiful, the historical, the cultural. Our national parks preserve majestic natural wonders. They keep watch over battlefields hallowed by red badges of courage. They keep culture alive at sites dedicated to the performing arts, poetry, and music. Parks offer recreation and discovery through spectacular backcountry hiking and climbing. They honor great leaders like Thomas Jefferson, Abraham Lincoln, Frederick Douglass, Chief Joseph, John Muir, Eleanor Roosevelt and Martin Luther King, Jr. As havens of enjoyment, recreation, learning and personal renewal, national parks must endure. Our budget sets the stage for a new century of park excellence.

HEALTHY LANDS INITIATIVE

Another priority for me is my Healthy Lands Initiative, which will ensure continued access to public lands for traditional uses and recreation, while maintaining strong environmental protections for wildlife and habitat. This Initiative builds on the Department's strong track record in cooperative conservation to undertake landscape-scale conservation efforts and focus on the needs of species that cross jurisdictional boundaries.

As activities on public land increase, we are seeing growing conflicts among recreation users, energy developers, hunters, ranchers, and others all competing to protect, access, and use these public lands. BLM will join with the U.S. Geological Survey and the Fish and Wildlife Service to identify, restore, and mitigate the potential impacts of increased energy production in wildlife-energy interface areas and potentially prevent the listing of certain species such as sage grouse.

The potential listing of sage grouse as an endangered species could severely constrain public land use, particularly for current and future energy production. The habitat of the sage grouse covers over 100 million acres. Our Healthy Lands Initiative of $22.0 million will implement a strategic vision to protect and restore sage grouse habitat, maintain migratory corridors for other species, and assure continued access to energy. These investments will support new land use planning techniques and new policy tools that will complement current activities and enable us to work with non-Federal partners to restore and conserve habitat and maintain access for energy and other uses.

Focused on six strategic areas, these funds will transform land management from the current parcel by parcel approach to landscape-scale decision making, drawing upon partnerships and new policy tools to help BLM provide increased access for energy and other uses, while simultaneously preserving important habitat corridors and sites for the benefit of species. In 2008, including this increase, over 400,000 acres will be restored in partnership with Federal leaseholders, private landowners,

state, local, and tribal governments—to benefit wildlife. The Healthy Lands Initiative includes $15.0 million for BLM to conduct landscape-scale conservation, $2.0 million for FWS, and $5.0 million for USGS.

THE METHAMPHETAMINE CRISIS IN INDIAN COUNTRY

I would like to highlight two other 2008 priorities, our Safe Indian Countries and Indian Education Initiatives. While I recognize that the Senate Indian Affairs Committee has jurisdiction over these matters, I also know many of you represent States and Tribes that are struggling with the impacts associated with methamphetamine.

Methamphetamine is a highly addictive synthetic stimulant that creates intense euphoric highs for periods up to 24 hours. It is inexpensive and, unfortunately, has rapidly become the drug of choice for an increasing number of Americans. Organized drug cartels have targeted reservations to establish methamphetamine operations.

The President of the National Congress of American Indians has stated, "Meth is killing our children, affecting our cultures and ravaging our communities." Many tribal leaders have told us methamphetamine is destroying lives in Indian country. Some leaders believe that on their reservations a whole generation of young people may soon be lost to this one drug.

The social effects of methamphetamine use are tragic. Addicted mothers are giving birth to drug-addicted babies. The drug is fueling homicides, aggravated assaults, rape, child abuse, and other violent crimes. Violent crime in Indian Country is reaching crises levels at twice the national average.

Our budget includes $16 million for a Safe Indian Communities initiative that reconfigures and tailors our focus to combat organized crime, break up drug trafficking, and interrupt the drug supply.

IMPROVING INDIAN EDUCATION

Improving Indian education is also a priority. One of only two school systems operated by the Federal government, the Bureau of Indian Education should oversee schools that are models of performance for the No Child Left Behind Act. Yet only 30 percent of the schools in the Bureau of Indian Education system are meeting NCLB goals.

In recent years, we have improved school facilities by replacing 32 schools and renovating another 39 schools. It is now time to focus on the classroom. Our 2008 budget proposes to invest $15.0 million to improve the performance of students in Indian schools. Additional funding will provide educational program enhancements and tools for lower performing schools and educational specialists to guide Indian schools in achieving academic success. The request also provides additional funding for transportation to reduce the redirection of education dollars to pay for buses and fuel.

SUPPORTING THE DEPARTMENT'S MISSION

The 2008 budget aligns resources to achieve these and other high-priority goals guided by the Department's integrated strategic plan. Recently revised for 2007–2012, the Department's strategic plan links the Departments diverse activities into four common mission areas: Resource Protection, Resource Use, Recreation, and Serving Communities. A fifth area, Management Excellence, provides the framework for improved business practices, processes, and tools and a highly skilled and trained workforce.

Using our strategic plan as the blueprint for improved performance and accountability, since 2001, the Department has:

—Increased access to meet the Nation's energy needs and enhanced energy security by more than doubling the approval of applications for permits to drill; provided greater opportunities for development of alternative energy, including wind energy; advanced oil shale and methane hydrates for potential future domestic use; and significantly expanded environmental protections with inspection and monitoring programs.

—Collected $56.4 billion in revenues from offshore and onshore mineral leases that provided income for Indian communities, funded State infrastructure, and helped to finance Federal programs.

—Expanded relationships with partners to restore, improve, and protect three million acres of wetlands and other habitat for migratory birds, anadromous fish, and threatened and endangered species.

—Reduced risks to communities from the threat of fire, conducting over 6.7 million acres of fuels treatments through the President's Healthy Forests Initiative.

—Improved park facilities for visitors by undertaking more than 6,600 projects at national parks and earned a 95 percent satisfaction rate from park visitors.

—Completed condition assessments and performance measures for all park facilities and nearly all Interior facilities.
—Improved the educational environment for Indian children by funding 32 new Bureau of Indian Education replacement schools and 39 major school repair projects.

Looking to the future, the Department of the Interior is committed to achieving the goals of our four initiatives and other priorities. Our budget will:

—Prepare the national park system for another century of conservation, preservation and enjoyment through the President's National Park Centennial Initiative.
—Encourage increased donations for signature projects and programs in our national parks with up to $100.0 million a year in matching funds through the National Parks Centennial Challenge.
—Increase energy security for the Nation through a new Outer Continental Shelf five-year plan (2007–2012).
—Launch a Healthy Lands Initiative to help meet the Nation's needs for access to public lands for energy and other uses while protecting wildlife and habitat in the West.
—Leverage Federal funds through partnerships and cooperative conservation to restore 800,000 acres and 734 stream/shoreline miles. These efforts will support the President's government-wide goal of increasing the Nation's wetlands by three million acres by 2009.
—Improve educational programs and meet the requirements of the No Child Left Behind Act by completing educational reforms in the Bureau of Indian Education.
—Help Indian Country reduce methamphetamine crime and the afflictions it has brought to many Tribes through a new Safe Indian Communities Initiative.
—Manage a network of parks, sanctuaries, reserves, and refuges to protect ocean and coastal resources as envisioned in the President's Ocean Action Plan.

BUDGET OVERVIEW

The 2008 budget request for current appropriations is $10.7 billion. Permanent funding that becomes available as a result of existing legislation without further action by the Congress will provide an additional $5.1 billion, for a total 2008 Interior Budget of $15.8 billion.

The 2008 request includes $9.7 billion for programs funded within the Interior, Environment and Related Agencies Appropriations Act.

The 2008 budget reflects the changes made in financing for the Abandoned Mine Land Reclamation Fund in the Office of Surface Mining that were required by the Surface Mining Control and Reclamation Act Amendments of 2006. Funding for State and tribal AML grants are no longer subject to appropriation and are funded as a mandatory appropriation. Federal AML components continue to be subject to appropriation.

The change results in a reduction of $134.2 million in discretionary budget authority in 2008. After taking into account the AML shift of funding from discretionary to mandatory funding, the 2008 budget request reflects a decrease of $35.4 million, or four-tenths of one percent below the 2007 Joint Resolution and $68.7 million below the 2006 enacted level.

With enactment of the Joint Resolution, we now have a full year appropriation for 2007 of $9.7 billion. Based on direction in the Joint Resolution, we have prepared detailed operating plans for each bureau for 2007. Based on these plans, we are preparing comparisons at the program level with the 2008 budget request, which will be available to the subcommittee very soon. The comparisons in our 2008 budget are with the third 2007 continuing resolution, which was in effect through February 15. Except where noted, comparisons throughout this testimony are on that basis.

In 2008, Interior will continue an exemplary record of producing revenue for the Treasury. Estimated receipts collected by the Department in 2008 will be $15.6 billion, a record level of collections that offsets Interior's discretionary budget by nearly 1.5 to one.

The 2008 budget assumes enactment of a number of proposals for which legislation has been or will be transmitted to the Congress. The Centennial Challenge would provide up to $100 million a year for ten years in mandatory funds to match private donations for signature projects and programs. These projects and programs will be identified in the Secretary's report to the President this May, after a number of public listening sessions and recommendations from park professionals. The costs for this proposal, contained in a legislative proposal transmitted to Congress, are offset within the President's 2008 budget.

The budget also assumes enactment of proposals to change the manner in which bonus bids for coal sales are received consistent with oil and gas programs, institute a net receipt sharing provision to return to a more equitable Federal-State distribution of onshore mineral revenues, and repeal deep gas and deep water OCS incentives that were included in the Energy Policy Act of 2005.

The 2008 budget also contains proposals that were assumed in the 2007 President's budget. Included are proposals to discontinue mandatory appropriations from the Range Improvement Fund and amend the Federal Land Transaction Facilitation Act to update the public lands available for disposal, authorize the use of receipts for restoration projects, and change the distribution of revenue. As in 2007, the 2008 budget proposes repeal of authorizations provided in the Energy Policy Act of 2005. Repeal of Section 365 would redirect rental receipts to the General Fund and authorize BLM to promulgate regulations to phase in cost recovery for energy permits, repeal of Sections 224 and 234 would restore the historical formula for distribution of geothermal energy receipts.

The budget also proposes leasing in the 1002 area of the Alaska National Wildlife Refuge, which significantly increases anticipated revenues in 2009 and later years. These proposals, in conjunction with the revenue enhancements described above, will increase revenues by $136.3 million in 2008 and a total of 5.0 billion through 2012.

MAINTAINING CORE PROGRAMS

Department of the Interior programs encompass 390 parks and 547 wildlife refuges; 261 million acres of multiple use public land; 12 regional offices, 83 Indian agencies locations, and 184 elementary and secondary schools in Indian Country; and numerous laboratories, field research facilities, and other offices.

At each of these sites, the Department's 73,000 employees maintain facilities and resources and provide services to those who use or rely on them: park visitors, wildlife watchers and hunters, stockmen and miners, Tribes and individual Indians, farmers and electric power users. In my travels, Interior's managers have told me that funding for fixed costs is their highest priority need.

Pay and benefits for the Department's workforce are a significant cost component of Interior's core programs, comprising 58 percent of operating budgets. The proportion of Interior's budget committed to personnel costs places it among the top three Federal agencies. Only the Departments of Justice and Commerce have a higher proportion of salary and benefit costs to total budget. Maintaining this dedicated cadre of professionals is essential for the uninterrupted delivery of programs and services.

The Department's 2008 budget request includes $214.2 million to fully fund increases for pay and other fixed costs. Of this amount, nearly 85 percent, or $184.4 million, supports increases in employee compensation, including scheduled 2008 pay raises; two additional paid days; and projected increases in health benefits. The budget assumes a three percent pay raise in January 2008. The request also funds increases in workers' and unemployment compensation; rental payments for leased space; and centralized administrative and business systems, services and programs financed through the Working Capital Fund.

OTHER BUDGET PRIORITIES

In addition to the four key initiatives I have already highlighted, the budget includes the funding for key goals and objectives.

Achieving Energy Security.—In his State of the Union address, President Bush underscored that America must enhance energy security. The Department of the Interior plays a key role in advancing this goal. Nearly one-third of the energy produced in the United States each year comes from public lands and waters managed by Interior. To carry out the goals of the Energy Policy Act and enhance the availability of affordable oil, gas, and alternative energy sources, the 2008 budget for Interior programs includes $481.3 million for energy programs. With these resources, the Department will enhance energy security through increased production, protect the environment, promote conservation, and expand the use of new technologies and renewable energy sources.

The BLM 2008 budget request for energy is $142.9 million. Included in the BLM request is an increase of $3.1 million for inspection and monitoring to ensure environmentally responsible energy development on public lands and proper reporting of production. The additional funds will provide BLM with the capacity to conduct an additional 1,572 inspections by 2009, with 522 additional inspections occurring in 2008. Also included is an increase of $2.0 million for the Mining Law Administra-

tion program. This increase is expected to be fully offset by anticipated mining claim maintenance fees.

In 2008, BLM will implement fees for processing drilling permit applications to fully replace rental revenue currently available for processing oil and gas use authorizations, thereby maintaining BLM's capacity for timely permit processing. A legislative proposal will be transmitted to the Congress that proposes to repeal Section 365 of the Energy Policy Act. Section 365 redirected rental revenue deposits to the Treasury to fund BLM pilot offices. Estimated collections of permit processing fees in 2008 is $21.0 million.

The MMS 2008 budget request for energy is $290.8 million, $16.7 million above 2007. The budget includes increases to facilitate OCS development and deepwater activities by implementing the 2007–2012 Five-Year OCS Oil and Gas Leasing program and completing environmental analyses necessary for newly available areas where data are old and for future OCS lease sales.

The Gulf of Mexico Energy Security Act of 2006, signed into law on December 20, 2006, significantly enhances OCS oil and gas leasing activities and production potential in the Gulf of Mexico. The Act opens up 8.3 million acres in the GOM for leasing, including 5.8 million acres previously withdrawn under Congressional and Presidential moratoria. The Act also shares revenues with Gulf-producing States and with the Land and Water Conservation Fund, with the first distribution estimated to take place in 2009.

The budget assumes an increase in the royalty rate for new offshore Federal oil and gas leases. The Department will begin implementing the royalty rate increase in the upcoming 2007 lease sale in the Western GOM planning area (Sale 204) scheduled for August 2007. The new rate is expected to increase royalty revenues by $4.5 billion over the next 20 years, and substantially more after that.

The President's National Energy Policy aims to improve America's energy security by increasing domestic production of fossil fuels, promoting increased energy conservation, and stimulating the development of alternative fuels. The coastal plain in the Arctic National Wildlife Refuge is the Nation's single greatest onshore prospect for future oil. The 2008 budget assumes enactment of legislation opening the Section 1002 area of the coastal plain in ANWR to energy exploration and development, with a first lease sale occurring in 2009 that would generate $7.0 billion in bonus receipts. The budget estimates a total of $8 billion in revenue would be generated through 2012. These receipts would be split 50:50 between the U.S. Treasury and the State of Alaska.

Cooperative Conservation.—Through partnerships, Interior works with landowners and others to achieve conservation goals across the Nation and to benefit America's national parks, wildlife refuges, and other public lands. The 2008 budget includes $324.0 million for the Department's cooperative conservation programs, $34.6 million over 2007. These programs leverage Federal funding, typically providing a non-Federal match of 50 percent or more. They provide a foundation for cooperative efforts to protect endangered and at-risk species; engage local communities, organizations, and citizens in conservation; foster innovation; and achieve conservation goals while maintaining working landscapes.

The 2008 cooperative conservation budget includes $21.0 million of the Department's Healthy Lands Initiative. Also new to the suite of cooperative conservation programs highlighted in 2008 are the multi-agency Open Rivers Initiative and the National Fish Habitat Action Plan. These fisheries conservation programs will leverage $16.2 million in Federal resources with State, Tribal, local, nonprofit and private groups to protect, enhance, and restore aquatic habitats. A program increase of $6.0 million for the Open Rivers Initiative will allow FWS to enhance its fish passage program by eliminating an additional 190 obsolete stream barriers such as small dams and open an additional 1,300 stream miles. The 2008 budget includes an additional $2.3 million to implement the National Fish Habitat Action Plan, which will leverage resources provided by State, tribal, local, private, nonprofit, and private groups to protect, enhance, and restore aquatic habitats.

The 2008 budget continues funding for high-priority cooperative conservation activities, including $13.3 million for the FWS Coastal Program, $69.5 million for State and Tribal Wildlife Grants, $4.0 million for Neotropical Migratory Birds, and $80.0 million for the Cooperative Endangered Species Conservation Fund. The 2008 budget request for the North American Wetlands Conservation Fund is $42.6 million, an increase of $6.0 million above 2007. Funding for the Partners for Fish and Wildlife program is $48.4 million, a net increase of $5.7 million over 2007. These programs provide an effective, cooperative approach to conservation and leverage Federal funds. In 2008, these programs will attract over $274 million in non-Federal matches and restore over 800,000 acres of habitat for species at-risk and migratory birds.

In 2008, Interior does not request funding for the Landowner Incentive and Private Stewardship Grant programs, in order to concentrate conservation funding in a smaller number of high-performing programs. This results in a $22.0 million reduction from the 2007 level. The conservation of at-risk species would benefit from shifting resources from these two programs to other programs that can demonstrate increased results, such as the Partners for Fish and Wildlife and North American Wetlands Conservation Act programs. The Landowner Incentive and Private Stewardship grant programs will continue to allocate and administer grants from funds appropriated in prior years.

Refuge Operations and Species Protection.—Targeted increases for the National Wildlife Refuge System and other FWS species conservation programs will focus new resources on conserving and restoring the habitat necessary to sustain endangered, threatened, and at-risk species and prevent additional species from being listed under the Endangered Species Act. A program increase of $4.7 million for refuge wildlife and habitat management will allow the refuge system to increase the number of recovery plan actions completed in 2008 by 111; protect or restore an additional 57,983 acres; and fill three new positions to manage the new Northwestern Hawaii Marine National Monument. The 2008 budget also includes $2.2 million in programmatic increases for the recovery of the gray wolf and the Yellowstone grizzly bear.

Healthy Forests Initiative.—The 2008 budget for the Healthy Forests Initiative, a total of $307.3 million, supports the Department's efforts to reduce the threat of catastrophic wildfire and improve forest and rangeland health. The 2008 budget request funds the Hazardous Fuels Reduction program at $202.8 million, an increase of $3.0 million for fixed costs over the 2007 level. An additional $1.8 million in the hazardous fuels program will be shifted from program support activities to on-the-ground fuel reduction to help treat high-priority acres.

Wildland Fire Management.—The 2008 budget proposes $801.8 million to support fire preparedness, suppression, fuels reduction, and burned area rehabilitation. This amount represents a net increase of $32.6 million above 2007, including an increase of $37.4 million for suppression operations. This budget will fully fund the expected costs of fire suppression in 2008 at $294.4 million, based on the ten-year average. The 2008 Preparedness program is funded at $268.3 million, a net reduction of $6.5 million from the 2007 level. A significant portion of this reduction will be achieved by eliminating management and support positions and lower-priority activities. The 2008 Wildland Fire Management program will realign its preparedness base resources to better support initial attack capability, which will include the addition of over 250 firefighters. These actions will help maintain initial attack success.

Oceans Conservation.—Interior bureaus conduct ocean and coastal conservation activities that significantly advance understanding of the processes and status of ocean and coastal resources. The 2008 President's budget includes $929.5 million to support the President's Ocean Action Plan. This funding will allow Interior bureaus to continue their high-priority work within the U.S. Ocean Action Plan and includes an increase of $3.0 million for USGS. In 2008, USGS will begin to implement the Oceans Research Priorities Plan and Implementation Strategy by conducting observations, research, seafloor mapping, and forecast models. USGS will also begin to implement an interagency national water quality monitoring network. Also included is $600,000 for three new positions to support management of the new Northwestern Hawaiian Islands Marine National Monument.

Indian Trust.—The 2008 request for Indian Trust programs is $489.9 million, $17.6 million above 2007. The Indian Land Consolidation program is funded at $10.0 million, $20.7 million below 2007. The 2008 budget also includes $4.6 million in reductions to reflect efficiencies and improvements in services to beneficiaries, the completion of trust reform tasks, the completion of project task efforts, and management efficiencies. The budget includes a $3.6 million increase for the Office of Historical Accounting to assist with the increased workload associated with additional tribal trust lawsuits.

The Office of the Special Trustee for American Indians is responsible for financial management of the funds held in trust for tribal and individual Indian beneficiaries. Currently, the sum of all positive Individual Indian Monies account balances is approximately $6.0 million less than the sum of all financial assets currently invested by OST on behalf of the IIM beneficiaries. To address this imbalance the Department will transmit legislation to balance the accounts that would authorize up to $6.0 million be made available to credit the investment pool.

Payments in Lieu of Taxes.—PILT payments are made to local governments in lieu of tax payments on Federal lands within their boundaries and to supplement other Federal land receipts shared with local governments. The 2008 budget proposes $190.0 million for these payments. The 2008 request is a reduction of $8 mil-

lion from the 2007 level. This level of funding is significantly above the historical funding level for PILT. From the program's inception in 1977 through 2001, the program was funded in the range of $96–$134 million.

CONCLUSION

I believe that our 2008 budget will—in its entirety—make a dramatic difference for the American people. We will better conserve our public lands. We will improve our national parks. We will protect our wildlife and its habitat. We will help craft a better future for Indian country and particularly for Indian children. And we will produce the energy that America needs to heat our homes and run our businesses. This concludes my overview of the 2008 budget proposal for the Department of the Interior and my written statement. I will be happy to answer any questions that you may have.

Senator FEINSTEIN. Thank you very much, Mr. Secretary, for those comments.

Let me begin the 5-minute rounds, again, the early bird.

1998/1999 LEASES

In February, our subcommittee held a hearing on the problems the Interior Department is having with the collection of royalties from energy companies who operate in the deep waters of the Gulf of Mexico. The taxpayers stand to lose, as you know, some $10 billion, because of the Department's failure to include price thresholds for leases signed in 1998 and 1999.

Your Assistant Secretary Allred testified that you had been able to persuade six of the companies who hold leases without price thresholds, to voluntarily begin paying their fair share. That's a good start.

My first question is, how many companies have now voluntarily started paying royalties, and how many are still holding out?

Secretary KEMPTHORNE. Madam Chairman, thank you. This is a critical issue. As you have identified, it occurred in 1998 and 1999. We believe that's the only time that that omission occurred. We believe that there was a decision for that, but we don't know what the motivation was.

Since then, those price thresholds have been in place. One of the actions I've taken, Madam Chairman, is a secretarial directive to our Solicitor, so that all future leases—a solicitor will sit there with the representative from Minerals Management Service, reviewing the entire document, so that it would not occur again. Six companies have currently stepped forward and have volunteered to pay that share.

Senator FEINSTEIN. But it is my understanding that the 40 companies which are responsible for 80 percent of the production from these specific lease sales are not paying royalties—is that correct?

Secretary KEMPTHORNE. I believe that number is accurate.

Senator FEINSTEIN. Okay. We asked Mr. Allred to work with us—we have not had success in doing that. The idea is extending the 1998 and 1999 leases for those companies that agree to pay royalties. What is your opinion of that? In other words, to provide some incentive for the payment? Not that we—we shouldn't have to be required to provide incentive—every one of these companies has made record profits, and they haven't, you know, paid for the right to drill oil on what is, essentially, public waterways.

Secretary KEMPTHORNE. Madam Chairman, I appreciate what you're saying.

I believe that those companies are waiting to see if, in fact, there's going to be action taken by Congress. Therefore, I don't believe, at this time—even though discussions continue—that we're seeing any further movement beyond those six.

Senator FEINSTEIN. Well, it would be my intent, then, to draft the legislation along the lines that I've suggested, which would be, you know, that we would extend leases in return for these payments, and if Senator Craig would be interested in working with me, I would be very appreciative of that.

Secretary KEMPTHORNE. Madam Chairman, I know you're looking at it, and the Energy Authorizing Committee is looking at it. I think to give companies an opportunity to step forward by the initiative you're talking about makes a lot of sense.

I also understand everybody's frustration, at the same time. In searching for what might have been—but nobody knows, a violation or an intent—these are valid contracts, and valid relationships. Contract law is sacred, and that's what we're all struggling with here. Do you step in and break a contract? No, you don't do that.

So, I think it's going to take the kind of initiative you're talking about, and it is my observation that there's a wait-and-see situation here, until Congress finally solidifies where they want to be on this issue, but we're talking a lot of money.

Senator FEINSTEIN. I understand. Thank you very much, Senator.

DRUGS ON FEDERAL LANDS

Second question—drugs on Federal lands—big problem. The Mexican drug cartels have stopped running drugs over the border, and have now simply moved their operations onto Federal lands.

I've seen reports which say that in 2006, Federal authorities seized some 3 million marijuana plants, worth between $10 billion and $15 billion, and I'm told that half of that came from public lands in California.

What I'd like to know is this—what are the National Park Service and the Bureau of Land Management doing to address this problem? How much money is in the Department's 2008 budget request for this?

Secretary KEMPTHORNE. Madam Chairman, you've identified a very important, and a very serious problem. You are correct—the drug cartels, the organized crime have found that it is now more efficient and effective for them to locate their assets on the public lands, such as the National Parks, to grow the marijuana plants, and harvest and then sell them here in this country, rather than growing them in Mexico and bringing them across the border.

I will note, however, Madam Chairman, the crossing of the border is a significant problem, which at some point we may discuss today as well.

These plots where they are growing the marijuana, it is not unusual to find that they are being operated by heavily armed individuals. Individuals who have been told—in no uncertain terms by the drug cartels—you are to defend this product with your life. Because, anything less than that, and there may be repercussions

with your family members back in Mexico. That is the leverage which they're using. It is truly significant what is taking place.

Now the Department itself, our 2008 budget includes $680 million for law enforcement activities. That's an increase of $48 million. I will tell you that, we are also now moving into flexible funds within the Park Service so that we can use these funds. We have three different teams of law enforcement entities with the Park Service, that we use for this specific use of interdiction of the drugs.

In Sequoia, for example, in 2004, we increased the budget there $450 million, we have maintained that, and will see an additional increase in that area in the 2008 budget, as well. We've seen significant progress. But I will tell you, Madam Chairman, if you look at a chart at the amount of production that is taking place in the United States, it would be a steady increase, and then suddenly this spike, which is happening. Because, as you have identified, they have now determined it is better to grow it in the United States than to try to smuggle it across the border.

Senator FEINSTEIN. Thank you, Mr. Secretary, my time is expired.

Senator Craig.

METHAMPHETAMINE

Senator CRAIG. Mr. Secretary, would you continue that theme, but talk to us about obviously the initiative you have on, in Indian country with meth. We're talking, marijuana grown on public lands, but we're talking meth brewed in Mexico.

Secretary KEMPTHORNE. Yes.

Senator CRAIG. Now, in large part, meth labs being brought down in this country are fewer and fewer simply because of the tightening up of the ingredients, and State efforts, along with the Feds.

You found something startling, and related to me in a conversation earlier, would you tell the Committee your experience on our southern border? Because you have a responsibility for a lot of mileage of border down there. The meth movement across that border today, and what Homeland Security is—and is not—doing about it.

Secretary KEMPTHORNE. Yes. Senator Craig, I appreciate your interest in this issue.

The Department of the Interior has jurisdiction for 40 percent of the U.S.-Mexico border—that includes our parks, our wildlife refuges, Indian country, et cetera. That's 755 miles. After the first of the year, when I went down there for the first time to see what the situation was, my impression was that I would see a great deal of illegal immigration. I will tell you that this is truly organized crime, and it is the drug cartels.

We anticipate, for example, in one Park, Organ Pipe Cactus National Park that daily there is as much as $3 million in illegal drugs going through that Park. That is one area of the Southern border that has the vehicle barrier fence that's in place, which was put in shortly after the shooting death of Kris Eggle, a National Park Ranger who was shot down and killed, because of drugs.

They've learned to breach that fence. So, they're crossing. We now have a situation, Senator, where in certain areas along the border, we do not allow employees, park employees, for example, to go perform their normal duties, without being escorted by two armed officers. The drug cartels have issued the message that they will shoot park rangers on sight, they will shoot border patrol officers, they will shoot the helicopters from the sky.

This is huge business for the drug cartels. This is organized crime, and so it takes an organized effort. We're working with the Department of Homeland Security, we're working with DEA and the Office of Drug Control. But I have great concerns, because we're seeing, perhaps, upwards of 50 percent of our budgets for parks and refuges down in that area, that is now moving more and more toward law enforcement, instead of what the original intended purpose was.

Senator CRAIG. Well, thank you very much.

Madam Chairman, a couple of weeks ago, I was holding a town meeting in Meridian, Idaho, and a man stood up in the back of the room and said he was a retired Boisean who'd been to Organ Pipe as a photographer, and he was told by the Park Service, there were areas of that preserve or reserve that he ought not enter for his own security and his own life.

FIRE PREPAREDNESS

Let me talk briefly about fire preparedness, the Budget Request for fire preparedness for fiscal 2008 is lower than that enacted in 2007, yet the proposed budget claims to be maintaining an initial attack success rate of 95 percent. How can you maintain this success rate with less money? That would be one question.

One of the efficiencies you plan to employ is the elimination of 78 management and support positions—are these anticipated to be employees with direct fire support experience? I mean, those are some of the concerns we have, obviously, with the anticipated fire season coming off of last season.

Secretary KEMPTHORNE. Yes, Senator first, like you, I'd like to acknowledge the firefighters themselves, these men and women and what they do day in and day out fighting these fires for us. As you've noted, the National Inter-agency Fire Center—an outstanding resource for the Federal Government.

In 2008, the fire budget is $801 million. That's $43 million above the 2007 budget. It includes $37 million for suppression. So, while the budget is up, Senator, in the areas such as the Wildland-Urban Interface, that's been very effective, the Healthy Forest Initiative, that has been very effective—we continue that. Because we believe that prevention is the best step that you can take.

We also have made a shift in strategy, based on the input from fire professionals and management, to the initial response. So, rather than waiting until the fire has gotten to the point that it is hundreds of thousands of acres, as we have experienced in Idaho, it's to move resources from that effort to the initial attack, and to hit them faster, and more aggressively. To try to knock them down before they take off and reach such large magnitudes, where the only way to effectively, then, finally put them out, is when the snow begins to fall.

So, the total fire budget is actually up, but you are seeing—in that area of suppression—a shift.

Senator CRAIG. Thank you, Madam Chair.

Senator FEINSTEIN. Thank you.

I'm going to alternate sides, and so I'll give you the order now, it will be Senator Nelson, Senator Alexander, Senator Reed, Allard, Cochran, Bennett, and Domenici.

Senator Nelson?

PLATTE RIVER RECOVERY IMPLEMENTATION

Senator NELSON. Well, thank you, Madam Chairman.

Mr. Secretary, I want to thank you for your efforts, particularly on the efforts of your Department, regarding the Platte River Recovery Implementation Program. I'm glad to see a $6.4 million increase for the Great Plains Region, to implement the program in your proposed budget.

I was proud to have signed that cooperative agreement back when I was Governor of Nebraska in 1997, and I'm equally proud to be a co-sponsor of the Senate bill, together with Senator Allard and others. This bill, when enacted, will authorize your continued participation in this very important program.

I look forward to working with the Senate Energy and Natural Resources Committee, so we can get that bill moving and we can further the basin-wide effort between the Department and the States of Nebraska, Colorado and Wyoming, to help recover species in the basin. I look forward to working with my colleagues in this committee to ensure the appropriate funding.

I know your efforts to date have been very, very significant, and the funding requested would be recognized, the importance. I hope that we can continue to have that a priority for Interior.

STREAMGAGES

I have a question regarding streamgage activities. At the time when the Plains States are suffering from an historic drought, all of the components of the Department seem to be cutting back on the streamgage programs and other projects that monitor water levels, stream flows, and similar programs. I wonder if you have an explanation for this. It doesn't appear that streamgage activities and programs are a priority, and I'm perplexed by that, and I wonder if you might help clarify that, if you can.

Secretary KEMPTHORNE. Yes, Senator Nelson—the 2008 request with regard to the streamgages is held level with 2007. Now, we will look at that, and I will get information back to you, but at least it is being held level.

[Information follows:]

INCREASED FUNDING FOR STREAMGAGES

In 2007, USGS increased funding for streamgages. The 2007 operating plan includes $16.6 million for the National Streamflow Information Program, which includes an increase of $2.3 million for the streamgages operating network. In the 2008 President's budget, USGS has requested an additional $1.65 million, including $250,000 that would enable installation of three new streamgages in southern California and deployment of storm surge monitors in support of the bureau's ongoing hazards program.

Senator NELSON. Yeah, I'm not suggesting it is being cut back, I'm just suggesting that it doesn't seem to be picking up any support for the future because of the increasing need and importance of having streamgauge activities, given the drought conditions. Unfortunately, they haven't gone away, they continue.

INVASIVE SPECIES

One other question—does the Department give any priority or preference to States or regions of the country where invasive species are choking rivers, and consuming scarce water supplies in drought-stricken areas of the country, especially considering the concerns in the Republican Platte River Basins. Are you taking into account water problems that come about because of the invasive species? Red cedar and other species that are invasive?

Secretary KEMPTHORNE. Senator, we do, and I'm very familiar with invasive species. It's something that, as a Governor, I dealt with, and that we always included in our State budget. It's something, ironically, Senator, that I served on the National Invasive Species Commission. I remember attending one of the early meetings, and they didn't think I would show up, because they didn't think I would understand what the issue was, but we lived that issue. We do prioritize. Invasive species are a critical, critical issue.

Also, Senator, going back to Senator Craig's comments about the forest fires. It's not unusual to see the devastation of the entire loss of a forest, it doesn't necessarily mean that the forest will come back, because with invasive species, you might get a monoculture of something you don't want.

Senator NELSON. That's right.

Secretary KEMPTHORNE. I was down in New Mexico, Senator Domenici's State and saw the creosote plant that is now an invasive species, and what it's doing. We do prioritize, and it's something that we do put a great deal of emphasis on.

Senator NELSON. Well, I hope that you would take a particular look at the Platte and Republican River basins, because the influx of invasive species there, due to the drought, similar situation to a forest fire, the removal of water, or the removal of timber can result in an even greater invasion.

Secretary KEMPTHORNE. Senator, I'd be glad to do that. I appreciate your work on the Platte River, and I signed that Memorandum of Understanding late last year, and again, thank you for leadership that has been there for the years. I've signed it now with the Governors of Nebraska, Wyoming, and Colorado. Senator, may I just take a moment and acknowledge—this is a little bit like deja vu, in that when I was a Member of the Senate, and you were the Governor of Nebraska, and I brought forward with Senator Glenn our efforts to stop unfunded Federal mandates, you sat at the witness table, and I was up there, so, you did a great job.

Senator NELSON. Well, sometimes roles are reversed.

Secretary KEMPTHORNE. Yes, they are.

Senator NELSON. Thank you, Madam Chairman.

Senator FEINSTEIN. Thank you, Senator.

Senator Alexander.

Senator ALEXANDER. Thanks, Madam Chairman.

Secretary Kempthorne, thank you for coming.

If I were authorized to give out report cards—which I'm not—I'd give some A pluses in your direction, and I'd give the President an A plus for the Centennial Challenge, I'd give you one for being bold enough to suggest it at a time of fiscal tightness. I would give you an A plus for your decision on the management policies, to preserve conservation as the primary part of the National Park's mission, and I'd give you at least a pat on the back for your picking the Great Smoky Mountains National Park as your first visit——

Secretary KEMPTHORNE. Yes.

Senator ALEXANDER [continuing]. On your listening tour.

I would suggest something that would seem to some listeners as counter-intuitive—I think quietly, the administration is building up a conservation and environmental record that's under-appreciated. I mean, if you added those things together—the law that the extension of conservation easements by the last Congress, which is the fastest growing conservation movement, the EPA rules on sulfur and nitrogen, the low-sulfur diesel rules that President Clinton started, and President Bush put in place, the passage of Lease 181 for the expanded drilling in the Gulf of Mexico, to put in what, we sometimes call the Domenici one-eighth, which took $1 out of every $8 from that expanded drilling and made it a conservation easement to go into the Land and Water Conservation Fund. So, that's an under-appreciated record, I think.

GREAT SMOKY MOUNTAINS NATIONAL PARK

I have three questions to go along with my A pluses. One is—as much as we appreciate the extra funds for the Great Smokies, and the other Tennessee national parks—when I looked in the report in USAToday, Yosemite, Yellowstone, Grand Canyon were all receiving more than the Great Smokies, both in amounts, and by percentage increase, which surprises me, since the Smokies have 10 million visitors a year, which is two or three times more visitors a year than any other park.

I wonder if you would take a look at that, and help me—not today—but, if later, you could help me understand why the percentage increases for other parks are higher, it would appear, than the percentage increases for the Smokies?

Secretary KEMPTHORNE. Senator, I'd be glad to get back to you, and work with you on that, and certainly note that the chairman would probably be watching what we do with those numbers.

[The information follows:]

GREAT SMOKY MOUNTAINS NATIONAL PARK

The fiscal year 2008 funding level of $18,690,000 includes an increase for Great Smoky Mountains National Park of $1,459,000 over the fiscal year 2007 enacted level of $17,231,000. The park has experienced 49 percent growth in base funding over the last 10 years, which is equal to the average growth for all parks in the system, and exceeds the growth rate at large park units such as Yosemite National Park, Yellowstone National Park, Grand Canyon National Park, Gateway NRA, and the National Mall. The fiscal year 2008 budget growth rate for Great Smoky Mountains National Park likewise exceeds that of many of its peer parks, including Yellowstone National Park, Grand Canyon National Park, Independence NHP, and the National Mall.

The fiscal year 2008 increase for Great Smoky Mountains National Park of $1,459,000 includes +$676,000 to cover planned pay and cost of living increases and projected cost increases for health benefits; +$316,000 to fund 26 maintenance seasonals during the peak visitation season; +$214,000 to fund 17 interpretation

seasonal rangers during the peak visitation season; +$157,000 to fund 12 visitor and resource protection seasonals during the peak visitation season; and +$96,000 to provide a volunteer coordinator, improving the training and certification of volunteers, and providing additional funds for housing, and recruiting materials.

Senator ALEXANDER. I respect that as well.

LAND AND WATER CONSERVATION FUND

The second is, the Land and Water Conservation Fund hasn't fared too well over the last few years, it's authorized for $450 million a year in the Federal account, and in the State account, the President's not asked for much if, or nothing.

You and Senator Nelson were talking about role reversals—I remember when I was testifying as Governor 20 years ago, and suggested that the Great Smokies, which is managed, basically, as a wilderness area, ought to be declared a wilderness area, and the whole western side of the Energy Committee nearly went into cardiac arrest at the thought of another wilderness area.

But, there are big differences in the West and the East. I mean, we're not like Idaho, we're not mostly owned by the Federal Government, we are a rapidly growing State as well, and we have very little park space. As you found when you were down there in a very highly Republican, conservative area, we like the Smokies managed as a wilderness area, and around it we need more park space. For example, Alcoa, and the Nature Conservancy and others have arranged for 10,000 acres between the Cherokee National Forest and the Great Smokies, to be purchased. So we need the extra money for open space. My question is—you have the authority this year to take some of the funding that Congress gave you, and put it in the Land and Water Conservation Fund State account or Federal account—do you plan to do so?

Secretary KEMPTHORNE. Senator, as you know from conversations you and I have had, I'm a great advocate for the State side accounts. I'm dealing in a world of limited resources right now, and that's one of the problems. One of the things I would like to do and would hope that we would be able to do, is work with you to identify new funding sources in the future, so that we can properly put the funds into that account.

Senator ALEXANDER. Well, I appreciate that, and I hope that we can work together as we expand drilling for oil and gas in the Gulf of Mexico or other appropriate places, that we can continue this idea that the last Congress passed of the Domenici one-eighth, the idea of a conservation royalty, to begin to build up funding for the Land and Water Conservation Fund, at least the State side, where there's very little controversy about it.

Secretary KEMPTHORNE. Senator, I agree with that. I would look forward to working with you, and too, may I say that we did have our first listening session in the Great Smokies, which is the number one visited National Park in our system, in the Nation. Dale Ditmansen and the team down there—he is your superintendent, of course, but it was very apparent, too, that they recognize that you are the great champion of parks. That is all across the country, as well, so we appreciate your leadership.

Senator ALEXANDER. Thank you, Mr. Secretary.

Thank you, Madam Chairman.

Senator FEINSTEIN. Thank you very much, Senator.

Senator Reed?

Senator REED. Thank you, Madam Chairman.

WEAVER'S COVE LNG PROJECT

Welcome, Mr. Secretary. Last October I joined Senator Kerry and Senator Kennedy writing to you about the Weaver's Cove LNG project up in Massachusetts, but it also affects the Taunton River and the Narragansett Bay Estuary, which is a large part of my State. I wonder if you might give us an update on that project—there are some concerns, in fact, I think reflected by the Department of the Interior scientists, that the dredging for the project could harm the natural resources and fisheries of both the Taunton River, and the Narragansett Bay Estuary.

Secretary KEMPTHORNE. Senator, I don't believe I can give you great details, I will just tell you that——

Senator REED. Could you follow up?

Secretary KEMPTHORNE. Yes. The Fish and Wildlife Service and the National Park Service are working in conjunction on this issue. So, I would be glad to follow up, though, and give you——

Senator REED. I wish you would, Mr. Secretary. This is—as you can imagine—a very important issue in our way, Taunton is in, and Fall River is in Massachusetts, but the transit of these ships and the impact is all through—mostly through Rhode Island, as they transit from Narragansett Bay up into Fall River.

The real issue here is making sure that scientific and legal procedures are followed, particularly, if the best science of your Department is used.

Secretary KEMPTHORNE. Right.

Senator REED. I would urge you to take all of those steps necessary to make that happen.

Secretary KEMPTHORNE. Very good. I appreciate that.

Senator REED. Thank you. I would also appreciate any information you could follow up with in to my office.

Secretary KEMPTHORNE. Absolutely.

[The information follows:]

WEAVER'S COVE LIQUID NATURAL GAS (LNG) PROJECT

The Weaver's Cove LNG Facility planned for Fall River, Massachusetts on the lower Taunton River called for 2.5 million cubic yards of dredge, resulting in 11 acres of permanent intertidal/subtidal habitat loss. The Department of the Interior has been coordinating the development and review of potential permit conditions based on scientific review by National Park Service and U.S. Fish and Wildlife Service staff. In particular, FWS has provided technical assistance regarding impacts of dredging on anadromous fish species, which use the Taunton for migration and spawning habitat. The issue is the number of months the company can dredge the river and avoid potential adverse effects to anadromous fish species using the river.

The U.S. Coast Guard issued a preliminary finding in May 2007 that the most recent Weaver's Cove proposal did not sufficiently address potential navigational and security challenges, that the Federal Energy Regulatory Commission (FERC) Environmental Impact Statement (EIS) is deficient in analyzing safety and environmental issues, and that a supplemental EIS or separate National Environmental Policy Act (NEPA) review (Environmental Assessment or EIS) is needed. As of July 12, 2007, this additional NEPA review had not been initiated.

The Massachusetts Department of Environmental Protection issued a letter in June 2007 to Weaver's Cove Energy (WCE) advising that the Department had stopped processing the required 401 Water Quality Certificate for the proposed LNG development, and will resume only when the Coast Guard issues have been ad-

dressed. The Army Corps of Engineers confirmed to the National Park Service that they will not proceed with processing of its permit for the LNG facility until both the Coast Guard and State 401 issues have been settled. Movement on these permits is not anticipated until the additional NEPA analysis cited above has been completed and the Coast Guard has finalized their position relative to navigational safety and environmental concerns.

ENDANGERED SPECIES ACT REGULATIONS

Senator REED. I also understand that your Department is working on regulations for the Endangered Species Act. Can you give us an update on those regulations?

Secretary KEMPTHORNE. Senator, I can't tell you that there's anything that's been defined, or any conclusion reached, I will tell you that, in meeting with the President who has stressed during his entire term, cooperative conservation, we held 25 different cooperative conservation listening sessions across the United States. Some 2,000 different speakers came forward, we had over 30,000 written comments, based on these listening sessions.

The number one topic—in fact it was the number one topic by a 6-to-1 ratio—was the Endangered Species Act. People, as you can well imagine, the full spectrum from, "The Act is doing what it's supposed to do, do not touch it," to those who think that it should be rescinded.

But, the bulk of the comments were, we believe that the intent of the act is proper, but that improvements could be made in how it is administered. So, those are some of the things that we're looking at.

Senator REED. But, will that be reflected in regulations that you propose in the near future? Do you have a work plan to revise the regulations?

Secretary KEMPTHORNE. Senator, at this point, I can't tell you there's any conclusion. It's just—it is all part of the discussion at the current time.

Senator REED. Do you have any notion, Mr. Secretary, when you might, sort of, reach a conclusion? At least begin proposing regulations? Or is this still in morphs, that you don't have any idea?

Secretary KEMPTHORNE. I'll just tell you that it's very much in the discussion phase, and I'd be happy to sit down with you, if you'd like, as we get closer to it.

Senator REED. Well, thank you.

SAVE AMERICA'S TREASURES

There's one other program that's been very helpful to my State, that's the Save America's Treasures program, it's very important for historic preservation, it's done a lot, actually, for the economic well-being of Providence. It's a city that's really coming back, a renaissance. When we've used this program, very effectively, to leverage private contributions and private development, and I understand that the budget request would cut funding below the amount of the last several years. I think this is a program that works, and I wonder what the justification is for cutting it.

Secretary KEMPTHORNE. Senator, I can't argue with you on all of the positive attributes that you've said. Save America's Treasures speaks for itself. Again, in tight budget restraints, yes, there is a reduction. I wish it were otherwise, but in the total scheme of look-

ing at the budget, and trying to make things work, that was one area that had a reduction.

Senator REED. Thank you, Mr. Secretary. I appreciate your effort, and I wish you well, and we will stay in communication, on Weaver's Cove, and Endangered Species and historic treasures.

Secretary KEMPTHORNE. Very good. Thank you very much.

Senator REED. Thank you.

Senator FEINSTEIN. Thank you, Senator.

Senator Allard.

Senator ALLARD. Madam Chairman, thank you very much, and welcome, Secretary Kempthorne.

Secretary KEMPTHORNE. Thank you, Senator.

GOVERNMENT PERFORMANCE AND RESULTS ACT

Senator ALLARD. Over a decade ago, the Congress passed an act called the Government Performance and Results Act, I think you're familiar with that, where it directed the agencies to set up objectives that are measurable, and then those results get reported. Both the Clinton administration and now the Bush administration have been working on this program, we have some agencies that are rated, as being ineffective, by OMB—they are the ones that sort of help manage this and I'm sure that you talk to your agencies. I have introduced an amendment in the Budget Committee that said that we're looking at those programs that are ineffective, and saying, "Well, we need a 25 percent reduction in that group of programs."

You know, to me it's hard to explain why we would let taxes increase, and the debt increase when we have taxpayer dollars going to these ineffective programs. I think even more egregious than agencies who have attempted to measure their results and failed, are those programs that absolutely have not put together any plan at all in how they're going to do it.

You have a number of those programs that are listed in the Department of the Interior. We have about seven of them in the Bureau of Indian Affairs, for example. By the way, some of these programs, I support because of their benefits. But, on the other hand, we want to see taxpayer dollars spent effectively, we want accountability on how they're spent.

The land-use planning section of the Bureau of Land Management is one of those that aren't doing anything to try and measure their results. Also there's a mining law provision, Southern Nevada Land Sales, rural water, Colorado water management projects, and planning construction, land and water conservation and farmland acquisition which, you said, "Well, you need more resources there," but how do you know that the dollars are going to be well spent if you're not doing anything to measure performance and how the taxpayer dollars are coming?

So, I hope that you, in the Department of the Interior will look at these lists—there's about 21 altogether—you will look closely at these, and tell them at the least there's one Member in the Senate who's concerned, and I think I'm joined by a lot of other Members, who want to see our taxpayer dollars spent in a responsible way, and hope that they can report.

Now, I understand that in some cases, you maybe do need to give them more money to be more effective, and get their job done. On the other hand, if they absolutely refuse to measure their performance, I think that sends the wrong message back to Congress on what we're expecting of the agencies.

I'm wondering if you might comment a little bit about your efforts on the PART Program of the President, and what you're doing, and what you're going to do about these programs that refuse to even demonstrate, and do anything that even demonstrates any results.

Secretary KEMPTHORNE. Right. Senator, the fact that you flagged it, I think is significant.

Senator ALLARD. I hope so.

Secretary KEMPTHORNE. It is, indeed.

Senator ALLARD. Yeah.

Secretary KEMPTHORNE. I will tell you that we have been working with the Inspector General in our Department, in going through and looking at these different entities which you've identified. Some have been completed, some are nearing completion, but we need to do this. It was prescribed to us, and we need to do so. We've been working with OMB. I cannot tell you what the final conclusion will be. I can tell you, Senator, that this is one of the measures. Approximately 1 or 2 months ago, there was another measure that was given to us by the Office of Personnel Management. It has been used for the past few years, and my point to the Assistant Secretaries, to the Bureau Directors is, in fact, that, that is a measurement—what are we going to do about it? We need to use these measuring tools. If the tools need to be fine-tuned, then we ought to step forward and suggest any changes to that.

I believe, part of my role in the months that I have remaining, is to do what I can to ensure that we have an effective, efficient Department.

Now, I'm very proud to be at the Department of the Interior—it's a great Department, outstanding individuals. I believe we can continue to make improvements, however.

Senator ALLARD. Well, thank you. I'm sure when you were Governor of Idaho that you used the management objectives to kind of bring accountability to your programs, or under your administration. I have all of the confidence in the world, and I'll bring up the question next year and see how well things are going.

LANDSAT SENSORS

Secretary KEMPTHORNE. I appreciate that, Senator.

Senator ALLARD. There's a program on thermal sensing technology, this money for this program goes, is funded jointly by the USGS as well as NASA. The technology is used to measure water flows, among other things. The State of Colorado uses it to meet its interstate compact obligation—you know, we're kind of at the top of the heap, we have some seven drainage systems that come out, and a lot of them are downstream, but it's particularly useful in the Arkansas River, where we've had some lawsuits because Kansas wanted to make sure they had enough water going down there.

I see that neither USGS or NASA has provided the dollars for that program, and I'm concerned that maybe we've got a tug-of-war between the two agencies, and this is not being taken care of like it should.

I wonder if you have a response for us on that, if you don't, some kind of written response would be helpful.

Secretary KEMPTHORNE. Senator, I believe Assistant Secretary Weimer can comment on that.

Mr. WEIMER. Yes, I believe, Senator, you're referring to the Landsat sensors——

Senator ALLARD. Yes, that's it.

Mr. WEIMER [continuing]. On the new Landsat satellite.

Senator ALLARD. Yes, that's it.

Mr. WEIMER. Yes, conversations are continuing with NASA, I believe, between USGS Director Myers, looking at the need for that new sensor. I'm not sure exactly where those conversations are now, so we'll have to get back to you on that.

[The information follows:]

THERMAL SENSOR FOR THE LANDSAT DATA CONTINUITY MISSION

Landsat data continuity, which is the collection of data to continue a long-term record, includes the acquisition of thermal data. Landsats 5 and 7 both have thermal sensors and have been collecting thermal data to add to the USGS data set of 35 years. These data are increasingly important to States, water districts, and others, for the management of western water resources, particularly agricultural water use.

NASA and the Department are partners in Landsat Program Management. NASA built and launched Landsats 5 and 7, which are now owned and operated by USGS. The USGS also manages the Nation's Landsat data archive and distributes products to a wide variety of domestic and international customers.

Both USGS and NASA have clearly defined roles for the development and operation of the upcoming Landsat Data Continuity Mission, or Landsat 8, due for launch in 2011:

—NASA will develop and procure the LDCM spacecraft, sensor(s), mission operations element (flight software), and launch vehicle. NASA is also responsible for end-toend mission integration, in consultation with USGS. To date, NASA has not included a thermal sensor in its design of Landsat 8. USGS is working closely with NASA to influence this issue.

—The USGS will develop and procure the LDCM ground data processing and archive systems plus a flight operations facility, in consultation with NASA. The USGS will also own and operate the spacecraft after launch, and manage and distribute the LDCM data.

Senator ALLARD. Well, it's really important for our ranch management, I happen to use the Arkansas River, because right now it's got everybody's attention, but I think on these interstate compacts, it's important to know what's happening on water flows and this is an important program in that regard, and I hope you're serious about your discussions.

Senator CRAIG [presiding]. The chairman has given me the gavel, Mr. Secretary. What else would you like in your budget?

Having said that, let me turn to Senator Cochran.

Senator COCHRAN. Mr. Chairman, thank you very much.

Mr. Secretary, I wanted to congratulate you for the leadership you're showing on a wide range of subject fronts, and as Secretary of the Interior, I specifically appreciate the leadership and the offshore gulf coast area planning and supporting legislation to make it possible to invigorate the production of natural resources, energy products from that region, sharing royalties with the gulf coast

States, that's really a breakthrough in my view, and it's going to mean a lot, not only to helping satisfy our energy needs, but to environmental protection and restoration of those offshore islands, which were so devastated by Hurricanes Rita and Katrina. The leadership you're providing in that area is to be commended, I thank you for that.

Secretary KEMPTHORNE. Thank you, sir.

NPS CENTENNIAL CHALLENGE

Senator COCHRAN. One other area I think deserves mention, too, and that's the Centennial Challenge which you have developed to help spur the protection and resource conservation in the national parks. This is something that's definitely needed—I wondered, in the area of the mandatory match that you foresee coming from private contributions, what is your assessment of the reception to that proposal—are there any early indications that this is really going to be something that will achieve the results you anticipate?

Secretary KEMPTHORNE. Senator Cochran, I appreciate you focusing on that.

The response has been extremely positive. I've met with many members of the friends organizations that support our national parks. There's 144 different entities, each of which supports a different Park. They had told me early on, as did NPCA—the National Park Conservation Association, different foundations and the private sector—they are willing to step up and be the margin of excellence, but they do not want to be the margin of survival for the Parks. They said, "We need to see the Federal Government step up and to do its part."

The NPCA, for example, had said, "We'd like to see you really reach, and using 2006 as a benchmark, if you could increase your operating budget by $250 million," they knew that was a real stretch for us, but the President came in with $258 million. So, they're very supportive.

Now, we turn to that part about the local matches—the philanthropy is part of the heritage of national parks. The Great Smoky Mountains that Senator Alexander referenced, the Rockefeller family stepped forward initially, and said they would put forward $10 million in a match if the private sector would come forward, that's what was accomplished. I think something like 30 of our parks are the result of families or foundations that have stepped forward. Historically, we have raised approximately $20 million per year from the private sector. We believe now, that with this incentive, that we can achieve $100 million.

A recent example would be in Philadelphia when we announced this, Rebecca Rimel who is the Director of the Pew Foundation said that the Pew Foundation would bring forward $6 million for the renovation and restoration of the Ben Franklin Museum in Philadelphia. She'd spoken to Governor Rendell where the State and private entities would match that $6 million if the Federal Government would use its $6 million as a match. So, there's $18 million that's real, that shows you the response that we get from the foundations and the private sector.

Senator COCHRAN. Well, that's very encouraging, and again, I think it points to the effectiveness of your personal involvement

and hard work in this area. We are hopeful that some of this will spill over into our State and be helpful to us as we try to develop tourist-friendly sites along the Natchez Trace Parkway for visitors who choose to use that scenic parkway as a way of transportation and an educational experience, traveling all the way from Nashville to Natchez, Mississippi, the Merriweather-Lewis Area where that famous person died. There's an initiative underway to enhance that particular area for education benefits, for those who are interested in early-American history.

We're also urging the Department to look carefully at developing the Chickasaw and Choctaw Native American historical areas of interest. Those were the civilizations that were quite prominent in the State of Mississippi, but the Cherokee Nation in Tennessee is another example of early history, early-American history that is very interesting, and these National resources can be used as a way to make us all more familiar and appreciate the contributions to our country that these Native American tribes have made.

So, your support for initiatives that we're trying to develop for that Parkway would be appreciated, as well.

Secretary KEMPTHORNE. Senator Cochran I appreciate what you have said, and one of the areas that we are emphasizing with the National Parks Centennial, are the trails, so that we can link these magnificent entities to one another, and continue to have the tourism be very much a part of this.

It resonates very strongly with me when you talked about the revenue-sharing that we're doing with offshore oil and gas. I agree in revenue-sharing, I believe in incentives. I think this is a very effective tool that's there, and it can certainly help with Coastal restoration. I commend you for your leadership, post-Katrina, in helping Mississippi to rebuild, and the great progress which you're making there.

Senator CRAIG. Thank you very much, Senator Cochran.

Now, let me turn to Senator Pete Domenici. Pete.

Senator DOMENICI. Well, thank you very much, Mr. Chairman. It's my privilege to be here today. I had to attend an earlier hearing on appropriations, and I'm glad that——

1998/1999 LEASES

Senator CRAIG. Senator, thank you. Before you arrived, both the Secretary and the chairman and I dialogued for a moment about the lease issue in the gulf, and the chairman had talked about using an extension of lease—I know it's something you've looked at seriously—to bring those companies into compliance. The Secretary was observant, I think, to that conversation, and offered to get something done.

Senator DOMENICI. Yeah, well the 1998, 1999 leasehold, I'm not going to take much time, other than to tell you that it will be my proposal that we extend those leases 3 years, the first opportunity I have, whichever is first, this committee, or the other Committee on Appropriations, or Senator Bingaman's Committee on Natural Resources is just authorizing, I will offer that, and indicate that that's going to be made available to those who were part of that bid process, that time, and I think there's an awful lot of them that are willing to sign on, in exchange for which they will receive,

under my proposal that you all have been referring to, they'll receive the extension of their leasehold.

Thank you for bringing that to my attention so I would not waste time.

INDIAN WATER RIGHTS SETTLEMENTS

The other matters that are, obviously very, very important, I'm sorry the Senator isn't here, but let's put them on the table—Indian water rights settlements. I say, Mr. Secretary, this year, this Congress, we have three big ones, that are New Mexico in origin, and we have been sort of waiting around, wondering when the government would be ready, and it looks to me like we can't do that, we have to be a bit more active, than just being observant, waiting around to see when they will do something.

We will not—we will be much more proactive, we will tell the Secretary, and we start today, so that it's totally clear, and we are looking for the money that the settlements envision and that we are not, we're not going to just say, just run away when somebody from your Department, Mr. Secretary, says, "Well, where is the money?" You know, that's kind of a two-way street. The money's going to be—we're going to ask you all where the money is, too, not just you ask us to go to the appropriators to find the money.

The government is going to get stuck with these because we're going to be passing the bills, and passing them along, and I can't imagine the President of the United States, literally, wanting to veto a bill compensating the three Indian tribes in New Mexico for 40-year old water rights, 40-year old suit, one's 40, one's 30, one's 28—that's how long we've been in court—and in one instance, there's been some real give, a big kind give, and we've got to get around to the Federal Government understanding that with that, you've got to proceed.

ENERGY

We've got a BLM, present, has indicated $141 million in energy and minerals management, a 31 percent increase, we think that's, that's much-needed, and we salute him for putting it up, and we want to see if we can get the best possible use for that.

The Department of Energy estimates that technically, in recoverable oil—shale in the United States is roughly equivalent to three times Saudi Arabia reserves. Section 369 of the Energy Policy Act directs the Secretary of the Interior, that's you, sir—and it directs you to move ahead and I'm very pleased that you included $4 million in your, to add to your ongoing oil shale activity.

You will be feeling in your Department, the vitality of that investment as the year goes by. You don't have $4 million invested out there in shale not to find some real action. Between Shell Oil and a couple of others, and the others and the activity in shale development this year, will be a big, big item. I don't think we ought to hide it from the rest of the world, Mr. Secretary. I believe you ought to flaunt it, and make sure that the Arab countries know we have it, and it's usable, and it's big, big amounts. If done properly, within a decade, you might have a very large shale production on the continent side of the United States that will be ours.

Now, that doesn't satisfy some in America, who think we need to just not use oil, and this is oil, but to me, it satisfies us in the if we get it working, we don't need to go down in the gulf and get it, we use our own, and we'll be able to use our own. That's something which I think is vitally important. I hope you feel the same way.

If we pursue it with vigor, it wouldn't hurt you, would it, Mr. Secretary?

Secretary KEMPTHORNE. Senator, it would not. I share your enthusiasm. I think it's one of those areas where we need to look at the innovation. I will tell you that this summer, we will be coming forward with a programmatic EIS that allows us to do so. So, again, I appreciate—and may I, if I may just reference your comments concerning Indian water rights?

Senator DOMENICI. Yes.

INDIAN WATER RIGHTS

Secretary KEMPTHORNE. I know how important that is to you. It's important to the tribes. Senator Craig and I know from our own experience of water rights settlements, and how critical—especially with water, it's this finite resource. The leader of my team within the Department who is charged with that responsibility just returned from New Mexico, that was his second trip down there, meeting with——

Senator DOMENICI. Who was that?

Secretary KEMPTHORNE. Michael Bogert.

Senator DOMENICI. Yes.

Secretary KEMPTHORNE. He'll be meeting with your staff as well, and Senator Bingaman, because we know of your intention, and we want to work with you on that.

Senator DOMENICI. Thank you very much.

Secretary KEMPTHORNE. Thank you.

Senator DOMENICI. Thank you, Mr. Chairman.

1998/1999 LEASES

Senator CRAIG. Well, thank you very much, Senator Domenici, and I'm anxious to sign on with you, this initiative to try to extend those leases. I think that your leadership there solves potentially a very big problem that needs to get solved, sooner rather than later, and that seems to be a reasonable way to approach it.

I believe this morning she expressed support for that approach of the extension. Yeah.

Senator DOMENICI. We will have a nice bipartisan group on the committee taking it out of here to the full committee, I think we'll be on top of it. Some will complain that it doesn't pick up everybody, but nothing picks up everybody.

Senator CRAIG. No.

Senator DOMENICI. I think ours picks up the most. That's good. We don't have to, then, do anything to other people that is damaging to their rights and privileges as citizens, citizen-entities in the United States, we hope that's the case.

Senator CRAIG. Thank you.

HEALTHY LANDS INITIATIVE

Mr. Secretary, one last question of you before we let you go—the Department's budget includes $22 million for the Healthy Lands Initiative split between U.S. Geological Survey, U.S. Fish and Wildlife Service, and BLM for large-scale land management approaches. Can you describe how healthy, how the Healthy Lands Initiative is different than the approaches the Agency is currently employing?

Secretary KEMPTHORNE. Yes, Senator, this will be a joint effort between the Bureau of Land Management, Fish and Wildlife Service, and USGS. Again, historically there have been efforts dealing with parcel by parcel, or where there is energy development, wellhead to wellhead, instead of looking at the large landscape. This is now to change the emphasis, so that we're looking at the entire landscape.

I'll give you a specific approach to this, which we're seeing in New Mexico. I mentioned the creosote plant. It is now, what traditionally had been taking up something 10 to 15 percent of the landscape, is now approaching 80 percent. And nothing grows where the creosote plant is. So, what happened? What was past practices? Or what was the past practice? It was the Chisholm Trail.

Senator CRAIG. Yeah.

Secretary KEMPTHORNE. Now we're using aerial application by helicopter with pellets that are specific to the plant and with the rains, it is the demise of that plant. The natural grass seeds are already there. So we're now seeing a return of the historic grasses.

When we talk about this, Wyoming, for example, you have significant wildlife corridors that have been there for centuries, and they need to be there for centuries. So we need to look at the total landscape so that we don't get down to such fine detail that we inadvertently, somehow, squeeze those landscapes. We need to ensure that energy development and world-class habitat are not mutually exclusive. We're now to the point that, with technology, instead of 10 acres per wellhead, we're down to a footprint of a half an acre. That's part of what this effort is, is to be sensitive to the world-class environment we have, knowing that we need to have energy development for the well-being of the country.

Senator CRAIG. Well, I appreciate that explanation. When you were talking creosote, I was hoping maybe we could apply that in relation to the Juniper, in part, in Eastern Oregon, Southwestern Idaho, which has become an invasive species, literally wiping out tens of thousands of acres of rangeland, upland game bird habitat, as you know. Like creosote, Juniper takes over, controls, robs the land of moisture, and obviously other vitalities.

Secretary KEMPTHORNE. Yes, and Senator, in this Healthy Lands Initiative, there's six targeted areas, one of which includes Idaho, because of the sage grouse.

Senator CRAIG. Good.

Secretary KEMPTHORNE. Because of the critical nature, we want to get ahead of the herd, ahead of the curve, with regard to the Sage Grouse so that we don't have difficulties that could inadvertently cause us to look at the energy development.

Senator CRAIG. Well, thank you very much, on behalf of the Chairman and myself, let me thank you for your presence here today, we'll look forward to working with you as we shape these budgets and get them ready. Well, we're in the debate over the budget this week, and that will then allow us, this subcommittee, to move forward with your budget and the appropriating process.

Secretary KEMPTHORNE. Senator, I appreciate again, number one, your friendship, and your years of service to the State of Idaho and to the Nation. You're one of our leaders. It's so sorely tempting with you as the Chair, and myself sitting here, unanimous consent for something.

Senator CRAIG. Okay. Thank you very much.

SENATOR BENNETT'S STATEMENT FOR THE RECORD

Senator Bennett has submitted a statement that will be made part of the hearing record at this time.

[The statement follows:]

PREPARED STATEMENT OF SENATOR ROBERT F. BENNETT

Madam Chairman, thank you for holding this hearing today to examine the Department of the Interior's fiscal year 2008 budget proposal. I am pleased to see my friend, Secretary and former Senator Kempthorne, this morning, and look forward to working with him during this year's appropriations process.

I am sure that Secretary Kempthorne has heard from a lot of people regarding the department's oil and gas program in my state. Let me give you the senator from Utah's perspective on this program.

Utah is a public land State. Nearly two-thirds of the State is managed by a federal agency. The Department of the Interior, through the Bureau of Land Management, oversees the management of approximately 23 million acres of surface area and an additional 10 million acres of subsurface rights in Utah. This represents around 44 percent of my State.

I am pleased at the progress the BLM's oil and gas program has made, not only in terms of production but also in terms of conservation and efficiency. For example, compare these numbers: in 1984, the BLM leased almost 20 million acres for oil and gas resources in Utah. Today, that number is only around 4.5 million acres.

Another interesting fact is that the surface disturbance from an average well is only about one-quarter of the acreage that it was 30 years ago. Opponents of this program often fail to acknowledge that in Utah, only approximately 30,000 acres experience actual surface disturbance from oil and gas operations—that's less than 1 percent of BLM managed land in Utah.

I am also pleased to see your Healthy Lands Initiative included in the president's budget. This will help to mitigate oil and gas leasing activities, including secondary impacts, and to benefit endangered species, such as the sage grouse. We have funded a similar program in the Agriculture Appropriations Bill that has been very successful in Utah. I also understand that the State has appropriated funds that will be used in conjunction with federal funds for this program. This program represents real progress, and I am excited at its future prospects.

These successes notwithstanding, we will continue to hear from the alarmists that claim that BLM is not properly managing our natural resources. I would urge the department to not overreact to such claims. I believe that under Secretary Kempthorne's watch, the department has taken positive steps to balance responsible development with conservation, and has used the appropriate discretion. I would encourage you, Mr. Secretary, to continue your course of action, and not be dissuaded by the ill-informed.

Thank you again for the opportunity to discuss the department's budget, and I look forward to productive discussions about this appropriations bill.

ADDITIONAL COMMITTEE QUESTIONS

Senator CRAIG. There will be some additional questions which will be submitted for your response in the record.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

SAN FRANCISCO BAY RESTORATION

Question. I would like to direct your attention to a matter of critical concern to me and hundreds of thousands of people who live and work near the San Francisco Bay. A few years ago I brokered a transfer of land for the Fish and Wildlife Service from the Cargill Corporation. Cargill conveyed the land in the south bay for salt production so that it could be restored to its natural state—tidal flats and marshland perfectly suited for wildlife habitat. In exchange for its generosity to the United States, the responsibility for restoring the salt ponds fell to the new owners, the Fish and Wildlife Service.

The earthen water control structures at the salt ponds also serve as the flood protection for the communities and businesses along the south bay. Unfortunately, this presents a serious threat because the levees and dikes are made of clay and sand and sit near a fault line. The Corps of Engineers acknowledges that the earthworks are inadequate. An earthquake or major flood could turn the levees to mush. If this happens, we could face a Hurricane Katrina-type catastrophe because much of the occupied land near the south bay is 25 feet below sea level. Salt water would inundate the valley, causing untold loss of life, property, and agriculture.

What can the Department of the Interior do to address the public safety and ecological problems facing the San Francisco Bay?

Answer. The Fish and Wildlife Service, in partnership with the many State, Federal and local agencies, is working on a long-term restoration plan for the salt ponds. The final plan and environmental documents are expected to be completed by the end of 2007. Phase I of the South Bay Salt Pond Project is expected to begin in fiscal year 2008. Interim steps have already been taken that have increased fish and wildlife populations in the area. The South Bay Salt Pond Project will restore and enhance a mosaic of tidal marshes and managed ponds. Restored tidal marshes will provide critical habitat for the endangered California clapper rail and the salt marsh harvest mouse. Large marsh areas with extensive channel systems will also provide habitat for fish and other aquatic life as well as areas for harbor seals. In addition, the restored tidal marshes will help filter and eliminate pollutants. Many of the ponds will continue to be managed ponds, while enhancing to maximize feeding and resting habitat for migratory shorebirds and waterfowl traveling the Pacific Flyway.

When the Fish and Wildlife Service acquired the salt ponds, the Service agreed to maintain the levees in a manner similar to how Cargill had done in the past. In fiscal year 2004, the Service reprogrammed $2.5 million in construction funds that has been used for levee maintenance at the salt ponds. In the fiscal year 2007 Continuing Resolution budget, the Service is allocating $1 million in construction funds to maintain the levees.

The salt pond levees in question were never constructed to provide flood control for neighboring communities. Rather, Cargill Salt and its predecessors constructed and maintained the levees to provide for commercial salt production (i.e., the levees were not designed or engineered to meet flood control standards). However, with the land subsidence that has occurred in the South Bay, these salt pond levees have been providing de facto flood protection. Since the Service is not a flood control agency, it is cooperating with the Army Corps of Engineers, Santa Clara Valley Water District, and Alameda Country Flood Control agency, to complete a Shoreline Study that will provide a long-term flood protection strategy for the South Bay.

INSPECTOR GENERAL REPORT ON INTERIOR DEPARTMENT CONTRACTING

Question. The Department's Inspector General reported this January that Interior's franchise fund, GovWorks, and its working capital fund have repeatedly and routinely violated Federal appropriations law and contracting regulations. The most damaging finding was that there was a continuing pattern of abuse of the Antideficiency Act by Departments of Defense and Interior. DOD purchasers routinely used Interior revolving funds as places to "park" or "bank" funds that were to expire soon for later use. Interior "placed contracts for DOD customers using funds from expired funds, thereby circumventing DOD appropriations law." Approximately $400 million was identified that should have been returned to Treasury. Instead, Interior converted these expiring funds into multiyear funds.

The IG points out that the GovWorks retains 4 percent of the DOD money it parks to pay for Interior priorities. This certainly gives the appearance of profiting from illegal or irregular contracting. I do not think running a profitable business center is one of the authorized missions of the Department of the Interior. How much money has GovWorks retained?

Answer. Specifically the OIG recommended that certain transactions be reviewed to evaluate the potential use of expired funds and to research possible non-compliance with contracting regulations related to the bona-fide needs rule. NBC has worked diligently with DOI and DOD officials to implement operational improvements and much progress has been made.

—Reviews of compliance with fiscal law have been completed for $577 million of interagency agreements. As a result of these reviews, GovWorks identified $200 million in funds that were not expired, referred $119 million to the DOD Comptroller for review and determination of compliance with the agency's rules and interagency agreements, and deobligated approximately $235 million, which was returned to the respective client agency.

—Additional controls have been implemented to ensure that acquisition requisitions provided by the requesting agency identify a bona fide need before the purchase request is accepted and prior to any contract action being taken.

—Since DOD has implemented policies that are more restrictive than the applicable legislation, the DOD and DOI have jointly developed and approved a Memorandum of Agreement that further defines the roles and responsibilities of the respective organizations and includes additional improvement actions to be completed.

GovWorks provides acquisition services to Interior bureaus and offices, as well as other Federal agencies, under authority of the Government Management Reform Act of 1994 and the 1997 Interior and Related Agencies Appropriations Act, which established the Interior Franchise Fund in 1997.

From its inception over 10 years ago, GovWorks has evolved into a major provider of cost competitive acquisition services for Interior bureaus and offices and other Federal agencies. We believe that much of the acquisition work provides value added to Interior by contributing knowledge and skills to core service areas for Interior, but we are currently reviewing the scope of our acquisition services to see if further changes are merited.

Of the $1.4 billion in contract funding received from customers in 2006, GovWorks retained $47 million or 3.2 percent. This funding supported GovWorks acquisition services including development, administration and close out of the contracts. Funding used supports the acquisition staff and support costs, maintenance of reserves for annual leave, depreciation, and potential shut-down costs and for capital improvements. The majority of the retained earnings support the 122 Federal employees and 76 contract employees that perform the acquisition services.

In prior years GovWorks had retained earned amounts each year as follows:

[In millions of dollars]

Year	Amount
2001	4.6
2002	10.9
2003	30.5
2004	40.2
2005	44.0
2006	47.4
Total	177.6

The overall percent of fee earned for this period was 3.1 percent of contract dollars awarded.

Question. What did your Department do with these funds?

Answer. Funding retained was used for operation of GovWorks as well as for reserves and investments in equipment and financial management improvements. Of the total $177.6 million retained through 2006, $126.9 million was used to support operations of GovWorks, $1.8 million was retained for reserves for accrued annual leave and depreciation, and $42.5 million was used for investments. These investments include funding for the Financial and Business Management Information System, Enterprise Services Network and Information Technology Security improvements. These investments provide or will provide enhanced information technology and financial services and systems to Interior and its customers. For example, GovWorks Interior and other governmental customers will benefit from the modern-

ized acquisition module of the Financial and Business Management System that is being deployed.

Question. Please explain why this committee should not close this enterprise down.

Answer. The acquisition organizations in DOI are operating in compliance with legislation specific to the Department and/or under legislation applicable to all Federal agencies as a Federal service provider.

GovWorks provides high quality acquisition services at competitive prices. By offering acquisition services that are related to Interior's mission, GovWorks can provide specialized, unique services to Interior bureaus that may not be available in-house. For example, GovWorks manages the Department's contracts for major information technology investments—these projects are on a scale and complexity that requires skills and capacity that may not available through in-house acquisition staffs. GovWorks also has staff that can focus on areas of expertise, hiring experts and providing specialized training to create centers of excellence. Interior and other customers benefit directly from these services by spreading costs over a larger client base resulting in lower operational costs resulting from economies of scale and efficiencies.

Further, GovWorks has able to attract and retain the highly technical and professional employees who perform these services and are thereby able to provide improved expertise and timely support and at the same time assure compliance with the complex laws and regulations that surround Federal financial and administrative programs.

Finally, the ability to utilize earning reserves for equipment and financial improvement allows the lines of business to have funds to invest in improvements and enhanced services that benefit all customers. An example, GovWorks' Business Information System provides customers with an automated system to track acquisition requests and the status of their acquisitions throughout the process from inception to close-out.

Interior has and will continue to implement improvements based on the OIG recommendations to strengthen oversight and management of GovWorks and the Franchise Fund in order to address the Subcommittee's concerns. The following highlights some of the actions that we have taken:

—Established and filled an SES leadership position for the acquisition program.

—Developed and implemented new policies and enhanced procedures and guidance to ensure funds and contracts are administered in compliance with applicable laws, policies, and regulations. This has included additional requirements regarding the determination of price reasonableness, enhanced file documentation, strengthened procedures for producing the independent government cost estimates, and use of checklists to ensure that all required procurement actions are taken and adequately document.

—Broadened training requirements for procurement professionals to ensure compliance with FAR and Appropriations Law provisions.

—Established a new internal review team tasked with conducting independent quality reviews of randomly selected procurement actions to ensure that acquisition procedures are being followed and appropriately documented.

—Enhanced DOI legal reviews for both solicitation and award. All contracts valued at over $500,000 are reviewed by the Office of the Solicitor.

—Establishing a formal review program conducted annually and performed by an independent organization/entity (consistent with Department risk assessment program) using sampling techniques to review compliance with FAR, Department/NBC acquisition policies, documentation requirements, etc.

WILDLAND FIREFIGHTING

Question. Interior's wildland fire management budget request includes a proposal to decommission six Type-1 firefighting crews. These are the "hotshot" crews who lead the frontline fight against major wildfires. Why are you shutting down 6 of your top crews when the trend has been for more and more severe fires?

Where are these six crews headquartered—are any in California?

Answers. While the request notes the reduction in the number of hotshot crews, it also provides for an increase in the number of initial attack firefighters.

The Budget proposes reconfiguring approximately 6 hotshot crews, which are typically mobilized on long-duration fires, into initial attack resources. Individuals would retain their Type-1 credentials, and these highly skilled firefighters would be used to build efficient, effective and mobile initial attack forces to respond to high-priority new fire starts. Critical fire expertise would be retained, but their focus would be on keeping fires small. These reconfigured crews would be positioned ac-

cording to where our Predictive Services group believes significant fire activity is most likely to occur.

We are continuing to assess options that would allow us to maintain the best possible fire response organization; however, no decisions have yet been made regarding which crews, in which locations, would be affected.

Question. The request also zeroes out wildfire assistance grants to rural fire departments—the same fire departments that respond and put out thousands of wildfires every year. I must tell you that this proposal is penny-wise and pound-foolish. These fire departments provide an indispensable first response for only $10 million per year. I believe these small fire departments, most of them volunteers, save the Federal Government many times that amount in fires they suppress before they become Federal responsibilities. What incentives do you plan to offer rural fire departments in exchange for taking on the costs and risks for responding to wildfires?

Answer. Rural and community fire departments are indeed an integral and important component of the nation's wildland fire community. Their first-response capabilities are crucial to keeping many wildland fires small and manageable, and we agree their services result in tremendous cost savings to taxpayers.

Although Rural fire assistance was a highly successful program from 2001–2006, it had achieved the primary goal of updating the equipment and prevention programs in rural fire departments across the country. The program is also duplicative of other Federal fire assistance grant programs administered by the Forest Service and the Department of Homeland Security.

We have turned our focus and funding to the Ready Reserve program, which provides training to rural departments to enhance their expertise and capability in responding to and managing wildland fires. The Ready Reserve program is available to the same departments served by the Rural Fire Assistance program and is designed to provide critical training that meets the needs and schedules of those departments and firefighters. This training is available on-line or in packages specifically designed to be presented in classrooms and within timeframes that meet the needs of rural and community fire departments.

The goal of the Ready Reserve program is to develop fully trained local response units and teams capable of managing a wildfire incident within their jurisdiction. More than $1.8 million was allocated to the Ready Reserve program in 2006, and an additional $1.8 million is targeted for the program in 2007. The 2008 Preparedness budget request includes $1.3 million for the Ready Reserve program. The reduction reflects completion of the Ready Reserve training package re-write.

Question. How much funding will rural fire departments in California lose because of this proposal?

Answer. During the life of the Rural Fire Assistance program, annual funding to California ranged from $350,000–$390,000. If the program had continued, we would expect the amount of RFA grants to decline as departments achieved upgrades in their equipment and prevention programs. We still offer training to these same departments through the Ready Reserve program.

Also, through the California Department of Fire and a high number of full-time, professional departments at the local level, we note the State has a first class fire community. We are pleased our contributions have contributed to their capability.

POLAR BEARS

Question. According to recent accounts in the Washington Post and the New York Times, the Director of the Fish and Wildlife Service has forbidden his agency's premier polar bear scientists from discussing climate change, polar bears and sea ice at international conferences. This gives the appearance that he is trying to prevent the truth about the seriousness of the threat to polar bears from getting out. Of course all the attendees at these conferences are very knowledgeable about global warming and the threats to polar bears. Is it now Interior Department policy for scientists to be forbidden to publicly discuss their areas of expertise?

Answer. Long-standing Departmental policy requires employees who are traveling to foreign countries to make an official foreign travel request through our International Affairs office, which forwards these requests through the Director's Office to the Assistant Secretary. These requests must include the purpose of the travel and the subjects expected to be discussed. This policy is intended to ensure that all foreign travel is focused on achieving a clear purpose, is cost-effective and conducted in accordance with Federal laws and policies. This policy has been in place for at least two decades within the Service. The Service does not, however, limit the ability of our scientists to engage in open dialogue with international colleagues on climate change, polar bears, sea ice reduction or any other issue clearly within their

professional discipline while on foreign travel. We do, however, specifically assign responsibility for various topics among our scientists and manage foreign diplomatic meetings to designate which scientists are responsible for various issues.

VOLUNTEER PROGRAMS

Question. The President's budget request includes reductions to volunteer programs in several agencies. Volunteers provide the agency with hundreds of thousands, perhaps millions, of hours of labor to national parks, scenic trails, and wildlife refuges. While their labor is donated, volunteers require training, tools, supplies, and travel money to do their great work.

Please provide for the record a table showing 2006 enacted appropriations, 2007 funding, and 2008 requests for all of the Department's volunteer programs.

FUNDING FOR VOLUNTEER PROGRAMS

[In thousands of dollars]

Bureau	2006 enacted	2007 enacted	2008 request
BLM	1,278	1,300	1,300
OSM	60	35	35
USGS	30	30	30
BOR	10	10	10
FWS	735	735	735
NPS	1,831	1,832	5,232
Take Pride	493	495	513
Total	4,437	4,437	7,855

HEALTHY LANDS INITIATIVE

Question. The President's request includes a $22 million increase for a healthy lands initiative to improve wildlife habitat while allowing recreation and energy production. These seem to be mutually exclusive activities. Would you give us some examples of how this would work?

Answer. Improving wildlife habitat and allowing for recreation, energy development and other uses are not mutually exclusive when approached on a broad scale. For example, the Green River Basin in southwest Wyoming contains tremendous energy resources and world-class wildlife, including moose, deer, elk, pronghorn and sage-grouse. The Healthy Lands Initiative proposes to focus habitat restoration dollars on the most important wildlife habitat areas while energy development occurs in the most energy-rich areas. The Healthy Lands Initiative is not a substitute for onsite mitigation required of energy developers. It is designed to complement it. The 2008 BLM Budget Request includes $15.0 million for the Healthy Lands Initiative for habitat restoration work in six BLM project areas: New Mexico ($3.5 million), Wyoming ($4.5 million), Utah ($2.0 million), Oregon/Idaho/Nevada ($1.9 million), southern Idaho ($1.8 million) and Colorado ($1.3 million). An additional $8.2 million in existing funding from various BLM subactivities complements the $15 million in new HLI funding for a total of $23.2 million available for restoration activities in the six emphasis areas of the Initiative. The 2008 Healthy Lands Initiative includes additional funding for USGS ($5.0 million) and FWS ($2.0 million) to support and complement BLM's habitat restoration and conservation efforts in the Green River Basin area of Wyoming.

These project areas were selected because partnerships were already in place and NEPA compliance had already been completed. The $23.2 million in BLM funding will be augmented by private and State contributions to achieve immediate results on the ground. BLM estimates that its $23.2 million will allow the agency to treat 317,000 acres of important wildlife habitat through such means as treating weeds, establishing native plants, treating pinyon juniper encroachment and improving riparian areas by installing erosion control structures, planting willows and cottonwoods, and fencing. The BLM further estimates that partner funding will support the treatment of an additional 90,000 acres, including 56,000 acres of BLM land and 34,000 acres of non-BLM land.

The energy industry is already engaged in projects to support the Healthy Lands Initiative. In Utah, for example, energy companies, including Questar, Enduring Resources, and the Bill Barrett Corporation, are collectively providing $180,000 for projects that support Utah's statewide Initiative. In New Mexico, the industry con-

tributed $365,000 last year to reclaim roads and pads from orphaned wells. The industry also worked with BLM and used their own equipment to remove the hard clay soils that were impeding plant growth.

The Healthy Lands Initiative will also improve habitat in areas not affected by energy development, but impacted by other pressures such as weed invasions and drought. That is the goal for projects in Nevada, southeast Oregon and southwest Idaho, where sage-grouse habitat is slated for improvement. Once the six proposed projects prove successful, BLM would look to expand the initiative to other key areas where Federal and partner investments could reap the greatest return for the habitat.

Question. The budget justification claims that $10 million is anticipated from partner contributions. Why would you expect such a large amount in contributions? What is the basis for this estimate?

Answer. This estimate is based on recent experience with the BLM in New Mexico and Utah and their completion of vegetation enhancement work at the landscape level and success in working with partners. In particular, Utah partners committed more than $8.0 million in 2005 to restore more than 120,000 acres of public and private land within 22 counties. The Utah State Legislature contributed $2.0 million of the total $8.0 million to support the State's ongoing watershed conservation program in 2005 and followed that up with a similar appropriation in 2006. Utah energy industry/commercial oil and gas exploration and development companies, including Questar, Enduring Resources, and the Bill Barrett Corporation, have provided $180,000 in funding for habitat management project work. This has included funding for archeological surveys, a 1,000 acre pinyon-juniper lop and scatter project, a 4,000 acre pinyon-juniper chaining project, and an agreement to manage a recently acquired 5,000 acre block of private land for the benefit of wildlife.

In New Mexico, the energy industry contributed $365,000 in 2006 to reclaim roads and pads from orphaned wells and provide other reclamation work, such as reseeding.

Question. Over $4.2 million of the Healthy Lands request is offset by a reduction in the wild horse and burro budget. What impacts will there be to wild horse and burro populations from this 12 percent budget cut?

Answer. By December 2007, the wild horse and burro program is expected to be near the Appropriate Management Level for wild horses and burro populations, which is the closest the program has ever come. We do not expect to conduct any BLM gathers; however, we will conduct gathers for the Forest Service which they pay for under an interagency agreement. The BLM's focus will be on caring for the animals off the range and promoting the adoption and sale of animals in both short-term and long-term holding facilities in order to reduce holding costs in future years. As of February 2007, there were approximately 28,900 animals on the range and 29,000 in holding facilities. The population on the range by the end of fiscal year 2007 will be approximately 31,000 with approximately 31,000 animals in holding facilities. The BLM will continue to search for ways to decrease costs of long-term holding and increase adoption rates. If cost savings are found, BLM gathers will be conducted with the funds saved.

OIL AND GAS LEGISLATIVE PROPOSAL

Question. The budget request includes proposed legislation that would undo provisions of the recently enacted Energy Policy Act. Specifically, oil and gas leasing rental receipts would be redirected to the general Treasury, and BLM would be able to impose processing fees for approving applications for permits to drill (APD). I understand why the agency would want to offset some of its costs for APD approval, but why are you proposing to give up lease rental receipts? How much in lease rentals would BLM return to the Treasury?

Answer. The BLM believes that the objectives of Section 365 of the Energy Policy Act, which called for improved cooperation with other Federal and State agencies, can be implemented using cost recoveries as the funding source for these important initiatives, rather than diverting rental revenue that is needed for other national priorities. The BLM would return an estimated $21 million in annual mineral lease rental receipts to the Treasury, if the administration's proposal is adopted. BLM expects to fully offset the foregone leasing rental revenues with cost recoveries.

QUESTIONS SUBMITTED BY SENATOR PETE V. DOMENICI

U.S. GEOLOGICAL SURVEY—NATIONAL STREAM GAGING NETWORK MODERNIZATION

Question. The national network of stream gages provides an invaluable tool to water managers across this country in planning for water programs, regulating flows, meeting federally mandated compacts between States, measuring legal requirements in treaties with our neighboring countries of Mexico and Canada, anticipating and reacting to flood conditions and many other purposes. The stream gage network receives its funding through two USGS programs—the National Streamflow Information Program (NSIP) and the State Cooperative Water Program. The President's fiscal year 2008 budget provides an increase of $2 million for NSIP but no increase for the Cooperative Water Program. The increase for NSIP will barely cover the increase in costs and will do little to address the backlog of maintenance and other problems left in the system by Katrina and other floods. Additionally, this increase does not provide for the expansion of the system essential to improving our understanding of the nation's water resources.

What is the size of the existing backlog of maintenance and repairs for stream gages nationwide? What is the size of the backlog for stream gages in New Mexico?

Answer. There is a maintenance backlog for streamgages in New Mexico as there is for streamgages nationwide. The President's fiscal year 2008 Budget Request includes an increase of $1.4 million to fund fixed costs of Federally-funded streamgages in the national streamgaging network, which includes maintenance. This funding will support continued operation and maintenance of currently active streamgages that are part of the NSIP national network and funded in cooperation with others, in cases where partners are no longer able to provide adequate funds. The use of these funds will help keep the network more stable and reduce the loss of streamgages in the future, including New Mexico streamgages.

Question. How does the administration plan to address this backlog and make a sufficient investment in the national river monitoring network to ensure that it continues to fulfill its many crucial functions?

Answer. Because of the cooperative way most USGS streamgages are funded, funding shortfalls could be from partners, the USGS, or both. This is the instability in the network that the NSIP "backbone" Federal goal streamgaging network is designed to lessen or eliminate for priority streamgages. The goal of NSIP is to provide a unified network to meet National needs of streamflow information while ensuring that local needs continue to be met. The President's fiscal year 2008 Budget Request includes a $1.4 million increase for NSIP, over and above the $2.325 millon increase in the fiscal year 2007 President's Budget request which is reflected in the fiscal year 2007 operating plan. These increases will keep the network more stable and reduce the loss of streamgages in the future. They will fund currently active streamgages in the national network, to reactivate recently discontinued NSIP Federal-goal streamgages, or to supplement funding for operation and maintenance of NSIP Federal-goal streamgages that are currently active but funded through partnerships. The exact allocation of funds from this increase will be determined when partner contributions to network operations for 2008 are better known.

U.S. GEOLOGICAL SURVEY—WATER RESOURCES RESEARCH INSTITUTES FUNDING

Question. The National Water Resources Research Act Program provides a strong partnership between the Federal geological research in the USGS and that partially funded by 54 State research institutes. However, the President's budget again does not provide any funding for this program.

Why has the USGS again eliminated funding for the Water Resources Research Institutes?

Answer. The State Water Resources Research Institutes have been highly successful in leveraging the USGS grants under the Water Resources Research Act Program with other Federal and non-Federal funding. The Department considers this program a success, as the initial grants from the Department were considered implementation funding for the Institutes. Today, the Department anticipates that the majority of these Institutes will be able to continue operations without Federal grant funding, due to the successful partnerships that the Institutes have been able to make with others.

Question. What funding will be provided to the Water Resources Research Institutes out of the fiscal year 2007 funding available to the USGS?

Answer. The USGS operating plan for 2007 includes $5,404,000 for the Water Resources Research Act Program, a decrease of $1,000,000 from the 2006 funding level. Each of the Institutes will receive a base grant in the same amount as last year's, and only the competitive grants program will be affected by this reduction.

U.S GEOLOGICAL SURVEY: UNITED STATES-MEXICO TRANSBOUNDARY AQUIFER ASSESSMENT

Question. Congress passed the United States-Mexico Transboundary Aquifer Assessment Act of 2005 (Public Law 109–448) at the end of the 109th Congress. This law authorizes the USGS to undertake characterization of the aquifers underlying the U.S.-Mexico border. This specific region has significant importance to meeting treaty obligations with Mexico and for managing two of the most important river systems in the western part of the nation—the Rio Grande and the Colorado.

While this new program was not authorized during the time that the President's fiscal year 2008 budget was being developed, it is essential that the program be initiated given the continued drought that afflicts much of the Western United States and growing population demands on these water systems.

What financial and human resources can the USGS dedicate from the fiscal year 2007 and fiscal year 2008 budgets to initiate this program?

Answer. The 2007 and 2008 budgets include no funding for projects specifically for the U.S.-Mexico Transboundary Aquifer Act. The USGS has begun discussions with the International Boundary and Water Commission, representatives from Mexico, and representatives from the three State Water Resource Research Institutes who would be partners in this program. Mexico has been very receptive to the idea of this work and to the concept of cost-sharing that is stipulated in the Act.

1998/1999 LEASES

Question. Mr. Secretary, one of the ideas that I have been thinking of—and I know Senator Feinstein has been looking at this as well—is by statute giving the Department of Interior the authority to extend the 1998/1999 leases for an additional three years in exchange for the lessees agreement to apply price thresholds on the 1998/1999 leases. What assurance can you give, if any, based on your preliminary discussions with these companies, that they would in fact agree to such an arrangement? In other words, what percentage of the full amount of the $10 billion over 25 years that has been lost as a result of the failure of the Clinton Administration to put thresholds on the leases, would you expect to recover from such a provision?

Answer. We estimate that had the 1998 and 1999 leases included price thresholds, the government would have received between $6 and $10 billion in royalties over the life of the leases that produced or that are expected to produce. If the leases had included the price thresholds, we estimated that nearly $1 billion in royalties would have been paid on resources that have already been produced.

On December 14, 2006, six companies signed agreements with the Department of the Interior to establish price thresholds for deep water royalty relief in connection with the leases each company holds from sales held in 1998 and 1999.

While we have had discussions with the companies that have not yet signed agreements, it is difficult to predict how many companies would be willing to sign agreements if Congress extended the lease terms by 3 years. Extending the lease terms is one option that was suggested by one of the companies during our discussions. We cannot say whether this option would encourage the remaining companies to sign agreements. However, whatever the motivation of individual companies to renegotiate, if all of the remaining holders of interests in 1998 and 1999 deepwater leases that are expected to produce were to sign agreements, we estimate that an additional $4.6 to $7.7 billion in royalties could be paid on future production over the life of these leases.

In order to solve this problem, the administration and the Congress must work together to ensure that we have the authority to reach an appropriate resolution. We appreciate Congress' efforts to encourage companies to come to the negotiating table.

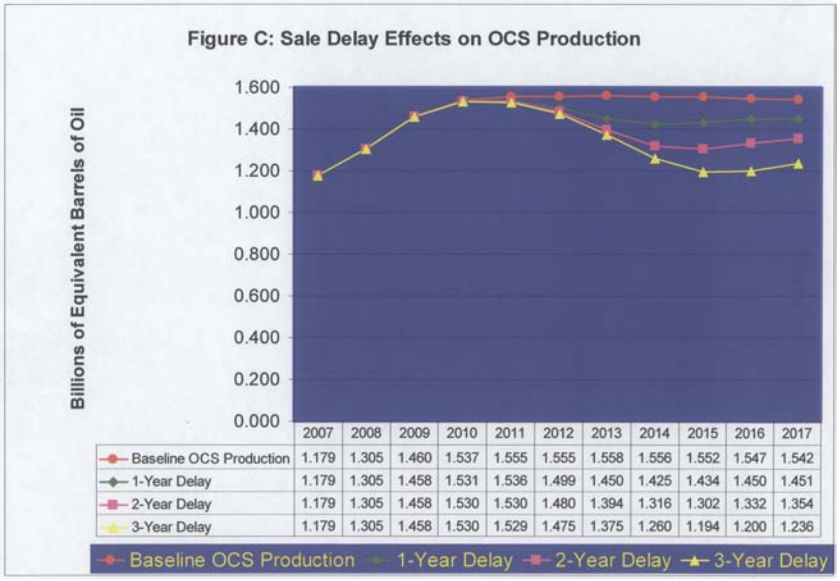
Question. Please comment on your thoughts of Congress setting up an independent panel or a special master, or giving you the authority to appoint such a person to settle this price threshold issue created by the Deepwater Royalty Relief Act of 1995 and the failure of the previous administration to implement it properly?

Answer. In the present circumstances, we do not see a particular advantage in establishing a panel or granting authority to appoint a special master. Special masters ordinarily are appointed in the context of adjudications involving highly complex factual situations. Our efforts to resolve the problems with the 1998 and 1999 deep water leases involve neither complex facts nor adjudication.

Question. In your judgment, would Congress create a cause of action for the 1998/1999 lessees with a reasonable likelihood of success on the merits if it mandated that the Secretary apply a different royalty rate going forward for those 1998/1999 lessees who agree to apply price thresholds to their leases and those who do not?

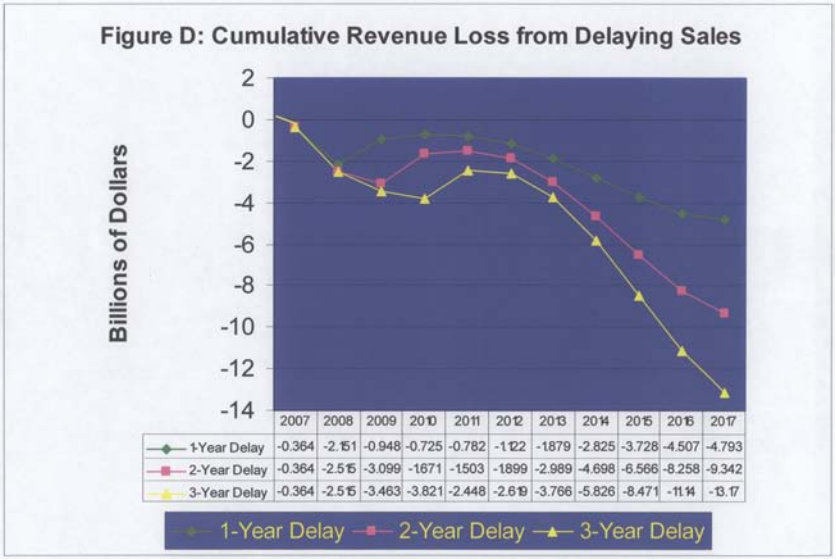
Potentially, what specific impact would an injunction on lease sales in such an instance have on our domestic production of oil and gas?

Answer. We appreciate Congress's efforts to encourage companies to come to the negotiating table. However, we must be mindful of potential unintended consequences. Were Congress to mandate a different royalty rate on future leases only for lessees who own interests in 1998 or 1999 deep water leases who have not entered into agreements to apply price thresholds, we believe that it is very likely that the Department would become embroiled in litigation challenging such a law or seeking to enjoin a future lease sale in which such a law would be applied, or both. If a judge were to enjoin future lease issuance for a period of time, the resulting impacts would be significant. Litigation could take years to resolve. The MMS has attempted to project the potential loss of production, revenue and royalties if lease sales were delayed for a 3-year period.



	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Baseline OCS Production	1.179	1.305	1.460	1.537	1.555	1.555	1.558	1.556	1.552	1.547	1.542
1-Year Delay	1.179	1.305	1.458	1.531	1.536	1.499	1.450	1.425	1.434	1.450	1.451
2-Year Delay	1.179	1.305	1.458	1.530	1.530	1.480	1.394	1.316	1.302	1.332	1.354
3-Year Delay	1.179	1.305	1.458	1.530	1.529	1.475	1.375	1.260	1.194	1.200	1.236

Attached Figure C shows for example MMS' estimate that, for a 3-year delay, production over 10 years could be reduced by 1.6 billion barrels of oil equivalent (boe).



Attached Figure D shows for example, the potential cumulative revenue decline over a 10 year period of $13 billion for a 3-year delay.

I believe we would all agree this would not be in the Nation's best interest. The Outer Continental Shelf (OCS) is a significant supplier of our nation's oil and gas. We cannot afford major delays in offshore energy production due to unintended consequences.

Question. Based upon all that you know about the 1998/1999 lease issue, do you believe that the failure to include price thresholds on those leases during the Clinton administration amounts to the legal definition of "mistake"?

Answer. It is my understanding that lawyers for both the Department of the Interior and the Department of Justice have been closely examining the legal definition of "mistake" in the context of the 1998 and 1999 deep water leases and are still in deliberation.

Question. Hypothetically, if Congress mandated that you issue regulations within a year that resulted in recovering the full amount lost as a result of the failure to include price thresholds on the 1998/1999 leases, how do you think you would achieve that objective?

Answer. It is not clear what type of regulations this question contemplates. MMS cannot unilaterally add price threshold terms to leases that do not include them by promulgating a regulation (particularly if the rule effectively constituted a retroactive change). MMS also cannot by regulation require lessees to pay the equivalent of royalty on production that under the terms of their leases is exempt from royalty. If the question contemplates seeking to recover the equivalent of the royalty amount from parties other than the lessees of the 1998 and 1999 deep water leases who owned interests at the time of production, it is not apparent how MMS could do this by rule.

QUESTIONS SUBMITTED BY SENATOR WAYNE ALLARD

Question. Mr. Secretary, can you tell me what—if anything—the agencies within the Department of Interior are doing to address the bark beetle problems on public lands throughout the Rocky Mountain Area?

Answer. The BLM has been diligently working on bark beetle problems in the Rocky Mountain States for many years. In fiscal year 2006, the BLM allocated approximately $900,000 from the Public Domain Forest Management program to projects that help address bark beetle problems in the Rocky Mountain region. This allocation was repeated in fiscal year 2007 and is expected in 2008 as well. In addition, in fiscal year 2007, the BLM will allocate $1,860,000 to the same Rocky Mountain region from the Forest Ecosystem Health Recovery Fund for forest health and restoration treatments, including insect and disease treatments.

The BLM's commitment at the State level can be demonstrated by its active participation in the Northern Colorado Bark Beetle Cooperative. The main objectives of the Cooperative are to address urgent concerns about forest health and wildfire risk to communities and watersheds, the loss of key wildlife habitat, and the impacts to local economies. This Cooperative works to treat infested areas with salvage efforts and fuels reduction programs.

The North Park Stewardship Project, located in Jackson County, Colorado, is an example of the project work being planned and initiated under this Cooperative. In fiscal year 2006, the BLM sent an additional $200,000 to the Colorado BLM State office to plan this large scale stewardship contract to respond to the bark beetle infestation in north central Colorado. The BLM expects to implement the stewardship project in 2007 with the signing and execution of the North Park Stewardship Agreement with Jackson County and the addition of $50,000 of Public Domain Forestry funding. The BLM is anticipating that in the first year of implementing the Operating Plan, 1,000 acres of beetle infested trees could be removed as salvage timber or through fuels reduction projects. The project has the potential to treat up to 15,000 acres of beetle infested BLM managed public lands over the 10 year span of the project.

Question. Please tell me a little more about the Safe Indian Communities Initiative and how this initiative will work with tribal communities to work toward the elimination of meth in those communities?

Answer. The $16 million Safe Indian Communities Initiative in the 2008 budget is the first of a multi-year investment to address the methamphetamine crisis in Indian country.

Indian country is faced with the ever increasing threat of drug trafficking. In many cases, international drug cartels from Mexico and Canada have targeted Indian country as a production and distribution point for methamphetamine. This is because of the lack of specialized training and law enforcement presence to combat organized crime's efforts on Indian lands. Currently BIA has only eleven certified drug enforcement officers to service all of Indian country. The budget increase will combat the highly visible drug crisis by developing and providing specialized drug enforcement training for one hundred additional BIA and tribal officers. As a result, more officers on patrol will have the essential knowledge and tools to break up drug trafficking, disrupt the activities of organized crime groups and international cartels, and seize illegal substances. This reduction in trafficking and drug supply will have residual positive impacts in communities surrounding Indian lands, as well. Increased Federal tribal law enforcement activity combined with local city and county law enforcement will allow for better coordination between tribal and non-tribal law enforcement agencies.

Additionally, these funds will allow for a more robust methamphetamine public awareness campaign to educate the at-risk American Indians about the dangers of methamphetamine and its affects on both physical and mental health. The education campaign will utilize the highly successful "mobile meth labs" to alert communities to the warning signs of clandestine drug labs and the environmental dangers associated with these toxic environments. Additionally, the public awareness campaign will leverage existing partnerships between the Bureau of Indian Affairs, the Office of National Drug Control Policy, the Department of Health and Human Services, the National Congress of American Indians, and the Partnership for a Drug Free America that are currently working to develop an Indian country specific methamphetamine public awareness campaign. By increasing the number of officers with specialized methamphetamine interdiction training, and by educating the public about the dangers of methamphetamine, BIA will take further steps toward battling methamphetamine and other drugs in Indian country in order to ensure safe and healthy Indian communities.

With the dramatic increase in violent crimes resulting from methamphetamine and the significant shortage of law enforcement officers, BIA and tribal law enforcement agencies are often forced to make difficult staffing decisions that place their officers and the community at risk. This funding will also be used to address this shortage by adding fifty one additional officers and enable targeted agencies to more directly combat the methamphetamine crisis in Indian country.

Question. How do you plan to work with Congress to provide States with more control over the implementation of laws and regulations, for example the ESA?

Answer. The Department continues to work with Congress to ensure that laws and regulations pertinent to the mission and programs of the Department of the Interior are carried out as effectively as possible. The Department also continues to strive to find collaborative efforts and partnerships that enhance opportunities to foster a culture of responsibility in implementing legislation.

Interior agencies also continually strive to improve regulations and policies to ensure that they are explicit, well defined, and consistent with current laws. Program Assessment Rating Tool review of the Endangered Species program found that FWS can make improvements in endangered species-related regulations and polices. This may include revising the definition of adverse modification, issuing critical habitat guidance, and explicitly characterizing the benefits of critical habitat designations. FWS is currently working on these improvements as well as developing a process for regularly scheduled independent evaluations of the program.

The Department is also focusing resources on cooperative conservation programs, such as the Private Stewardship Grant, Landowner Incentive, and Partners for Fish and Wildlife programs, that foster a non-regulatory approach to solving conservation problems at the local and State level.

SUBCOMMITTEE RECESS

Senator CRAIG. Okay. Thank you all very much. The subcommittee will stand in recess to reconvene at 10 a.m., Tuesday, May 22. At that time we will hear testimony from the Honorable Mark Rey, Under Secretary for Natural Resources and Environment, Department of Agriculture and Abigail R. Kimbell, Chief, U.S. Forest Service.

[Whereupon, at 11:20 a.m., Tuesday, March 20, the subcommittee was recessed, to reconvene at 10 a.m., Tuesday, May 22.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2008

TUESDAY, MAY 22, 2007

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 10 a.m., in room SD–124, Dirksen Senate Office Building, Hon. Dianne Feinstein (chairman) presiding.

Present: Senators Feinstein, Craig, Stevens, Cochran, Gregg, Allard, and Alexander.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATEMENT OF HON. MARK REY, UNDER SECRETARY

ACCOMPANIED BY LENISE LAGO, BUDGET DIRECTOR

OPENING STATEMENT OF SENATOR DIANNE FEINSTEIN

Senator FEINSTEIN. The meeting of the Interior Appropriations Subcommittee will come to order. I'd like to thank you for attending this hearing on the President's budget request for the U.S. Forest Service.

I'd like to welcome Mark Rey, the Under Secretary for Natural Resources and Environment at the Department of Agriculture. Under Secretary Rey is accompanied by Lenise Lago, the Budget Director for the Forest Service.

I just want to point out to you that the Chief, Gail Kimbell, couldn't be with us today because she's traveled to my State, California, to attend the release of the report on last year's deadly Esperanza Fire, which took the lives of five firefighters in California.

I happened to go to their funerals, and it was just a terrible, terrible thing. I'm very sorry Chief Kimbell could not be with us today, but I'm very pleased that she's focusing her attention on ensuring the health and safety of our firefighters.

Mr. Rey, as I think you know, approximately 20 percent of all the land in California is national forest lands, so this account is particularly important to me.

The President has requested $4.1 billion for the Forest Service in fiscal year 2008. This request reduces the agency's budget by $200 million from the 2007 enacted level. That's a 4.6 percent cut.

These cuts will have a huge impact on the 193 million acres of forest and grasslands across the country. As ranking member, Senator Craig knows, and Senator Cochran and Senator Stevens, we've all tried to work together to create a situation where we could both manage our forests and fight our fires in a much more effective manner.

So I'm worried that many of these cuts are being driven by the skyrocketing costs of fighting wildfires, and unless something changes, the problem's only going to get worse. Funding for the 10-year average for fire suppression has increased by 23 percent over last year, for a total of $911 million.

That means that fire programs now account for 45 percent of the Forest Service budget. That's a doubling from 2000—I think this is good news, actually—when fire programs accounted for 21 percent of Forest Service spending.

I'm concerned, though, that if we continue at this pace, the Forest Service will turn into the Nation's fire department instead of a land management agency. I understand the choices, and I appreciate them, however.

To pay for these increases, the administration is proposing steep program reductions, including $108 million in cuts to the operating budgets of national forests, an 8 percent reduction, and $78 million in cuts to grants and assistance for State and private landowners. That's another 28 percent cut.

Funding for hazardous fuels reduction is also reduced from $301 million to $292 million. As you know, fuels reduction is a big public safety issue, since nearly 7 million people in my State alone live in the wildland-urban interface near southern California forests.

I should also point out that there has never been more drought in southern California than there is today, so this year's fire season is very worrisome.

I'm also concerned about the cuts to the Fire Preparedness Program. The Service's budget includes $97 million in cuts for training, equipment, and support staff. That's a 15 percent reduction. We've seen recently catastrophic wildfire already.

Despite these enormous budget holes, I'd really like to commend the administration for proposing $124 million in funding for law enforcement on national forests to help eradicate drug production and trafficking. That's an 8 percent increase over the 2007 level.

Mexican drug cartels, I'm sorry to say, have discovered that it's easier to grow marijuana on public land than to try and smuggle it across the border. In 2006, Federal authorities seized some 3 million marijuana plants on public land, worth between $10 and $15 billion. Half of that harvest, I'm sorry and ashamed to say, came from my State.

I'm told that nationwide, 83 percent of the problem on public land is centered on national forests. Clearly, this problem is reaching epidemic proportions, and we should address it squarely.

So I'd like to commend the Forest Service for making additional resources available for this effort, despite their lean budget.

I was also pleased to add an additional $12 million to the Iraq supplemental that would help the Service fund additional hiring and training that's central to solving this problem.

It's clear from looking at the details of this budget that this subcommittee has its work cut out for it, but I'm really very pleased to be able to work with my distinguished ranking member, Senator Craig. We've worked together before on these issues, and I think we see things very similarly.

So I'd like to offer him now the time, as ranking member.

OPENING STATEMENT OF SENATOR LARRY CRAIG

Senator CRAIG. Well, Madam Chairman, thank you very much, and let me welcome Under Secretary of Natural Resources and Environment, Mark Rey, to the subcommittee today.

As we look at the agency's proposed 2008 budget, what is inescapable is that the Forest Service seems to be turning into the Fire Service. Now, Madam Chairman, it isn't that you or I compared notes prior to this, but it's obvious that we are reacting in a similar fashion to the proposed budget.

As recently as 2000, the percentage of the budget devoted to fire management activities was 21 percent. Now, it is 45 percent. I understand that part of this is because we made a policy decision to increase the budget for fire programs to fund the national fire plan in the wake of the massive 2000 fires.

But that doesn't explain the skyrocketing expenditures on fire suppression that we've seen over the last few years. The budget for fire suppression has grown from $418 million as recently as 2003 to a proposal for fiscal year 2008 of $911 million. That's a 118 percent increase in just 5 years.

Mark, all the more disturbing is that over the same period of time, we have spent roughly $2.5 billion in fuel reduction between the Forest Service and the Department of the Interior. I believe all of us had thought this investment would start to bring some suppression costs down. That is just not happening.

From what I see, virtually every program in the budget is being cut besides fire suppression in order to pay for these skyrocketing costs. The size of the pie stays the same, but fire is becoming an even larger slice of that pie. Even programs within the fire account are not immune from cuts. This budget proposes to cut preparedness by over $95 million.

Coming off the worst fire season on record, I agree with the chairman. It is dry in California. It appears to be getting dry in Idaho and in the Rocky Mountain West. To me, this will lower the agency's readiness capacity and lead to more catastrophic fires.

Perhaps the most concrete way to see what is proposed in this request for the Forest Service is to look at the number of people that will lose their jobs. If we were to accept this budget without change, it would mean over 2,100 fewer employees at the Forest Service level.

I spend a lot of time with the Forest Service in Idaho at the district level and across the forest. I know they are dramatically stretched today just to do maintenance—reasonable, environmentally sound, and appropriate maintenance—let alone fight the fires.

I also find it ironic that at the Department of the Interior, which houses three other public land agencies, their fiscal year 2008

budget would add over 2,000 people, roughly the same amount that will be cut from this budget.

I simply can't see the equity in that, particularly when so many rural communities depend on the Forest Service to sustain their fragile economies through timber harvest, recreation, grazing, and a host of other important programs that do take maintenance, and take personnel on the ground.

So I thank you, Mark, for being here today. I look forward to hearing from you in your testimony as you attempt to justify this budget.

Senator FEINSTEIN. Well, that's a challenge.

Senator CRAIG. Thank you, Madam Chairman.

Senator FEINSTEIN. Senator Cochran, would you like to make a statement?

STATEMENT OF SENATOR THAD COCHRAN

Senator COCHRAN. Madam Chairman, thank you very much. I'm pleased to join you and Senator Craig in welcoming our witnesses today to review their budget requests for the Forest Service.

In our State of Mississippi, we have about 70 percent, I guess, of forest lands that are privately owned, and much of that land borders public forest land. So it's important to us that the Forest Service continue its research programs to develop management and treatment methods that will help keep our national forests healthy and protect forest lands that are owned by individuals.

I want to commend also, just for your information, the staff of the Center for Bottomland Hardwoods Research, which is located at Stoneville, Mississippi. I was just there, and I understand that they are engaged in some very important work on hardwood genetics and stand management practices.

I hope that the funding for that activity will be supported by the administration, because the success of hardwood for reforestation efforts throughout the Southeast are very important.

I know you've also begun a review of a policy regarding all-terrain vehicle use in national forests in Mississippi. Some of my constituents have expressed concerns that this might unfairly affect those who have disabilities or those who are elderly, and prevent them from using all-terrain vehicles in the national forest area, so I hope that'll be taken into account as you review any changes to those activities.

PREPARED STATEMENT

We appreciate your good stewardship and your leadership, and we look forward to working with you in this new fiscal year. Thank you.

[The statement follows:]

PREPARED STATEMENT OF SENATOR THAD COCHRAN

Madam Chairman, I am pleased to join you in welcoming Under Secretary Mark Rey to the committee this morning. We appreciate very much his hard work to ensure that our National Forest system is maintained in a way to guarantee the appropriate use of our Nation's forest resources as well as to protect the health of our forests.

An important part of forest health in the Southeast is forest land research and treatment of insects and disease. In my State, about 70 percent of the forest land is privately owned, and much of this land borders public forest lands.

It is very important for the Forest Service to continue its research programs and develop management and treatment methods that will protect Federal lands. I especially want to commend the staff at the Center for Bottomland Hardwoods Research at Stoneville, Mississippi, for their work on hardwood genetics and hardwood stand management practices. This research has been an important part of the success of hardwood reforestation efforts throughout the Southeast.

It is my understanding that the Forest Service has begun a study to amend the current policy of all terrain vehicles use on National Forest lands. My constituents have expressed concern that the proposed changes would not take into consideration the use of these vehicles by the elderly and handicapped. I hope that the Forest Service will review these issues as policy is developed.

Madam Chairman, thank you very much for holding this hearing and I look forward to the testimony.

Senator FEINSTEIN. Thank you. Senator Stevens.

STATEMENT OF SENATOR TED STEVENS

Senator STEVENS. Just a short comment, Madam Chair. I'm disturbed as I look at this budget to realize how far the Forest Service has come from being a manager of harvesting timber to a fire department, as my two colleagues have said.

When I came to the Senate, the Forest Service managed the harvest of 1.5 billion board feet a year from Alaska. Last year, it was, what, 140 million.

We look at this budget now and I think State and Private Forestry in Alaska is reduced. National Forest System budget in Alaska is reduced. Wildland Fire Management in Alaska is reduced. Capital Improvement and Maintenance in Alaska is reduced.

We have two of the largest forests in the United States, and they're basically being neglected, and they're being neglected from the pressures you face from the extremists, who somehow or other believe they should be turned into national parks.

I just wonder when we're going to wake up and realize that we're coming to the point where we have two climaxed forests now in Alaska because they've been ignored, and one of these days, they're going to burn, too, despite our weather. They're normally fairly damp places, but now, they're climaxed.

Deer are getting smaller. All the wildlife is getting fewer. We're losing even some of the birds, because of the lack of the vitality of these forests. It can only be restored by management. So I'm very disturbed about it, really, and I don't know what to do about it. Thank you very much.

MEXICAN CARTELS AND MARIJUANA GROWING

Senator FEINSTEIN. Thank you very much, Senator Stevens. Before calling on Senator Allard, I was just handed an article entitled "A Budding Invasion: The Mexican Cartels Have Made Marijuana a Cash Crop Worth Billions of Dollars," and it goes on and describes some of this.

I'm going to put it in the record, but I'd like to just pass it down and ask each one of you to take a look at it.

[The information follows:]

[From Men's Vogue, February 2007]

A BUDDING INVASION

(By James Verini)

THE MEXICAN CARTELS HAVE MADE MARIJUANA A CASH CROP WORTH BILLIONS OF DOLLARS BY INFILTRATING AMERICA'S NATIONAL FORESTS AND TURNING THEM INTO VAST POT PLANTATIONS. CAN ANYONE HALT THE HARVEST?

The Shasta-Trinity National Forest in Northern California covers over two million acres, stretching roughly from the former lumber town of Redding north to near the Oregon border, and from close to the Pacific Ocean east toward Nevada. Like most of the public land in this part of the country, Shasta is beloved of campers and hunters, a seemingly endless expanse of pine, fir, and oak trees, glistening lakes, and snowy mountaintops. It is the kind of place where a visitor resolves to write a check to the Sierra Club immediately upon returning home. It is also a new front in something else seemingly endless—the drug wars. Which is why I found myself, last August, knee-deep in Shasta's undergrowth, bushwhacking my way up a hillside with a group of Forest Service agents. Clad in dark camouflage and Kevlar vests, they carried M–16 rifles and hip-holstered pistols.

They were not being overzealous. In 2006, authorities here seized over $700 million worth of illicit marijuana from gardens—the euphemistic name generally given to pot farms—planted in Shasta, most of it by trained, and heavily armed, Mexican growers. As an occasional hiker myself, it was not hard for me to imagine being out on a trail (we were not far from one now, and only about a mile from the nearest road), my gravest concern a twisted ankle or the odd grizzly, only to stumble upon a garden and find myself facing a gun barrel. Things could go bad fast. They have before. In 2000, a grower shot a hiker and his young son. The year before, growers kidnapped a Bureau of Land Management botanist. In 2005, Forest Service agent Matt Knudson, walking a few yards ahead of me in Shasta, was on a raid near Los Angeles when a grower took two blasts at an agent. "Come harvest season they start bringing in more guns," Knudson explained. He regularly recovers shotguns, AK–47s, even MAC–10s and Uzis.

Late summer—harvest season was beginning. After an hour of hiking, the air grew heavy with a familiar scent, and just as my mind was transported back to my college dorm room, we arrived at our quarry: Cannabis plants, many thousands of them sprouting five and six feet tall from the forest floor, came into focus, their thin, serrated leaves and hirsute emerald buds everywhere. This was no Grateful Dead concert parking-lot piddle, mind you; these specimens were the size of tropical fruit.

The growers had fled in a hurry the night before, it seemed, leaving their camp looking like a scene from Pompeii. Spread on a crate between two cheap tents was a freshly dealt hand of cards. Sleeping bags, worn and stained, lay in the tents near an outdoor kitchen outfitted with a propane-burning skillet. Sweatshirts, chain-store jeans, garbage bags, ramen-noodle wrappers, emptied cans of jalapeño peppers and El Pato brand tomato sauce, detergent bottles, and countless supermarket plastic bags littered the ground. Black PVC tubing fed a reservoir dug out of an embankment—a water system for drinking, bathing, and irrigation. The growers had bolted in such haste, they'd even left their shoes.

But there were no guns to be found: A bunch of felons, working under some very nasty auspices indeed, were now running around this bucolic paradise barefoot, cranky, and possibly in possession of some large automatic weapons.

Until recently, marijuana cultivation in the United States was mostly the province of small-time ex-hippies and the occasional rancher. In the last two decades, however, Mexican drug trafficking organizations (DTOs) have taken over the business. Before 9/11, these cartels produced much of their marijuana in Mexico and ran it over the border. But since then law enforcement has squeezed many smuggling routes, and the gangs have increasingly taken to growing it here.

This is their new, brazen approach: commandeering large patches of public land in the United States and smuggling in illegal growers to convert them into mega-gardens. They're easy and cheap to grow and extremely difficult to detect, except from the air. In 2006, authorities seized nearly three million marijuana plants from public lands, a harvest with a potential street value of between $10 and $15 billion, nearly half of it in California. Most investigators I spoke to agree that the amount seized was a fraction of the total produced. In other words, growing marijuana on public lands is a business worth more money than most Fortune 500 companies—more money, in fact, than the Mexican cartels (who, since the nineties, have wrested majority control of the American drug trade from their Colombian cohorts) make

from such upper-shelf wares as cocaine, heroin, and methamphetamine, a fact that has gone strangely underreported in the press.

"You have to be kind of crazy, as a drug trafficking organization, not to jump on the marijuana bandwagon," Patrick Kelly, a special agent with the Drug Enforcement Administration in Sacramento, told me. "In California, even if you are caught, the chances of being successfully prose-cuted are almost nil." Prosecutors, usually a contrarian lot, agree. "The Mexican DTOs have figured out the penalties are less for marijuana," said McGregor Scott, U.S. Attorney for California's vast Eastern District, the hardest hit in the country. Building cases is difficult, to put it mildly. A tangle of Mexican cartels and families control the trade. In turn, they enlist fierce Latin American gangs such as the Sureños and Mara Salvatrucha to distribute the weed. Many trails lead back to Michoacán, a rugged state on Mexico's Pacific coast, but direct ties are hard to establish. Much like members of terrorist cells, the growers who are caught in the United States either aren't privy to larger operational details or won't talk if they are. This is understandable. According to the Associated Press, 2,000 people were killed last year in Mexico's escalating drug wars, many of them traficantes, though not all; among the casualties were police and journalists.

Gardens—they're also called "grows"—have been found in 15 States, from the Northwest to the Midwest to the Southeast, in a pattern that mimics the general trend of Mexican immigration. In California, every single national forest and park—from Shasta to Sequoia, Kings Canyon to Tahoe, and even Yosemite, the crown jewel of the public-land system—has been infiltrated. Each spring, the gardens grow more fecund and more growers are smuggled in. And each spring, they are bolder and better armed. The average garden requires four men to cultivate it. If the higher estimates of total production are right, that adds up to the equivalent of about five large army battalions—roughly the number of U.S. troops dispatched to invade Grenada in 1983.

"An informant told us this year that word came down from the higher-ups to the growers to shoot if they need to," Knudson tells me one frosty morning in December. I have come to see him at his station in Upper Lake, a tiny town on the edge of Mendocino National Forest, a two-hour drive northwest of Sacramento. He doesn't bother to specify the growers' intended targets—himself and his fellow Forest Service agents. "It's only a matter of time before a member of the public gets killed."

Mendocino National Forest is ground zero in the marijuana battles, having led the country in seizures last year. Amazingly, though, Knudson is one of only four agents patrolling its million acres. A young-looking 34, with a goatee and close-cropped hair, he joined the Forest Service at 19 to pay for college, working at first as a firefighter. When he wasn't putting out forest blazes, he was contending with tweakers and exploding kitchen labs: California has the distinction of supplying the country with much of its meth, as well as most of its pot. Indeed, the same cartels seem to control a large portion of both markets. "You can't look at the whole picture," Knudson tells me. "If you looked at the whole picture you'd be on medication."

As we drive into the forest along dirt roads, Knudson's M–16 rifle stowed within arm's reach, he points to the location of a raided garden. Then he points to another one. And another. The pointing is ceaseless, and the gardens are everywhere, once you know how to spot them—usually no more than a few hundred feet from the road.

Every year in March and April, the growers are driven in to begin planting at spots that have been scouted during the winter or used before. After being dropped off, they hike into the forest with their seedlings and sophisticated lightweight irrigation systems, even sprinklers with battery-powered timers. After planting, they live in the forest through the summer and into the autumn, when they harvest their crop and then pack out the buds in trash bags. In their wake they leave terraced, eroding hillsides, dead trees, soil and water contaminated with pesticides, and tons upon tons of garbage—an eco-disaster. (The Forest Service estimates that 18,000 acres have been affected since 2005 alone.) With each passing year they become more comfortable with the terrain. "The growers know the land better than we do—they live in it," Knudson says. "They know our schedules, they know when we work."

That none of his colleagues have been killed yet is due to little more than luck, Knudson believes. In 2002, a deputy sheriff was shot, as was a Fish and Game warden in 2005. So far, five growers have been shot and one killed in shootouts with agents. "Working marijuana is not by choice—it's pure necessity," Knudson says. "You'd think a Forest Service officer would be out dealing with fires or poaching or rowdy campers, that kind of stuff."

"Would you rather be doing those things?" I ask him.

"Truthfully, no," he says, smiling faintly. Chasing down the grower cells, he adds, has "become a passion for me."

Passionate as Knudson may be, the frustration is audible in his voice. "My job is to protect and serve, but I can't protect and serve a quarter million acres," he says. The Forest Service, part of the Department of Agriculture, is one of the most capacious landholders in the United States, but it employs only about 500 full-time agents like Knudson. (The National Park Service, better staffed and resourced and less affected by marijuana cultivation, is in the Department of the Interior.) Help comes from local sheriffs, California's Bureau of Narcotics Enforcement, the D.E.A., and the drug czar's office, which set up a special marijuana task force for California and an intelligence center in Sacramento in 1999. But even with that assistance, Knudson usually feels he's on his own. The D.E.A. doesn't disagree. "There's no backup to call," Agent Kelly told me. "There are no hospitals nearby."

"We're getting to the point of saturation," Knudson admits. "We just can't handle it."

Mexico has a long and storied history with marijuana cultivation. Traficantes are folk heroes, and in raided gardens, Knudson regularly finds figurines depicting Saint Jesus Malverde. Not recognized in the Roman Catholic canon, Malverde, also known as El Bandido Generoso and El Narcosanton (roughly translated: the Big Drug Saint), is the patron saint of the poor and, incongruously, drug traffickers. Some investigators believe the growers are indentured servants, brought over the border against their will. But Knudson disagrees. He thinks the growers brought to the United States hail from this drug demimonde.

"There's a true science to it that's probably been handed down from generation to generation," he says. "As much marijuana as I've worked, I could never grow plants like these." Knudson juts out a forearm: "We'll find buds like this"—a foot or more long, inches thick. Knudson then points to the hillside where he chased down a grower who was packing a 9-millimeter pistol in a belt holster. That in turn leads him to recall the raid in which he pulled up a sleeping bag and found a grower hiding beneath it, holding a loaded MAC–10.

A week after riding through Mendocino with Knudson, I meet Scott Burns in Washington, D.C. An otherwise unostentatious man who bears the raja-length title of Deputy Director for State and Local Affairs at the White House Office for National Drug Control Policy (colloquially known as the drug czar's office), Burns is the Bush administration's point man on domestic marijuana eradication. His office, one block from the White House, is not much larger than Knudson's ranger station room, but he wields considerably more power, having access to the czar's $12.6 billion budget. A faithful soldier in the war on drugs, Burns, like his boss, czar John P. Walters, professes to be a true believer where marijuana is concerned. "More 12- to 17-year-olds are in treatment for marijuana addiction than all other drugs combined," he tells me when I point out that it's hard to get Americans concerned about rolling papers and bongs, even when foreign cartels are involved.

But when I present him with the figures from California and tell him about my tour with Knudson, Burns appears almost unfazed. Unlike the Forest Service, the D.E.A., and the U.S. Attorney, Burns implies that the problem is under control, and he disputes the claim that only a fraction of the marijuana grown on public lands is being found. When I point out that public-land seizures have leapt over 300 percent in 2 years, he tells me the figure is "not about an explosion in plants, but a better efficiency in law enforcement." This is a curious statement, considering that Walters devoted a mere $3.5 million—.03 percent of the drug czar's total budget—to the problem of domestic marijuana production in 2006.

Yet Walters says that combating marijuana is a cornerstone of his policy. He was chief of staff to the first drug czar, William Bennett, who was appointed by President George H.W. Bush in 1989. The current President Bush appointed him in 2001, and since then domestic production—thanks to grows like those I saw at Shasta and Mendocino—has reached an all-time high.

From his cramped quarters, Burns must vie with an indifferent, even hostile, public, and he must look south of the border at a situation that may well be intractable: Mexico is in the midst of a long and bloody drug war all its own. The cartels are battling each other for control of production and access routes to the United States, but they're also engaged in a lethal struggle with the state governments—when they're not infiltrating them. Gruesome violence afflicts Michoacán—stomping grounds of some of the cartels that dominate the American marijuana market—where cartel henchmen have lately developed a partiality for leaving human heads, with written warnings attached, outside government offices. Last year they rolled five of them onto a discotheque dance floor.

The bloodshed is dismaying, but Burns sees it as a potentially promising sign. "The violence can be an indication of many things, such as disrupting the cartels," he says. "If everything is running smoothly, there's no reason to shoot somebody. It can be an indication of good work by the Mexican and United States govern-

ments." D.E.A. agents and prosecutors are now working with a new crop of extradited traficantes and are moving their way up the cartel ranks, but their success, and Burns's, may depend on new president Felipe Calderón. So far, Calderón, who was educated in Mexico and the United States, seems eager to impress. During protests over his controversial election, he sent over 6,000 soldiers and federal police into Michoacán to set ablaze acres of marijuana fields. He didn't rely on the Michoacán police, because they are underpaid, hopelessly inept, and often corrupt.

But no one is safe from the cartels, it seems—perhaps not even the presidential family. In December, the body of a Calderón relative was found in Mexico City. Calderón has denied any explicit connection between the murder and the cartels, but the timing and the manner were ominous. It happened just after the crackdown in Michoacón and was carried out execution style.

Then there is the Left Coast of America, an interminable irritant to Burns, who describes California marijuana laws with Rumsfeldian coyness as "not helpful." California's judges, juries, and sentencing laws are famously forgiving, and in 1996 the State flouted Federal law, passing Proposition 215, the Compassionate Use Act. Burns and many others believe that the law has opened the floodgates for a generation of clever dealers claiming to be medicinal marijuana distributors and has directly contributed to the precipitate spike in production. In other words, they say, not only is California law not preventing Mexican cartels from infiltrating the state, it's aiding them.

Walters may not be particularly effective in combating marijuana—but then, neither were William Bennett and General Barry McCaffrey; nor, in all likelihood, will any future drug czar be. It should be news to no one that marijuana is an enduring feature of American life—just as it is in Mexico, Europe, and Asia. Recent reports suggest that at least a third of Americans have smoked it. Rates of use among various age groups rise and fall, but talk to an average high school student—or, for that matter, an average middle-aged lawyer—and you'll find rather quickly that marijuana is not going away anytime soon.

Still, the war on drugs, no less than the drug wars being waged in places like Mendocino National Forest, will go on. For our last stop, Knudson took me to an eradicated garden hours deep in the woods. How anyone could have found the spot was mind-boggling. Knudson only noticed it by chance from a helicopter while on his way to another garden across the ravine. The cannabis plants were gone, a field of truncated stalks left in their place. The ground, however, was still buried ankle-high in the familiar refuse—plastic bags, clothes, the ever-present cans of El Pato. The garbage was still there because the Forest Service doesn't have the budget to get rid of it. All Knudson could do was hope the growers wouldn't come back to this spot in the spring—and hope, if they did, that some unfortunate hiker wouldn't stumble upon it.

Senator FEINSTEIN. Senator Allard.

STATEMENT OF SENATOR WAYNE ALLARD

Senator ALLARD. Well, thank you, Madam Chairman, for holding this hearing. I am going to be joining in the chorus, I guess, expressing my concern about the amount of money that we actually use for fire suppression when we could be doing so much more for managing our forests.

Colorado is unique in many regards, in that we have 13 national forests, and they provide lots of scenic viewing opportunity. Trees are part of that. We are having health problems in our tree populations affecting not only lodgepole pine, but also aspen.

We haven't exactly identified what the aspen problem is. The lodgepole pine problem is beetles. Many States are affected with beetles, and Colorado is no exception. We're particularly being affected by the beetle problem in Colorado.

Also unique to Colorado is that we are a State where four major watersheds are originating: Arkansas, the Upper Colorado, Rio Grande, and South Platte Rivers, which supply water to 19 Western States.

The key to keeping that water flowing is a good healthy forest. They provide the shade and protection for the snow to retain later

on into the summer, which keeps those streams flowing. So we have a particular interest in good healthy forest management.

I'm particularly concerned about the fire suppression cost and funding for national forest programs, and I have an editorial from Monday's Denver Post outlining the same that I would like to submit to the record, Madam Chairman.

Senator FEINSTEIN. Without objection.

[The information follows:]

[From the Denver Post, May 18, 2007]

FIGHTING FIRE WITH FUNDING

(The Denver Post Editorial Board)

The restoration of $2 million in U.S. Forest Service funding for Colorado fire management projects this year is welcome and potentially lifesaving news.

Until Colorado's congressional delegation intervened, the money was set to be diverted to other forestry programs as a midyear effort to balance the books at the service, which manages federal forests, recreation and wilderness areas.

The restored Colorado money is intended to thin forest land of easily ignitable tinder that can turn a manageable fire into an inferno. That the administration even considered diverting the money to pay for other expenses points out a systemic problem with the agency's budgeting that ought to be addressed.

The driving force behind the problem is the increasing cost of fighting wildfires and the failure of Congress to adequately budget for firefighting.

It's not a problem that's going away. The price of fighting wildfires has spiraled as the country faces the effects of drought, climate change and residential development in forested areas. In recent years, the service has spent more than $1 billion annually to fight fires.

Yet, the agency's overall budget has remained flat. Jay Jensen, executive director of the Council of Western State Foresters, notes, "Basically, everything else gets squeezed."

Since 1998, the agency's fire-suppression costs have routinely outstripped the money appropriated to pay them.

Typically, Congress will pass supplemental measures that only partially cover costs incurred. To make ends meet, the agency siphons money from other projects. Ironically, the projects that get raided frequently are mitigation initiatives intended to lessen the severity of fires or prevent them to begin with—things such as forest thinning and equipment purchases, according to a 2004 Government Accountability Office report.

The GAO suggested Congress consider alternative funding strategies, including the creation of an agency-wide or government- wide recurring emergency reserve account that that could be tapped to pay firefighting costs.

While Colorado's congressional delegation deserves a pat on the back for its success in persuading Forest Service chief Gail Kimbell to restore the Colorado money, it's clear that a structural change in the budget is necessary. As fires raged through California, Florida, and Georgia last week, it could hardly be more apparent.

Senator ALLARD. On forest management, if I may. I'm also concerned that funding the Northwest Forest Plan at the levels outlined in the President's budget will affect funding for forest management programs in Colorado.

For these reasons, I look forward to this hearing and the discussion it will enable us to have about the Forest Service budget. I think this will help us to make a responsible decision about what is best for our Nation's forests. Thank you, Madam Chairman.

[The statement follows:]

PREPARED STATEMENT OF SENATOR WAYNE ALLARD

Madam Chairman, thank you for holding this important hearing. Colorado has an abundance of forests and the Forest Service budget is of great importance to me. The role the Forest Service plays in managing our public lands is of particular interest to the people of Colorado.

I understand that Chief Kimbell is in our Chair's home State of California to unveil an accident report relating to fire, but Undersecretary Rey, I thank you for your appearance before the subcommittee today. I also appreciate the assistance that you and Chief Kimbell gave us in restoring funding to help address the bark beetle epidemics in Colorado. This was an important issue to the entire Colorado delegation.

Colorado is home to 13 National Forests, more than almost any other State. These forests provide countless scenic vistas and some of the Nation's most popular recreational areas. Several of Colorado's ski areas lie on or adjacent to Forest Service lands. They are also very popular destinations for hunting and fishing, and for summer activities such as hiking and camping. Perhaps most importantly, Colorado's forests contain 4 major watersheds, the Arkansas, Upper Colorado, Rio Grande and South Platte, which supply water to 19 western States. Colorado is truly the Headwaters State.

Unfortunately most areas of the State continue to suffer from drought conditions and the potential for catastrophic fires has been very high for a number of years. We are also experiencing forest health issues on an unimaginable scale. Over 600,000 acres of lodgepole pine are infested and dying from mountain pine beetle, over 100,000 acres of spruce have been infested and are dying from spruce bark beetle, and another 100,000 acres of aspen are affected by aspen decline. And forest exerts see no relief in sight. These problems only serve to compound one another and increase our fire risk. Colorado was very lucky to have dodged the bullet last year in that we did not experience the kind of catastrophic wildfires that other states experienced, but I am concerned that it is only a matter of time before we have another catastrophic fire year like 2002, when the Hayman, Missionary Ridge, and other fires burned over 200,000 acres and hundreds of homes and other buildings.

I am particularly concerned about the effect of fire suppression costs on funding for all other national forest programs, and I have an editorial from Monday's Denver Post outlining the same concern that I would like to submit for the record. I am also concerned that funding the Northwest Forest Plan, at the levels outlined in the President's budget, will affect funding for forest management programs in Colorado.

For these reasons I look forward to this hearing and the discussions it will enable us to have about the Forest Service budget. I think that this will help us to make responsible decisions about what is best for our Nation's forests. Thank you again, Madam Chairman.

Senator FEINSTEIN. Thank you very much, Senator Allard. Senator Alexander.

STATEMENT OF SENATOR LAMAR ALEXANDER

Senator ALEXANDER. Thanks, Madam Chairman. Just two points. One, I'd like to commend the Forest Service for what I understand are its efforts to establish guidelines for alternatives to big cell towers on national forest lands by camouflaging, collocating, and concealing them.

They're some of our most scenic areas of the United States, and many communities are now doing that, and I think it would be wise to do that wherever we can. I commend you for that; I hope I'm correct that that's what you're doing.

The second is, as we go on, I wanted to raise questions about your proposal to sell nearly 3,000 acres of the Cherokee National Forest, which is in Tennessee and North Carolina, to pay for rural schools and roads. That seems to me like selling off the back 40 to pay the rent, and especially when, in Tennessee, just 3 percent of our land is Federal land, unlike Idaho, where it's 50 percent. We'd like some more Federal land, not less.

We just completed purchase of 10,000 acres for Cherokee National Forest from Alcoa Power. There are three additional tracts that the Forest Service has identified that you'd like to acquire. If you're going to sell low-priority tracts, I wonder why you wouldn't take the money and use it to buy high-priority tracts. So that was

the second area, Madam Chairman, that I wanted to explore. Thank you.

Senator FEINSTEIN. Thank you very much, Senator Alexander. With that, we will turn to Mr. Rey. Mr. Rey, welcome.

If you could summarize your remarks, I think we'd love to have the opportunity for questions, and if you could possibly keep your statement within 5 to 7 minutes, that would be appreciated; we'll activate the time clocks. Thank you.

SUMMARY STATEMENT OF HON. MARK REY

Mr. REY. We'll summarize for the record.

Senator FEINSTEIN. Thank you.

Mr. REY. What I'll do is discuss two issues relating to the 2008 budget, both of which you all have raised concerns about, and then I'll ask Ms. Lago to talk about the broad outline of the budget, as she is substituting for the Chief of the Forest Service here today.

The two issues that I will address will be changes to the Wildland Fire Management account and associated issues, and the need to provide further transitional assistance to rural communities through the proposed National Forest Land Adjustment for Rural Communities Act.

With regard to fire, the 2008 budget proposes a total of $1.9 billion for activities associated with wildland fire management, including a new appropriation for wildland firefighters and other cost-saving measures.

The events of the 2006 season made a compelling case for these strategic changes. On the heels of Hurricane Katrina, the 2005 fire season flowed seamlessly into that of 2006, without the respite normally provided by winter precipitation.

From November through April, extremely low humidity, persistent drought, and winds contributed to ignition of fires through Texas, Oklahoma, Colorado, Missouri, and New Mexico.

By late July, the wildland firefighting community had entered preparedness level five, the highest level of fire activity, during which several geographic areas were experiencing simultaneous major incidents.

During 2006, the Forest Service was at preparedness level five from late July through late September without intermission.

Although the 2006 fire season had one of the highest number of fire starts in a single day, and an extraordinary number of lightning-caused fires, as well as a record number of simultaneous large fires, it also resulted in significantly fewer dwellings and other structures being destroyed; 750 homes in 2006, as compared to more than 4,500 homes lost in 2003.

That, we believe, is directly attributable to the fuels reduction work that's been done over the last 4 years, concentrating in the wildland-urban interface, and does represent a return on the investment that we've made in fuels treatment work.

Congress has repeatedly expressed concerns, including today, about rising fire suppression costs. Large fire costs are a persistent challenge for the agency and threaten to compromise the achievement of levels of other critical mission areas.

In response, a number of key actions are underway in fiscal year 2007, and the 2008 budget request makes additional significant

proposals. These include a refinement of the concept of appropriate management response toward a risk-informed fire suppression approach.

This approach provides risk-informed fire protection by introducing the concept of managing wildland fire in relationship to the risk that the incident poses.

The Forest Service Chief will also designate an individual with access to a support team to provide oversight on fires of national significance and assistance to local units, and will collaborate with the Department of the Interior on interior lands.

Third, national resources, such as smoke-jumpers, hotshot crews, and helicopters will be moved to areas and incidents based on predictive services and on planning levels, as opposed to simply based on prior practice.

Fourth, aviation resources will be managed more effectively to reduce their high cost. A full-time national helicopter coordinator will be selected to provide oversight for the assignment and positioning of helicopters.

Helicopter management will be centralized as a national resource, and the agency will attempt to shift more to exclusive use versus more expensive call-when-needed contracts for helicopters.

Fifth, efforts will be made to maintain our initial attack success, while reducing the dependence on severity funding. This explains the distribution of funding between suppression and preparedness, and with those two accounts, we believe we have adequate flexibility to respond to the 2007 fire season.

I would note that in a previous appropriations bill, the Congress required an independent audit of large incident fires each year. Yesterday, we released the independent audit of the 19 large fires that burned more than 1.1 million acres and cost more than $470 million to suppress.

The independent panel organized by the Brookings Institution found that the Forest Service exercised appropriate and adequate fiscal diligence in suppressing wildfires on each of these 19 incidents.

The report also provides a number of recommendations for additional potential cost reductions, which will be evaluated and adopted as appropriate, as we move into the 2007 fire season.

I'll make a copy of the Brookings Institution report available for the record of this hearing.

[The information follows:]

The report can be accessed at the following location: http://www.fs.fed.us/fire/BR6988%7E1.PDF

Mr. REY. The second thing that I'd like to talk about is the Secure Rural Schools and Community Self-Determination Act of 2008, and our proposal to reauthorize that statute.

The statute was enacted in 2000 to provide transitional assistance to rural communities affected by the decline in revenue from timber harvests on Federal lands. The last payment authorized by the act was for fiscal year 2006 and was made in December 2006.

In lieu of a multi-year reauthorization, the administration continues to support a 1-year extension of the act with agreed-upon offsets as an interim step.

With our budget proposal, we have submitted the National Forest Land Conveyance for Rural Communities Act, which would also authorize a 4-year extension of the funding formerly provided by the 2000 legislation. The legislation would also provide conservation funding for national forests and grasslands.

Sale of identified National Forest Systems lands, similar to those lands described in the fiscal year 2007 budget proposal, would provide funding to both replace what was provided to schools under the 2000 legislation, as well as additional money for land acquisition.

Our proposal would authorize the Secretary to sell the sufficient national forest land to fund an $800 million account. Under the legislation, 50 percent of the receipts obtained from land sales would be used as a funding source to make the rural school payments over a 4-year period, with a gradual phase-out.

The remaining 50 percent of receipts from land sales within a State would be used for land acquisition and related conservation purposes.

Over the last 20 years, as we've exchanged less desirable parcels for more desirable parcels, we have added lands to the National Forest System, because the lands that we have been exchanging out are more economically valuable and less environmentally valuable. Conversely, the lands we've been acquiring through these exchanges are more environmentally valuable and less economically valuable.

Because these exchanges are value-for-value exchanges, we've averaged about three acres received for every acre transmitted out of Federal ownership.

If this proposal were to become law, using half of the money from the sale of lands, we would probably net increase the number of national forest acres, and we would do it more effectively than doing it through exchanges, because exchanges require a one-to-one correlation between what we want to exchange and what somebody else wants to exchange, and that's often difficult and time-consuming to do.

We often have to find a third party to bridge the gap—the difference between what we'd like to get and what we'd like to exchange away.

PREPARED STATEMENT

So I think should this proposal be enacted, we would not only have money to fund the schools, but we would have money to effect a net increase in national forest acreage, and acquire acres that are more valuable for the National Forest System at the same time.

That will conclude my remarks, and I'll turn the podium over to Ms. Lago.

[The statement follows:]

PREPARED STATEMENT OF HON. MARK REY

OVERVIEW

Madam Chairman and members of the Subcommittee, I appreciate the opportunity to discuss the President's fiscal year 2008 Budget for the Forest Service during today's hearing. I am pleased to join Gail Kimbell, newly appointed Chief of the Forest Service, at this hearing today.

I will discuss two issues that relate to the 2008 Budget. First, I will address changes in the Wildland Fire account and associated issues. I will next address the need to provide further transitional assistance to rural counties through the proposed National Forest Land Adjustment for Rural Communities Act.

WILDLAND FIRE

The 2008 Budget proposes a total of $1.9 billion for activities associated with Wildland Fire Management, including a new appropriation for Wildland Fire Fighters. The events of the 2006 fire season make a compelling case for these strategic changes.

On the heels of Hurricane Katrina, the 2005 fire season flowed seamlessly into that of 2006—without the respite normally provided by winter precipitation. From November through April, extreme low humidity, persistent drought conditions, and winds contributed to the ignition of fires through Texas, Oklahoma, Colorado, Missouri, and New Mexico. By late July, the wildland fire fighting community had entered Preparedness Level 5—the highest level of fire activity, during which several geographic areas are experiencing simultaneous major incidents. During 2006 the Forest Service was at Preparedness Level 5 from late July through late September, without intermission. Although the 2006 fire season had one of the highest number of fire starts in a single day (548), an extraordinary number of lightning-caused fires (over 16,000), and a record number of simultaneous large fires (affecting nearly every region in the country); it also resulted in significantly fewer dwellings and other structures destroyed—750 homes lost in 2006 as compared to more than 4,500 lost in 2003.

Despite many positive accomplishments, fire suppression expenditures topped $1.5 billion in 2006. Moreover, the agency has spent over $1 billion on fire suppression in 4 of the last 7 years. The increasing frequency of "billion dollar" fire-fighting years is driving up the 10 year average suppression cost figure, which is used to determine suppression funding levels. Congress has repeatedly expressed concerns about rising fire suppression costs. Large fire costs are a persistent challenge for the agency and threaten to compromise the achievement levels of other critical mission areas. In response, a number of key actions are underway in fiscal year 2007, and the 2008 Budget request makes additional significant proposals.

The most significant actions underway in 2007 include:

1. From Appropriate Management Response to Risk-Informed Response

The Appropriate Management Response (AMR) was articulated in the 2001 update of the Federal Wildland Fire Management Policy. Further, the 2008 Budget reflects refinement of the concept of AMR toward a risk-informed fire suppression approach. This approach provides risk-informed fire protection by introducing the concept of managing wildland fire in relationship to the risk that the incident poses. If a wildland fire has potential benefits to natural resources and poses a relatively low risk to impact other valued assets, the fire would receive a lower intensity suppression effort. Conversely, if a fire incident is determined to pose high risk to property or community, high suppression efforts would be applied. The approach utilizes risk management and tools such as probability analysis and actuarial data to inform rigorous and systematic ways to reach decisions that allocate resources on the basis of risk posed by the wildfire and the strategy used by managers to address it. The Forest Service has developed a draft guidebook that presents a coherent strategy to implement this approach. DOI is reviewing this guidebook and will work with Forest Service on interagency implementation.

2. Forest Service Chief's Principal Representative

The Forest Service Chief will designate an individual with access to a support team to provide oversight on fires of national significance and assistance to local units and will collaborate with the DOI on DOI lands. The individual will be highly experienced in wildfire management, and the team will have knowledge and capability with decision-support tools. These changes will immediately provide for experienced decision-making that should reduce costs on large fires.

3. National Shared Resources

National resources such as smoke jumpers, hot shot crews and helicopters will be moved to areas and incidents based on Predictive Services and on Planning Levels. This will create a more centralized and flexible management of these response resources. Funding and decision-making from the national level will ensure consistency across regions, flexibility in the assignment of resources and eliminate geographic concentration of resources that impose costs in both time and money.

4. Aviation Resource Cost Management

Aviation resources will be managed more effectively to reduce their high cost. A full-time National helicopter coordinator will be selected to provide oversight for the assignment and positioning of helicopters. Helicopter management will be centralized as a national resource. The Forest Service will attempt to shift more to "exclusive use" versus "call when needed" contracts for helicopters. This will increase preparedness costs initially, but is expected to greatly reduce large fire suppression cost with potential saving of tens of millions of dollars per year. We will pursue longer term aviation contracts for all aviation resources with increased performance-based contracting. DOI also is pursuing strategies to reduce its costs.

5. Initial Attack and Severity Funding

Efforts will be made to maintain our initial attack success while reducing the dependence on severity funding. The Forest Service will require lower thresholds for the approval of severity funding to be elevated for approval by the Chief. National Shared Resources will be pre-positioned whenever possible in geographic areas where fire risk is the greatest during the fire season. The Forest Service and DOI agencies will continue to submit a coordinated severity request so as to not duplicate effort or expense.

In addition to the changes for 2007, the 2008 Budget proposes a separate appropriation for Wildland Firefighters. The Budget proposal moves funding for firefighters out of the Preparedness budget within Wildland Fire, and into a separate appropriation. There is no net program change as a result of this move. Importantly, this adds a higher degree of visibility and transparency to fire suppression activities and provides $220 million for hiring and training the 10,000 firefighters necessary to ensure a successful fire season.

The Wildland Fire account's Suppression line is funded at $911 million, reflecting the updated 10-year average for total suppression costs as adjusted for inflation and includes indirect costs not charged to fire suppression in previous years—but now required by Congress to be included in the account.

The Budget funds Fire Preparedness at $349 million, which is a reduction of $97 million as compared to the fiscal year 2007 when considering the strategic shifts and creation of the new Wildland Firefighter account.

We expect that the management improvements implemented and underway will enable managers to be better prepared for wildfires; help managers to make better decisions during firefighting operations; and provide managers with the tools necessary to analyze, understand and manage fire suppression costs. While the factors of drought, fuels build-up in our forests and increasing development in fire prone areas have the potential to keep the number of incidents and total cost of wildfire suppression high for some time to come, we are confident in our strategy to address wildland fire suppression costs and are committed to action. We believe that the measures discussed today promise to expand efficiency and reduce suppression costs. We look forward to continued collaboration with our Federal, State, local, Tribal, and other non-Federal partners to address our shared goal of effectively managing wildfire suppression costs.

CONTINUING TRANSITIONAL SUPPORT TO RURAL COMMUNITIES THROUGH THE NATIONAL FOREST LAND CONVEYANCE FOR RURAL COMMUNITIES ACT

The Secure Rural Schools and Community Self-Determination Act of 2000 (SRS) (Public Law 106–393) was enacted to provide transitional assistance to rural counties affected by the decline in revenue from timber harvests in federal lands. Traditionally, these counties relied on a share of receipts from timber harvests to supplement local funding for school systems and roads. Funding from SRS has been used to support more than 4,400 rural schools and to help maintain county road systems. In addition SRS has authorized the establishment of over 55 Resource Advisory Committees (RAC) in 13 States, which has increased the level of interaction between the Forest Service, local governments, and citizens—resulting in greater support and understanding of the agency's mission. RACs have implemented more than 4,500 resource projects on National Forests, Grasslands, and adjacent non-federal lands with a value from SRS funds and leveraged funds of more than $292 million.

The last payment authorized by the SRS Act was for fiscal year 2006 and was made in December 2006. The administration continues to support a 1-year extension of the SRS Act with agreed-upon full offsets as an interim step. The Budget underscores the President's continuing commitment to states and counties impacted by the ongoing loss of receipts associated with lower timber harvests on Federal lands. The National Forest Land Conveyance for Rural communities Act is included in the fiscal year 2008 President's Budget to fund transition payments targeted to the

areas of greatest need, and to provide counties additional time before payments are phased-out. Under the proposal, half of land sales proceeds will be available to offset county payments and half will be available for national forest acquisition or habitat improvement in the states in which lands are sold. Counties benefit from 4 additional years of payments, and states receive an environmental benefit from exchanging land with low environmental values for lands with high environmental value.

The National Forest Land Conveyance for Rural Communities Act would authorize a 4-year extension of the funding formerly provided by SRS. The legislation would also provide conservation funding for National Forests and Grasslands. Sale of identified National Forest System lands—similar those lands described in the fiscal year 2007 budget proposal—would provide funding to replace that which SRS had provided. Our new legislation differs from our previous proposal by including additional provisions which allow for land sale receipts to also be used for the acquisition of land for the National Forest System, conservation education, improved access to public lands, wildlife and fish habitat improvement.

This year's proposal addresses the concern that affected States would not receive financial benefit from the sale of Federal lands within their borders. It does so by including a requirement that 50 percent of all land sale receipts be retained for conservation purposes within the State from which the receipts were derived.

The legislation would authorize the Secretary to sell excess national forest land or interests in land that the Secretary determines to be both eligible for disposal and in the public interest. Many of these lands are isolated from other contiguous National Forest System lands, and because of their location, size, or configuration are not efficiently managed as components of the National Forest System.

Isolated tracts can be expensive to manage because of boundary management and encroachment resolution costs. The sales of these lands will not compromise the integrity of the National Forest System; instead, it will allow the agency to consolidate federal ownership and reduce management costs. Land sales would be limited to a list of lands identified by the Secretary. By selling lands that are inefficient to manage or have limited ecological value, and subsequently purchasing critical, environmentally sensitive lands; the Forest Service will maintain the integrity of the National Forest System, while funding payments under the Act in a fiscally responsible manner.

Our proposal would authorize the Secretary to sell sufficient National Forest land to fund an $800 million account. Under the legislation, 50 percent of receipts obtained from land sales would be used as a funding source to make SRS payments over a four year period with a gradual phase-out. The remaining 50 percent of receipts from land sales within a State would be used for conservation purposes.

Finally, the legislation would authorize the establishment of a National Advisory Board to advise the Secretary on the land sales and the use of their proceeds. State governments will be encouraged to participate in formulating recommendations to the National Advisory Board for habitat improvement projects and land acquisition needs. By selling lands that are inefficient, isolated, or of limited-value and purchasing critical, environmentally sensitive lands, the Forest Service will maintain the integrity of the National Forest System while funding payments formerly provided by SRS.

This concludes my statement, I would be happy to answer any questions that you may have.

Senator FEINSTEIN. Thank you very much. Ms. Lago.

STATEMENT OF LENISE LAGO

Ms. LAGO. Thank you, Madam Chairman. I'd like to present an abbreviated version of Chief Kimbell's testimony, and request that her full statement be entered into the record.

Senator FEINSTEIN. So ordered.

[The statement follows:]

PREPARED STATEMENT OF ABIGAIL KIMBELL, CHIEF, FOREST SERVICE

Madam Chairman and members of the subcommittee, it is a great privilege to be here today to discuss the President's budget for the Forest Service in fiscal year 2008. Let me also say, having been Chief of the Forest Service for just over 3 months, I am deeply honored to have this opportunity.

First, I want to express my gratitude to Secretary Johanns for his confidence in me, and to thank the dedicated, hard-working employees of the Forest Service for

their support and encouragement. Let me also express my appreciation in advance to you Mr. Chairman and members of the subcommittee for working with the Forest Service and me during this transition.

I will begin by saying a few words about myself and my long-time commitment to the Forest Service. I have worked in the Forest Service for more than 30 years. I started as a seasonal employee and went on to serve as Forester, Planner, District Ranger, Forest Supervisor, Regional Forester, and Associate Deputy Chief, among other positions. I have worked in Oregon, Washington, Colorado, Alaska, Wyoming, Montana, and Washington D.C. Equipped with these experiences, I am eager to lead the Forest Service into its second century of service, and am humbled by the duties entrusted in me as Chief.

For those new members who may be unfamiliar with our agency, the U.S. Forest Service works to sustain the health, diversity, and productivity of the Nation's 193 million acres of national forests and grasslands. We not only steward the National Forest System, but also provide states, Tribes, and private forest landowners with technical and financial assistance. Moreover, we are the world's largest forestry research organization.

In its second century of service, the Forest Service faces diverse challenges. These include restoring fire-adapted forests to more resilient conditions, providing natural resource raw materials to the American public, providing sustainable recreation opportunities, mitigating the loss of open space, addressing the spread of invasive species, restoring watershed health, and more—all during a period of rapid fragmentation, intensive development, and landscape-scale change. These challenges occur at a time when our nation is pursuing deficit reduction goals. The Forest Service is responding, adapting, and modernizing in response to the complex and evolving environment in which we operate.

Before I begin my testimony on the 2008 Budget however, I would like to reflect on Chief Bosworth's leadership and some of his many achievements during these past six years.

THE FOREST SERVICE UNDER CHIEF BOSWORTH

When Chief Bosworth took the helm of the Forest Service, the agency's finances were in disarray. The General Accountability Office had listed the Forest Service among agencies at high risk for waste, fraud, and abuse. Under Dale Bosworth's leadership, the agency progressed from being "in receivership," to achieving five consecutive clean audit opinions from the USDA Office of the Inspector General. Chief Bosworth reduced overhead costs, reorganized the Deputy areas by eliminating two Deputy Chief positions and reducing staff, and guided the agency through the centralization and reengineering of its business processes—whose net cost reductions will approach $100 million by fiscal year 2008. The Forest Service's improved business policies, processes, and organization have enhanced internal controls, eliminated duplication, and created accurate and complete financial data. Under the President's Healthy Forests Initiative, Chief Bosworth oversaw hazardous fuels reduction on more than 8.5 million acres. Further, the Chief responded with confidence and composure to such momentous challenges as September 11th; the Space Shuttle Columbia disaster; Hurricanes Katrina and Rita; and a period of wildland fire frequency and severity heretofore unprecedented in the modern era. Chief Bosworth skillfully ushered the Forest Service into the 21st Century's complex and demanding environment.

FOREST SERVICE FISCAL YEAR 2008 BUDGET

This budget request must be viewed in the larger context of the overall federal budget in which it is presented. Like other non-defense domestic discretionary programs, the Forest Service faces a constrained budget. And the results of the Administration's policies on economic growth and fiscal restraint include cutting the deficit in half, three years sooner than originally predicted. The fiscal year 2008 President's Budget request for the Forest Service is $4.127 billion, which is approximately the same level of funding as fiscal year 2006 and a modest reduction below fiscal year 2007. However, within that total are some important shifts: the budget makes important changes to the Wildland Fire account, maintains funding for Healthy Forests including the commitment to fully fund the Northwest Forest Plan to provide 800 million board feet of timber, and emphasizes public health and safety by proposing a significant increase in the Law Enforcement Operations budget. These increases are offset by reductions in other programs so that wider administration goals of supporting the Global War on Terror and sustaining the momentum of the economic recovery can continue. The President's Budget addresses reductions by

continuing or implementing new cost saving measures and by enhancing efficiencies and streamlining management and organization.

Wildland Fire.—During the 2006 fire season the United States experienced more than 95,000 wildfire ignitions, and more than 9.9 million acres burned. Of those 9.9 million acres burned, approximately 5 million acres were on Federal lands and the balance on non-Federal lands. The Forest Service continued its excellent track record in protecting lives, property, and the environment. However, as occurred in 4 of the last 7 years, in 2006 the Forest Service spent over $1 billion for suppression activities—a record $1.5 billion. The increasing frequency of "billion dollar" firefighting years is driving up the 10 year average suppression cost figure, which is used to determine annual suppression funding levels.

The 2008 Budget responds to escalating fire costs in three important ways. First, the budget provides funding for suppression at the 10 year average level, adjusted for inflation. The 2008 Budget funds Suppression at $911 million—a 23 percent increase over 2007 levels of $741 million. Further, the 2008 Budget reflects refinement of the concept of "appropriate management response" toward a risk-informed fire suppression approach. Under the risk-informed approach, wildland fire will be managed on a priority basis as determined by considering private property, infrastructure, and human values most at-risk and resource benefits associated with the incident. In 2008 we will increase our decision support for this refined approach. New tools, including improved fire behavior monitoring and prediction, and costs and benefits of alternative suppression strategies will help managers decide how to respond to fires. In addition, the 2008 Budget pursues a more efficient and precise budget structure by establishing a separate account for "firefighter" expenditures. The 2008 Budget requests $220 million for this new appropriation, which will fund salary and training for 10,000 firefighters and 67 type I hot shot crews.

Healthy Forests.—The Healthy Forests Initiative (HFI) was launched in 2002 to reduce administrative process delays to implementing projects, and Congress passed the Healthy Forests Restoration Act (HFRA) in 2003. The Act provides improved statutory processes for hazardous fuel reduction projects on certain types of at-risk National Forest System and Bureau of Land Management lands and also provides other authorities and direction to help reduce hazardous fuels and restore healthy forest and rangeland conditions on lands of all ownerships. The 2008 Budget maintains funding throughout the programs that support the Healthy Forests Initiative, including Hazardous Fuels, Forest Products, and applied Fire Science and Silvicultural Research. At least 40 percent of hazardous fuels funding will be used on projects that contribute to the goal of improving condition class on at least 250,000 acres by the end of the fiscal year through the use of HFRA and HFI authorities. In addition, the Budget supports a hazardous fuels reduction target of 3 million acres, a timber sales target of 3.5 billion board feet, and fully funds the Northwest Forest Plan, including an increase in Capital Improvement and Maintenance (Roads) to maintain the road infrastructure needed to support Northwest Forest Plan timber sales.

Law Enforcement Operations.—The 2008 Budget proposes a $9 million increase from fiscal year 2007 in Law Enforcement Operations. Recent years have seen a significant increase in crime on National Forests, causing resource impacts and increasing risks to public and employee safety. Agency law enforcement officers are increasingly responding to violent crimes, including rape, homicide, domestic disputes, assault, robbery, drug manufacturing and trafficking, and other serious felony crimes. Law enforcement officers routinely respond to traffic accidents, search and rescue, medical or emergency assistance, hazardous materials spills, domestic terrorist activity, large group events and gang activity. In addition to reducing the impacts on natural resources and avoiding the associated costs of restoration, the requested funding increase will enable the Forest Service to maintain public and employee security and reduce illegal occupancy of National Forests.

In order to fund these high priority programs, the Budget makes hard tradeoffs to other programs. Moreover, efficiencies gained through the centralization of Business Operations and renewed focus on collaborative management will help offset reductions under the fiscal year 2008 Budget request. In fiscal year 2008 and fiscal year 2009, the agency will further its efforts to optimize organizational efficiency by restructuring leadership and program management functions at its National and Regional Offices. In order to provide additional funding for on-the-ground performance, many headquarters and regional activities will be consolidated on a centralized basis, and appropriate program management functions will be zoned across multiple regions. The Forest Service will realize personnel cost decreases of approximately 25 percent in National and Regional Office operations by the end of fiscal year 2009. An executive Steering team, led by Eastern Regional Forester Randy Moore, has been appointed to oversee the reorganization effort.

I will now discuss program changes of the Research, State and Private Forestry, National Forest System, Capital Improvement and Maintenance, and Land Acquisition accounts.

FOREST AND RANGELAND RESEARCH

The Forest Service Research Program is a globally recognized leader at exploring the fundamental ecological, biological, social, and economic questions and issues challenging natural resource management and conservation in the modern era. Not only do Forest Service research efforts inform Forest Service management, conservation, education, and outreach activities; but importantly, our Research programs inform the conservation activities of the global community.

The 2008 Budget funds Research at $263 million. This is a 7 percent decrease from the 2007 funding of $280 million. The budget eliminates funding for un-requested Congressional earmarks and employs investment criteria to ensure alignment between research projects and strategic priorities. Funding priorities within the request include continued research to improve large fire decision support, particularly with respect to improving managers' ability to predict probability of fire occurrence and spread related to values at risk, long-term integrated planning, successful collaboration with communities, and further development of improved tools for integrated risk analysis. The invasive species program area includes new funding for research on biological control of invasive weeds. To help meet the Nation's energy needs there is an increase of $1.3 million to enhance research on wood-based bio-fuels development and conversion processes, bio-refinery applications, energy efficient housing, and processing and manufacturing energy reduction, life cycle analysis of wood, and marketing analysis for energy and bio-based products. The 2008 Budget also retains support for Forest Inventory and Analysis, which is of great importance in the context of tracking today's dramatic ecological changes and their effects on forest resources.

Forest Service Research and Development has focused on strengthening the conformance of its research program with the President's Management Agenda criteria for Federal research agencies: quality, relevance and performance. Research has identified 7 Strategic Program Areas (SPA), and developed strategic plans for each one. Further, Research plans to conduct national external panel reviews of each SPA, as well as reviews of each Research Station's alignment with the SPAs. These include periodic peer review and evaluation of all scientist positions through the Research Panel Process, peer review of proposed study plans and manuscripts for publication, and periodic updating of station quality assurance and quality control plans. During 2006, a restructuring of the Research headquarters staff was initiated to improve responsiveness, quality, relevance, performance and efficiency.

STATE AND PRIVATE FORESTRY

The State and Private Forestry program is a critical component of the Forest Service's conservation mission in that it connects the agency's research and federal public lands-based programs to those of states and private individuals and entities. State and Private Forestry programs work across boundaries to conserve forested landscapes and open spaces, and protect the ecological services they provide. State and Private Forestry programs assist successful conservation of the nation's natural resources by enhancing cooperation between individuals, non-governmental organizations, states, and the federal government.

The 2008 Budget funds State and Private Forestry at $202 million, a 28 percent decrease from 2007 funding levels of $280 million. Funding will be focused on priority activities in the Forest Health and Cooperative Fire programs.

The Forest Health program will receive more than $90 million and provide for treatments of invasive and native pests on more than 600,000 acres of priority forest and rangelands. When combined with funds received under the National Fire Plan, the total acreage will increase by almost one-third and will yield close to 800,000 acres of treatments. Attention will be placed on priority pests such as the southern pine beetle, the western bark beetle and slowing the spread of gypsy moth. In fiscal year 2008, the Forest Health program will emphasize increased early survey and monitoring efforts against invasive species. These activities are important and integral to the overall program—increasing the agency's ability to prevent and detect problems early is a more cost-effective way to deal with invasives than treatments after wide spread infestations have occurred.

The Cooperative Fire program will receive more than $42 million and will help more than 9,800 communities protect themselves from disastrous wildland fires. The majority of funds allow the Forest Service to provide financial assistance to state and local fire agencies, which in turn use the grant monies to develop and imple-

ment cooperative wildland fire preparedness programs and conduct hazardous fuel treatments around communities. A very successful program funded under the Cooperative Fire activity is Firewise, which emphasizes individual responsibility for fire hazard mitigation on community and private property. The program provides education and support to community leaders, and assistance with mitigating wildland fire hazards around structures. Moreover, the program leverages $4 in local matching funds for every federal dollar spent, allowing the program to assist more communities.

Finally, more than $66 million in the State and Private Forestry program will fund priority Cooperative Forestry programs including the Forest Legacy Program, which will receive $29 million. These funds will be used on 14 projects, which are expected to conserve 97,000 acres of important forest resources. To date, more than 1.4 million acres of environmentally important private lands have been protected through the Forest Legacy Program and with more than 429 million acres of the Nation's forest held in private ownership this program continues to be important to prevent critical forest lands from being converted or fragmented.

The balance of funding in the Cooperative Forestry program will fund Forest Stewardship and Urban and Community Forestry activities. All State and Private programs will focus on national goals to produce public benefit outcomes. State-developed resource plans will identify priority response to national goals. This approach is designed to connect with all ownerships in a collective effort to achieve healthy forest objectives and protect human communities from wildland fire.

NATIONAL FOREST SYSTEM APPROPRIATIONS

The National Forest System account provides funds for the stewardship and management of National Forests and Grasslands. The 2008 Budget requests $1.344 billion for this account, a 7 percent decrease from the fiscal year 2007. This decrease from prior year levels reflects greater efficiencies gained through organizational restructuring of leadership and program management functions at the National and Regional Offices. In order to provide additional funding for on-the-ground performance, many headquarters and regional activities will be consolidated on a centralized basis, and appropriate program management functions will be zoned across multiple regions. Moreover, efficiencies gained through the centralization of Business Operations, and renewed focus on collaborative management will help offset reductions under the fiscal year 2008 Budget.

As discussed previously, the fiscal year 2008 Budget supports full funding for the Northwest Forest Plan and emphasizes pubic safety. Specifically, the National Forest System 2008 Budget proposes $319 million for Forest Products. Funds allow for the continued full implementation of the Northwest Forest Plan and support an overall timber sales target of 3.5 billion board feet, including 800 million board feet from the Northwest Forest Plan. The Budget also proposes an increase of $9 million to Law Enforcement for a total of $124 million. The increased funding will be used to hire, train, and equip new law enforcement officers and special agents. Increased visibility of law enforcement will improve public and employee safety and address foreign drug trafficking organizations on the National Forests.

The 2008 Budget proposes to hold funding in Grazing Management at prior year levels for a total of $47 million. Maintaining this level will enable the Agency to comply with the Rescissions Act of 1995 by completing the backlog of NEPA-based environmental analysis.

Funds are available to other programs in the National Forest System account to address highest priority needs. The 2008 Budget proposes funding for Land Management Planning at $53 million, a decrease of 9 percent. Funds will be used to support work to complete Land Management Plan revisions and continue work on other plan revisions. The fiscal year 2008 Budget also proposes $146 million for Inventory and Monitoring programs, a decrease of 12 percent. Funds will focus on forest plan monitoring and establishing Environmental Management Systems on 50 National Forest units. Environmental Management Systems are a comprehensive approach to improving the management of environmental issues and performance on individual units.

The 2008 Budget proposes funding for Recreation, Heritage, and Wilderness at $231 million, a decrease of 10 percent. In fiscal year 2008, the agency will continue to emphasize implementation of the travel management rule in order to address issues of unmanaged recreation, visitor safety and resource protection. By fiscal year end, the agency will have 48 percent of National Forest System lands covered by travel plans. Program funds will permit continued operation of recreation sites, although some reduction in seasons and hours for visitor information services may occur in some locations. National Forests are currently undertaking a process to

analyze their recreation facilities and evaluate the future needs of the recreating public. The process, the Recreation Site Facility Master Planning, is an analysis tool, to encourage dialogue amongst a variety of interested communities on the changing demands for recreation facilities on national forests and what options may exist to respond to those changes.

The recreation program will continue to strengthen relationships with private, volunteer-based, and nonprofit organizations to ensure some capacity levels are maintained and more particular to make programs and services relevant to youth in diverse and underserved populations.

The fiscal year 2008 President's Budget requests $71 million for Minerals and Geology Management program, a decrease of 16 percent. The energy component of the program will focus on increasing opportunities for environmentally sensitive development and supply of oil and gas, coal, and geothermal resources from Federal lands in support of the Energy Policy Act of 2005. Funding levels to support environmental compliance and environmental restoration will continue at prior year levels to ensure required audits are continued and to focus on cleaning up publicly accessible abandoned mines and other contaminated sites in high priority watersheds.

The budget also proposes funding for Wildlife and Fisheries Management at $118 million, a decrease of 11 percent, and for Vegetation and Watershed Management at $154 million, a program decrease of 14 percent. Focus in the wildlife and fisheries program will be on improving fish and aquatic passage, recovery of the Columbia basin salmon, and on-going recovery efforts of other species including the Bighorn Sheep.

In addition to efficiencies garnered through organizational alignment, the Forest Service will continue to achieve efficiencies by centralizing Business Operations, utilizing email and video conferencing to lower travel costs, realigning the Agency, and will see these efficiencies and reduced costs continue over time. The net result is to maintain our foremost commitment to the land and focus funding on where the work gets done.

CAPITAL IMPROVEMENT AND MAINTENANCE

The Capital Improvement and Maintenance Program provides for, and maintains, the infrastructure for many Forest Service programs including; the transportation networks upon which many of our management operations, projects, and users depend; the recreational infrastructure, including trails that serve many diverse populations; and facilities that house Forest Service employees.

The 2008 Budget funds Capital Improvement & Maintenance at $423 million, a decrease of $14 million. To support the goal of selling 3.5 billion board feet of timber, the 2008 Budget requests an additional $4 million for Road Improvement and Maintenance. In addition to this request, the Forest Service will continue to receive revenues from sites conveyed under authorities provided by the Facility Realignment and Enhancement Act, which has to date provided $34 million in receipts to convey unneeded administrative sites and retain the proceeds for building maintenance, rehabilitation, and construction.

LAND ACQUISITION

Land covered by urban areas has more than doubled over the last 40 years, and more than 44 million acres of private forests are at-risk of being developed by 2030. The Land Acquisition account enables the Forest Service to perennially stay abreast of, and act upon, the changing land-use patterns, demographic trends, and ecological changes. The Land Acquisition program allows us to pursue landscape connectivity, by purchasing in-holdings and keystone habitat parcels, and to manage the national forests as ecosystems rather than simply as real estate.

The 2008 Budget funds Land Acquisitions at $16 million. This includes $8 million to purchase land and $8 million for acquisition management. The funding will allow us to move forward with 7 high priority acquisitions. The funding request continues a trend of declining budgets for land acquisition. However, the Budget also contains a legislative proposal that permits the Forest Service to retain upwards of $400 million in land sales for acquisition of national forest lands. The parcels to be sold have already been identified as suitable for sale or exchange because they are isolated or inefficient to manage. Lands with high environmental value will not be offered for sale, while acquisitions would focus on parcels that enhance the environmental integrity of our National Forests. Given the importance of maintaining assets already in federal ownership, the Budget strikes a good balance with the need to acquire and preserve special places.

CONCLUSION

Priority forest management issues such as reducing hazardous fuels in the Wildland Urban Interface and prevention of property destruction by catastrophic wildfires will be increasingly integrated with other pressing policy issues, including sequestering carbon, preserving open space, improving watershed health, and other mission-driven goals. We are addressing the costs of wildland fire suppression to mitigate constraints on other Forest Service programs. Our risk-based suppression approach and Healthy Forests Initiative fuels reduction work—much like our Business Operations centralization and collaborative management efforts—will reap tremendous mid- and long-term efficiencies in the contexts of agency budgets and reducing risk to human communities posed by wildland fire. The 2008 Budget reflects the President's commitment to providing the critical resources needed for our Nation's highest priorities. The 2008 Budget also responds to the national need for deficit reduction while preparing the Forest Service for a new, more collaborative, era of natural resource management. With this Budget, the Forest Service will continue to identify and support more efficient and effective methods of pursuing its mission. This will be accomplished through increased collaboration, the use of legislative authorities, expanded program efficiencies, and improved organizational and financial management. Through these efforts the Forest Service will continue to sustain the health and productivity of the Nation's forests and grasslands.

Thank you for this opportunity to discuss the President's Budget. I look forward to working with you to implement our fiscal year 2008 program, and I'm happy to answer any questions that you may have.

Ms. LAGO. Thank you, Madam Chairman, and members of the subcommittee. For those of you who weren't here earlier, I'm Lenise Lago. I'm the Budget Director for the Forest Service.

First of all, it's a very great privilege for me to be here representing the Chief. Thank you. As you noted, Madam Chairman, Chief Kimbell could not be here today because she's in California for the release of the report of the investigation into the deaths of five Forest Service employees who were killed in the Esperanza Fire on October 26.

The report of the investigation, which was conducted by the State of California, along with the Forest Service, will be released to the public later today.

Turning to the Forest Service budget, in our second century of service, the Forest Service faces diverse challenges, which many of you have noted.

These include restoring fire-adapted forests to a more resilient condition; providing natural resource raw materials to the American public; and providing sustainable recreation opportunities, and more, during a period of rapid fragmentation, intensive development, and landscape scale change.

These challenges occur at a time when our Nation is pursuing deficit reduction goals. The Forest Service is responding; we're adapting, we're modernizing in response to the complex and evolving environment in which we operate.

This budget request must be viewed in the larger context of the overall Federal budget in which it is presented. Like other non-defense domestic discretionary programs, the Forest Service faces a constrained budget.

The fiscal year 2008 President's budget request for the Forest Service is $4.1 billion. That's about 2 percent less than we had in 2006, and as you noted, about a 5 percent reduction below 2007.

However, within that total are some important shifts. Since the Under Secretary's testimony focused on wildland fire and the proposal for secure rural schools, I'd like to briefly discuss three other

emphasis areas. We can discuss other programs during the question and answer period.

First of all, Healthy Forests. The 2008 budget maintains funding throughout the programs that support the Healthy Forests Initiative, including hazardous fuels, forest products, and applied fire science and silvicultural research.

At least 40 percent of hazardous fuels funding will be used on projects that contribute to the goal of improving condition class, with a target of at least 250,000 acres treated by the end of the fiscal year through the use of the Healthy Forests Restoration Act and Healthy Forests Initiative authorities.

This is part of a total hazardous fuels reduction target of 3 million acres, and a timber sales target of 3.5 billion board feet. It fully funds the Northwest Forest Plan, including sufficient funds in Capital Improvement and Maintenance-Roads to maintain the road infrastructure needed to support the Northwest Forest Plan timber sales.

Our second emphasis area, as you also noted, is law enforcement. This budget emphasizes public health and safety by proposing a $9 million increase in law enforcement operations. Recent years have seen a significant increase in crime on national forests, causing resource impacts and increasing risk to public and employee safety.

The requested funding increase will enable the Forest Service to maintain public and employee security and reduce illegal occupancy on national forests.

The third area I'd like to talk about are efficiencies. The need to fund high-priority programs is severely restricted by the requirement to fund the 10-year average for fire suppression. This budget begins to look at what we can do to attack fire differently to achieve cost savings.

Throughout the non-fire programs, we're looking at ways to increase efficiency and add value. For example, in fiscal year 2008 and fiscal year 2009, the agency will further its efforts to optimize organizational efficiency by restructuring leadership and program management functions at the national and regional office levels.

In order to provide additional funding for on-the-ground performance, many headquarters and regional office activities will be consolidated on a centralized basis and appropriate program management functions will be zoned across multiple regions.

The Forest Service will realize cost decreases of approximately 25 percent in national and regional office operations by the end of fiscal year 2009. The efficiencies gained through the continued centralization of business operations through Washington and regional office transformation, and renewed focus on collaborative management, will help offset reductions in the fiscal year 2008 request.

The net result, and the reason that we're doing this, is to maintain our foremost commitment, which is to the land, and focus on funding work where it gets done.

Thank you for this opportunity to discuss the President's budget. On behalf of Chief Kimbell, we stand ready to work with you to implement our fiscal year 2008 program. I'm happy to answer any questions that you have.

FIREFIGHTING

Senator FEINSTEIN. Thank you very much. As chairman of this subcommittee, for however long or short it might be, I essentially have three priorities with respect to the budget. The first is to see that we do everything we can to manage forests and fight fires, so that we make a consequential dent in what is happening.

MARIJUANA ERADICATION

The second is that we are able to stop marijuana from being grown in our national forests. In my State, marijuana is currently being grown in every single national forest. That is unacceptable. Growers are armed, they shoot, they leave the ground as an eco-disaster. It's my understanding 19,000 acres have been essentially ruined.

This is unacceptable. It would just seem to me that if INS, instead of going into the homes of innocent people, would go into some of these forests and rout these crews, and arrest them and send them away, it'd go a long, long way.

QUINCY LIBRARY GROUP

The third is the Quincy Library Group. Quincy was something that I authored. I feel strongly about it. It is not working adequately now.

LAW ENFORCEMENT AND MARIJUANA ERADICATION

So let me just ask a few questions on these points. Let me begin with the law enforcement and the marijuana. You're funded at $124 million. You've got a $12 million increase, if the money survives, in the supplemental. My question is, how many new personnel do you plan to hire, and how will you prioritize enforcement in areas like my State that have the highest concentration of drug activity in our forests?

Mr. REY. Our current plans, should our requested increase go forward, would be to hire an additional 60 agents, and they would be prioritized on the forests with the highest amount of marijuana cultivation.

The reason that the cartels are on the national forests is that we have done a pretty good job of interdicting large volume shipments across the border, so they're adapting to our success.

The reason they are disproportionately on the national forests, as compared to say Bureau of Land Management lands, is that we have water, and we have trees, which work as good visual barriers to help hide the cultivation work that's being done, as opposed to open range lands, where it's more easy to identify from the air.

Senator FEINSTEIN. Is there any relationship between your Department and the INS, or ICE now——

Mr. REY. Yes, we——

Senator FEINSTEIN [continuing]. To have those people help you going in? These are all Mexican nationals. They don't belong here.

Mr. REY. Right.

Senator FEINSTEIN. They've broken the law coming here, and they've broken it again by growing marijuana.

Mr. REY. We have cooperative agreements with both INS and the Border Patrol, as well as the Drug Enforcement Administration.

Senator FEINSTEIN. So they actually go into the national forests and pull people out?

Mr. REY. When we do a major operation, it's usually a joint operation with INS, local law enforcement, and our own agents.

Senator FEINSTEIN. Okay, good. I'd like to know a little bit more about that, if I can.

[The information follows:]

CLERK'S NOTE.—Senator Feinstein asked for more information about joint operations between agencies to eradicate marijuana on Federal lands. A meeting to discuss this subject was scheduled for June 25, 2007, between Senator Feinstein, Under Secretary Rey, Forest Service Director of Law Enforcement and Investigations John Twiss, and representative of the Drug Enforcement Administration and the Federal Bureau of Investigation.

Senator FEINSTEIN. Let me speak for just a moment about the Quincy Library Group. If I understand it, the Sierraville District ranger position is the only one in Sierra County.

QUINCY LIBRARY GROUP

That's 75 percent national forest land, and the county is very concerned that a consolidation will hurt the Forest Service's ability to the local community's issues and concerns.

The local board of supervisors unanimously passed a resolution on May 15 opposing these plans. I strongly oppose these plans. I don't think you can leave this huge area without a ranger.

So my question is, has a decision been made to consolidate these ranger districts, and what impact will this plan have on the community and the success of Quincy Library Group activities?

Mr. REY. I don't think it will have any measurable impact on the community, and it should have no impact on the implementation of the Quincy Library Group activities. While we're planning to manage the east side of the forest as one district, we're not proposing to close any offices, and we're not moving any employees.

So we're simply extending the span of control of a district ranger to include a larger number of offices.

Senator FEINSTEIN. Well, if I may, I'd like to know more about that.

Mr. REY. Sure.

Senator FEINSTEIN. The Forest Service tells us no final decision has been made, and I just want to reemphasize the importance of this to the Quincy Library Group and to everything that we have passed and authorized and moved forward with.

Mr. REY. Madam Chairman, I think one of the things you may be hearing is that there's still a lot of unhappiness with some downsizing we did over two decades ago on the east side of the Sierras. We moved an office out of Downieville, and therefore, anytime we announce any changes, we send up a fair amount of flares.

But we'd be happy to work with you on this one, because I don't think what we're doing is going to materially affect the communities there.

Senator FEINSTEIN. All right. The whole point of Quincy is to build firebreaks, to do small logging on these fire breaks so that

you make the forest more secure, and you also create jobs for the people.

The pilot legislation requires the Forest Service to treat between 40,000 and 60,000 acres, creating the strategic system of fuel breaks.

My understanding is that you've only been able to reach the acreage goal outlined in the legislation once. What are the major obstacles to implementation of the goals, and what is the Forest Service doing to meet these challenges?

I know some of it is litigation, but we need to get around that somehow, some way, and I thought that our Hazardous Fuels legislation created the opportunity to do that.

Mr. REY. Both the Quincy Library legislation and the Healthy Forests Restoration Act gave us new tools to do fuel reduction work. But you put your finger on the main impediment that exists today, and that's working through the litigation associated with many of the projects that we've proposed.

The Quincy Library Group area has a somewhat larger frequency of litigation than the State as a whole. The State as a whole has a somewhat larger frequency of litigation than the country as a whole.

I don't know that there's any easy answer, but to do the best job we can in both producing these projects using the authorities you've given us, and then do the best job we can defending them in court, is what we do.

Senator FEINSTEIN. Just one last question. In August, I hope to meet with the Quincy Library Group and go over this, and it would be very helpful if you or someone could be there from the Department that we might be able to find a way to ameliorate this and move this program forward. I'm very concerned about it.

Mr. REY. I'd be happy to join you there in August.

Senator FEINSTEIN. Thank you. Thank you very much. Senator Craig?

Senator CRAIG. Thank you, Madam Chairman. Revisiting Quincy is fascinating to me. Obviously, I helped you legislate that——

Senator FEINSTEIN. Yes, you did.

Senator CRAIG [continuing]. As one of the early collaborative efforts on the part of community and stakeholders to try to resolve what had become, obviously, a point of tremendous conflict.

I must say I'm always frustrated when local environmental groups and local stakeholders come together to agree to something, but the nationals say no, and then they start filing lawsuits—a right hand doth not know what left hand does. In this case, you're obviously concerned, as you should be, that not all has been carried forward.

WILDLAND FIRE RISK

Mark, there are a variety of questions I want to ask both you and Ms. Lago, but let me take you to the Brookings study and the overview there.

Talk to us about some of the key findings. I have tried to understand the idea of firefighting, as now envisioned by the Forest Service, where I see literally large communities and tens of thou-

sands and millions of dollars established and spent in the course of a fire.

But you used one word that worried me a great deal, because of the transformation of our public lands, and especially the fee lands within them, where large mega-homes are being built.

I know that we have reason to be proud of the fact that we've lost fewer homes, and I'm glad you believe, and have justification to believe, that that's a result of thinning and cleaning. It certainly is in some areas of my State.

But you used the word "risk". Am I to assume—and this is just an assumption—that where there are no big homes, there will be therefore less risk to human structures, therefore, less focus on fighting fire?

We've got habitat out there, we've got watershed to worry about. We've seen the idea of simply letting it burn go, because now we have a cost factor involved.

We know that in some of these heavily fuel-laden environments, the fires are mega-fires, in the sense of temperature and damage to the subsoil and subsoil surfaces or conditions, and therefore, the ability of the forest to regenerate itself is lessened.

What does your use of the word "risk" mean—you used it in your testimony—as it relates to the selectivity or the decisionmaking as to where to fight and where to engage a fire?

Mr. REY. What we're talking about here is doing an analysis of the resources that are there against the proposition of whether the fire is going to pose a direct risk to those resources or a lower risk, or, alternatively, maybe even a beneficial effect.

There are obvious cases where there is property involved where the risk is high. The less obvious cases are where there's no property involved. But that doesn't necessarily mean, even when there's no property involved, that we're viewing the fire as one that would be a low priority to suppress.

It would depend on what the ecological values are, and what our level of certainty is that we can extinguish the fire if it burns beyond the parameters that we want.

So we are doing fire management plans on all of our units to evaluate where there are areas where the risk to the loss of some value, whether it's an ecological value or an economic value, in the form of property or structures, is sufficiently low that we wouldn't——

Senator CRAIG. So I was right in my assumption?

Mr. REY. You better repeat the assumption, so I can be sure.

Senator CRAIG. All right. Structure versus non-structure decisionmaking.

Mr. REY. No, no. Where there are structures, the choice is fairly obvious. But where there are no structures, there are still instances where we're going to move to immediate suppression.

The most common of those instances would be where the fuel loads are too high for the fire to burn safely, and the risk of a larger spread is too great, or where there are ecological values involved that we know a fire would diminish.

Conversely, where there are no structures, there are areas where the risk of spreading beyond where we'd like to see the fire burn

is fairly low, and where the resource values are also low, and the fire might have a beneficial effect.

Senator CRAIG. Okay. Well, I've observed fire all of my life. I've observed a time when the slightest smoke put smokejumpers in, and the fire was put out. Now, I've watched knowledgeable people debate for days whether to engage, while the fire roars across the landscape.

I hope whatever system you put in place allows rapid decision-making, instead of will it or won't it or should it or could it get into a certain watershed, and if it does, then we put it out. Oftentimes, the damage, as you know from your own experience, is excessive.

I won't carry that forward. Let me ask this question of you, Mark. We've talked about what went on last year. We saw the worst fire season ever in total acreage burn. The chairman speaks of drought. Our runoff this year in Idaho is substantially less than we thought it would be.

We hope this year's fire season, as bad as it may be, won't be as bad as last year. Your agency could be $750 million short of what it needs to fight fires and be forced to borrow massive amounts of money from other programs if we have a similar fire scenario.

When GAO looked at firefighting borrowing problems recently, it concluded that the borrowing of funds caused numerous project delays and cancellations, strained relationships with State and local agency partners, and disrupted program management efforts.

In some cases, these cancellations and delays increased costs and the time needed to complete the project.

Can you then, from your own perspective now, and with the resources you have, give us some sense of how severe you expect this fire season to be, based on what you know now? That's one question.

The supplemental appropriation bill that we have been considering has $400 million for Forest Service, for firefighting. I understand that some folks at the OMB think this funding is unnecessary.

Is it your sense that these funds are needed by the agency to pay for firefighting and to avoid the massive borrowing that has occurred in recent years? So, I'd like to know about the issue of borrowing and the issue of fire perspective for this season.

Mr. REY. The answer to the first question is we predict this season will be less severe than last year, but still above the 10-year average, given the long-term drought indications. That's answer one.

BORROWING FUNDS TO FIGHT FIRES

Question two is we believe that it's too early to be putting additional money in the account. The fire season is developing somewhat more slowly than last year, and if need be, we can adjust the 2008 bill and make that work for us.

Third, the impact of borrowing is basically as GAO has stated it. It's not the most perfect way to fund firefighting, but it is the way we have. We did propose a governmentwide contingency account with our 2003 budget proposal, and that's something we'd be willing to pursue with you again.

WILDLAND FIRE RISK

I did, however, so garble the answer to the previous question, I'd like to add to it, if I might, Madam Chairman, because I think I left you all feeling very uneasy about when we do and when we don't decide to suppress fires.

Senator FEINSTEIN. Please do.

Mr. REY. We don't spend time debating whether to suppress a fire after it's ignited. The fire management plans make those decisions ahead of time.

Included in those decisions are not only physical limitations on where and where not, but other variables as well. Just looking at fuel loads and topography in an area, we might not move to immediate suppression, but if we're in high winds or extended drought, we will.

So there are triggers within those plans that require immediate action in certain circumstances when, if those circumstances were not present, we would otherwise think that's a fire that might have a salutary effect if it burned.

Last summer, we heard from a lot of places about the fact that we were letting more fires burn, and that it was somehow an indictment of this overall risk-based approach to firefighting.

In a normal bad year, we'll have one or two broad-scale dry lightning events. Those are events where we get as many as two or three thousand ignitions in one 24 or 48-hour period.

When that happens, we typically try to get all of those ignitions, but when you've got that many at once, you don't get them all.

So you leave the ones that are the most remote to get to last, and you run the risk that one or more than one of those is going to grow into a larger fire. But it makes sense to go to the most close-in ones that are nearer property first.

Last year, we had seven of those large dry lightning incidents, so there was a greater number of escapements because there was a greater number of large multi-ignition dry lightning events.

Consequently, we heard, and I'm sure you all heard, that the Forest Service is letting some of these burn. Well, we weren't letting them burn. We were responding to them as quickly as possible, given the multiplicity of the ignitions that were occurring over a very short and compressed period of time.

Senator FEINSTEIN. Thank you, Mr. Rey.

Senator CRAIG. I'll come back for second round. Thank you.

Senator FEINSTEIN. Very helpful. Senator Stevens?

LAW ENFORCEMENT AND MARIJUANA ERADICATION

Senator STEVENS. Well, I want to ask you a question, but I hope you won't take 5 minutes answering it, because I want to get to Alaska in my questions. But I am disturbed you're going to hire agents. We have other subcommittees where we deal with the problems of illegal growers.

I don't know why Agriculture needs agents to deal with those illegals in the forest areas. It'll take a year to train them. Why don't you go out for a task force from DEA and the National Guard and Immigration, and go in and take them down?

If you did one or two, took them down really seriously, you wouldn't have any more. But if you wait a year to train agents, it'll just get worse. This calls for action, in my opinion. Maybe I'm watching too many episodes of 24, but it's time someone did something about that.

We had a little touch of that up North, you know, and our people did form a task force, and did go in and took them down. I haven't heard any more about it. So I do think you ought to really face this—face up to it now, and not just hire agents and make plans of how Agriculture's going to do it.

This isn't your business. You don't know how to handle these guys at all. You're used to just normal trespassers in the national forest. Give it to people who are trained to do it now, and get it done.

Otherwise, I would oppose that money. I think you should use the money we've got on other bills, and go get them now, not train more agents. Now, let me——

Senator FEINSTEIN. Can Mr. Rey respond?

Senator STEVENS. If you want to comment on that, we'll give you 5 seconds. Yes.

Senator FEINSTEIN. I'll give you more time if we let him respond.

Senator STEVENS. Yes.

Senator FEINSTEIN. Thank you.

Mr. REY. All of the major takedowns are task force takedowns involving ourselves, local law enforcement, and DEA, or whatever——

Senator STEVENS. Why are you involved in it at all? DEA does it. That's their job. We have UAVs, we have the National Guard, we have immigration people already trained. You don't need to train people to do that, Mark.

Mr. REY. The knowledge of the land and that sort of stuff is——

Senator STEVENS. Ah, that's baloney.

Mr. REY [continuing]. Somewhat important.

Senator STEVENS. Baloney. You just don't want other people on your force. Now cut that out and get them in there and take them down. They can be down in 2 or 3 months, and you know it. But you should not take this on in Agriculture.

Senator FEINSTEIN. Well, don't be intimidated by him. Say what you think.

Mr. REY. If the Congress wants to fund another agency to do this, we're——

Senator STEVENS. Don't need to fund them. They've already got the money. They got more money than they need right now.

Senator FEINSTEIN. It's not getting done.

Senator STEVENS. It's not being done. You didn't ask him. You didn't tell them, "It's your job. Come take them down now." You should do that. You ought to go to the administration to demand it.

TONGASS LAND MANAGEMENT PLAN AMENDMENT

Let me go to Alaska, if I can. I was wrong. My staff tells me I was wrong. We didn't get 140 million board feet last year. We got 50 million board feet out of a forest that used to cut 1.5 billion. At Chugach, they don't cut any timber now, as I understand it. The

timber cutting is supposed to be, under the Tongass Timber Reform Act, cut out of the Tongass.

We've had one law office that's kept you all busy now for 10 years. Are we going to get the Tongass LMP amendment process completed this year?

Mr. REY. Yes.

Senator STEVENS. Would it allow some cutting of timber next year?

Mr. REY. It will call for cutting of timber next year. That will have to be defended in court, as will the individual——

Senator STEVENS. Will you support an amendment to say "No more challenging this plan in court"? It's been planned. You spent $40 million now to defend this plan over 10 years. The same lawyers are going to take you to court again.

Meanwhile, we've got 32 different communities. Is it 32? Yeah, 32 different communities in southeastern Alaska dependent upon timber harvest. They can't do it. They're just—all the timber companies are going to collapse and fail if this goes to court again.

Isn't it time now to say no more appeal of this?

Mr. REY. We've been working on the Tongass plan since 1979. There are Forest Service employees who started their career and have retired before we completed the Tongass Land Management Plan.

I will commit to you that we will produce a Tongass Land Management Plan this fall, which will be the best plan that the Forest Service can produce.

Senator STEVENS. Well, meanwhile, the second generation of lawyers is in that law firm, and they're rich, and all the timber people are going bankrupt. Now, we've got to stop that litigation over this plan somehow.

Mr. REY. I agree.

Senator STEVENS. Good. Thank you. I'm going to offer such an amendment. There ought not to be another challenge to this plan. We had a plan agreed to. Those people represented by these lawyers were involved in settling the Tongass Timber Reform Act.

From the day it was signed, they challenged it, although they helped get it passed. It's now been challenged, what are you talking about, 27 years, 28 years?

Mr. REY. 28 years.

Senator CRAIG. Ted, I was a freshman congressman. I was 35 years of age. I'm near retirement age now. The issue is still the same.

Senator STEVENS. Don't use the word retirement. I don't believe in that.

Thank you very much.

FOREST LEGACY

Senator FEINSTEIN. You're very welcome. Senator Gregg?

Senator GREGG. Thank you, Madam Chairman. Mr. Rey, Ms. Lago. There are a number of things I want to talk about, but I do want to express my concerns about the funding for Forest Legacy in the administration's proposal. Forest Legacy has been an extremely successful program, especially in the East.

In the East, we are still interested in purchasing land and protecting land in significant proportions, and especially in a place like New Hampshire, which is in the path of the megalopolis.

In the West, or some of the States, I can understand, you're overwhelmed with the Federal ownership percentage of the State. They feel they've got enough ownership, and probably would like to sell some.

But in the East, we still feel very strongly that we need the funds to help us, especially Forest Legacy, leverage purchases and easements that make a huge difference in our ability to protect land which is critical and in the path of the megalopolis.

Forest Legacy's a big part of that. Unfortunately, the Forest Legacy funds have dropped 71 percent in the proposal; and not just this year, over the last 4 or 5 years, 3 or 4 years, even though the administration initially supported Forest Legacy with some robustness.

So I regret this, and this year's request is really piddling, and——

Senator FEINSTEIN. Senator?

Senator GREGG. Yes?

Senator FEINSTEIN. If I could, I'm just looking at the numbers. 2008 was 29,311. Enacted——

Senator GREGG. I'm talking about the budget request.

Senator FEINSTEIN. Twenty-seven—we're going to put some money back——

Senator GREGG. Great.

Senator FEINSTEIN [continuing]. In the Forest Legacy——

Senator GREGG. Thank you.

Senator FEINSTEIN [continuing]. So we'll be happy to work with you.

WHITE MOUNTAIN NATIONAL FOREST FUNDING

Senator GREGG. I appreciate that. On a specific issue, I wanted to ask you about the White Mountains. I believe the White Mountain Forest is the most visited national forest in the country. Is that correct?

Mr. REY. It's heavily visited, but it's not number one.

Senator GREGG. Well, it's certainly got to be the most visited east of the Mississippi. I would presume it was the most visited—it was right up in the top two or three.

Mr. REY. It's probably in the top half dozen, I'd guess.

Senator GREGG. We get hundreds of thousands of people using it because, of course, it's right there. I mean, it's 4 hours from New York, 1.5 hours from Boston, and it's a great and beautiful spot.

Yet, I notice in the budget that the budget for the forest is being reduced by 10 percent, which will reduce the forestry programs there by 25 percent, reduce the recreational proposals by 15 percent, reduce the seasonal employees by 75 percent.

It will eliminate the leverage programs we have relative to trail protection, and the permanent timber personnel are being reassigned to other resource areas. That, I presume, is a function of the need to spend money somewhere else.

I guess my question is if you've got one of the more visited forests, no, the most visited forest east of the Mississippi, is it appro-

priate to target that as a place where you're reorienting your resources?

Mr. REY. I think I'd have to work with you to go over those numbers. I don't have forest by forest breakdowns with me today. I'm quite confident we wouldn't do anything to reduce the partnership dollars that we have coming in, because that's how we've boosted the support for some of our recreation programs.

Senator GREGG. Well, actually, you are. They're going to be terminated, under the information I have, which I presume is accurate, because it's from the people who do the trail programs.

Of course, a 75 percent reduction in temporary employees on the White Mountains is a seasonal event. It's used aggressively in the winter, but it's for skiing, and those are all private.

But in the summer, of course, that's when most of the seasonal employees are hired. A 75 percent reduction is going to lead to problems. I mean, we've got some problems in that forest from people using it inappropriately anyway. We've had some serious issues with motorcycle gangs, for example.

But generally, the experience of going to the White Mountains is a really good experience, and people pay for it. As you know, they pay a parking fee if they're going to hike there. I'm interested, what percentage of that parking fee stays with the White Mountains, and what percentage goes to a central office?

Mr. REY. Eighty-five percent stays with the White Mountain, under the legislation that Congress enacted in 2003.

Senator GREGG. So 15 percent comes down here?

Mr. REY. Fifteen percent goes into the administration of the program, wherever that is required, but 85 percent stays on the ground.

Senator GREGG. So if we were just to give them a 100 percent—I'm not sure the numbers work out correctly—maybe the 10 percent cut wouldn't impact them so much?

Mr. REY. It'd be a possibility.

Senator GREGG. It's a $1 million reduction. In the context of this budget, obviously, not even an asterisk, even less than an asterisk, but it does have an impact.

So I just wanted to raise the visibility of it to you. I recognize that there's tremendous pressure out West to fight fires, and that that's absorbing huge amounts of money. I recognize that we're our own worst enemies in the area of timber cutting, which was used to maintain the forests. We're basically at dramatically reduced revenues, as a result of what people represent—in many instances inaccurately—as environmental concerns.

Some are correct, but 80 percent reduction in timber harvesting is not appropriate. In the context of those resource pressures, it does seem to me that when you've got a place like the White Mountains, which has a unique role in the forest system because it is really more of a visited forest and a recreational forest and a multiuse forest than most of your properties, certainly most of them east of the Mississippi, that we shouldn't be putting it on a path to failure.

Mr. REY. What I'd like to do is collect the data from the White Mountain and see if we can sit down and visit in greater detail.

[The information follows:]

CLERK'S NOTE.—Under Secretary Rey offered to discuss funding for the White Mountain with Senator Gregg. Forest Service staff will schedule a meeting once the information has been collected.

Senator GREGG. I appreciate your courtesy. Thank you.

Mr. REY. Thank you.

Senator FEINSTEIN. Thank you, Senator Gregg. Before turning to Senator Craig, I want to just make one comment.

PREPAREDNESS FUNDING

The cut in your preparedness budget, 15 percent, is really unsustainable. In view of what we think is going to happen this fire season, despite what Ms. Lago said, there is no reason to believe that you can solve the problem with efficiency.

I think we've got to add some money back here and find a way to do it, and I'd like to work with you in that. I am really concerned about this year, that we could have really catastrophic fire.

The Esperanza Fire killed five people. I mean, what can happen this year is just dreadful. I think we have to be prepared. I can tell you this, that the California Governor, Governor Schwarzenegger, is moving with preparedness. We all know we expect a bad time, and once we know it, we have an obligation to do something about it.

So I want to work with you on this particular number and try to change it. Senator Craig?

Mr. REY. We'd be happy to work with you.

Senator FEINSTEIN. Thank you.

Mr. REY. Two quick clarifications. This budget is 2008. The fire season we're in is 2007, so the money that you've already appropriated is what we're spending this year.

Senator FEINSTEIN. I understand. That's a good point.

Mr. REY. Then the other is that we do have the authority to move dollars from suppression to preparedness, and will do that if circumstances necessitate. But I would still be happy to sit down and go through the budget lines.

Senator FEINSTEIN. Okay. Senator Craig?

Senator CRAIG. Thank you very much, Madam Chairman. A couple more questions of both of you, and I think I have one also for you, Ms. Lago.

GRAZING PERMIT BACKLOG

There is a real problem with a backlog of expiring grazing permits that need to be renewed. Congress put a schedule in place for a renewal of these permits in the 1995 Rescissions Act. The schedule required NEPA to be completed on all allotments by 2010.

Your budget justification says that accomplishments from 1995 through 2003 were well below scheduled levels. It also indicates that significant amounts of work remain to be done to finish the NEPA reviews by the deadline.

In the 2005 Interior Appropriations bill, the committee provided additional funds to address the backlog of allotments, also provided categorical exclusions from NEPA for grazing allotments that met certain conditions. There was a gap of 900 allotments on this authority.

How many allotment decisions have been made using this authority so far, Mark? Do you know? That'd be the one question of either of you. Is this authority helping to speed up the process? Does the authority need to be extended?

We're fighting fire, but there are an awful lot of folks who are dependent upon the relationship they have with you for grazing in their livelihoods and in their businesses.

Mr. REY. To date, we've used the authority on 250 renewals. We have another 250 planned for fiscal year 2007. That would get us to 500. The cap was 900 renewals. So yes, it would be helpful to extend the authority 1 more year, and then we would use that time to try to do the other 400 renewals.

The CE has been helpful in expediting this work. The CE is one of the reasons we think we'll still make the 2010 deadline, assuming we can use the CE beyond 2007.

CATEGORICAL EXCLUSIONS

Senator CRAIG. Okay. Speaking of CEs, obviously, in October 2005, a Federal District Court in the *Earth Island Institute* v., I think it's *Ruthenbeck*, was it——

Mr. REY. *Ruthenbeck*.

Senator CRAIG [continuing]. Case held that the Forest Service had to provide notice, comment, and appeal on projects implemented through the use of the categorical exclusion. Of course, you know, Madam Chairman, this dealt with our Healthy Forests legislation.

Last year, the chief testified before the subcommittee that this case delayed or cancelled 723 fuel reduction projects affecting over 1 million acres. Here we are, talking about worse fire scenarios, and we've got interest groups and courts shutting us down in some of those areas. What's the status of this litigation?

How many projects are being affected by this ruling now, and is there anything you can do administratively to address this situation, or is a legislative fix needed so that the Forest Service is treated like every other agency when it comes to the use of categorical exclusions?

Mr. REY. At this point, I do not believe that there is a judicial remedy in this case. We have asked for an en banc review by the 9th Circuit. It's been denied. It's highly unlikely that the case will be resolved judicially.

So even though we believe that the court wrongly interpreted the 1990 Appeals Reform Act, in terms of obligations that it imposed on the Forest Service, that nevertheless is where the litigation will stand.

The only remedy to put the Forest Service back on the same footing as every other agency in how it complies with the National Environmental Policy Act would be for a legislative clarification of the 1990 Appeals Reform Act.

Senator CRAIG. Okay. It would be through the 1990 Appeals Reform Act?

Mr. REY. That was the legislation that the court based the decision that——

Senator CRAIG. Okay.

Mr. REY [continuing]. Unlike every other agency in the Federal Government, the Forest Service is obliged to offer an opportunity for notice, comment, and administrative appeal anytime it uses a categorical exclusion from the National Environmental Policy Act.

That was a reading of the court interpreting the 1990 legislation, wrongly in our judgment, but there you have it.

Senator CRAIG. Okay. Thank you very much, Mark, Ms. Lago. Thank you very much, Madam Chairman.

Senator FEINSTEIN. Thank you, Mr. Rey. Thank you——

Senator CRAIG. I have other questions I'll submit for the record.

Senator FEINSTEIN. All right. Excellent. Thank you, Ms. Lago.

ADDITIONAL COMMITTEE QUESTIONS

There will be some additional questions which will be submitted for your response in the record.

[The following questions were not asked at the hearing, but were submitted to the Service for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR DIANNE FEINSTEIN

Question. The California Department of Conservation Estimates that there are 47,000 abandoned mines in the State, including 7,000 on National Forest Lands. These sites create physical hazards, contaminate watersheds in my State and throughout the West, and create physical hazards to members of the public recreating on National Forest System lands. Your fiscal year 2008 budget reduced funding for the Minerals and Geology activities by 16 percent, from $84 million to $71 million. What impact will these budget cuts have on the number of sites targeted for cleanup in fiscal year 2008, both in California and nationwide?

Answer. Cleanup of contaminants and mitigation of physical safety hazards are addressed in the "Manage Environmental Restoration" (Restoration), and "Mitigate Abandoned Mine Land Safety Risk Feature" (Safety) activities in the Minerals and Geology Management Budget Line Item.

The Forest Service Budget Justification on page 9–56 displays the changes in budget and outputs in fiscal year 2008 as compared to fiscal year 2007 for these two activities. A decrease in budget does not easily translate into numbers of sites because of the wide variation in site cleanup costs, as well as the number of years it takes to complete a project. For that reason, the most accurate measure of the change in outputs for both California and the Nation would be the percentage decrease in budget for these two activities, which is 6 percent and 17 percent, respectively, for Restoration and Safety.

Question. How are you prioritizing which mine sites to clean up? Have you developed an estimate of how much funding you would need to remediate all abandoned mine sites on National Forest System lands?

Answer. Hazardous and non-hazardous cleanup projects are submitted by each Forest Service regional office along with narratives describing the costs and benefits of each. Projects submitted are prioritized at the national level using criteria that includes; human health and safety, environment protection, public/private partnerships, and public interest.

The Forest Service does not have a current estimate for remediation of all abandoned mine sites on National Forest System lands. However, it is important to note that previously unknown abandoned mines sites are continually being discovered, and that only a small percentage of known sites have clean-up designs and associated costs established.

Question. I have been extremely concerned about the Forest Service's slow pace in using the Healthy Forest Restoration Act authorities provided by Congress to increase the efficiency of your hazardous fuels reduction program. I have also raised concerns that you are not using these authorities in California. How many acres in California will the agency treat using HFRA authorities in fiscal year 2007 and fiscal year 2008? What percentage of total fuels treatments will be accomplished using HFRA in fiscal year 2007 and fiscal year 2008? What steps is the agency taking to ensure that these authorities are actually being used?

Answer. In fiscal year 2008, not less than 40 percent of program funding will be used on projects that contribute to the goal of improving the condition class on at least 250,000 acres across the Nation by the end of fiscal year 2008 through the use

of Healthy Forest Restoration Act and Healthy Forests Initiative authorities. The Forest Service is committed to using all available authorities to reduce the risk to communities and resources from wildland fire. Healthy Forest Restoration Act authorities are an important set of tools available to land managers.

In fiscal year 2007 the Forest Service and Department of Interior anticipate treating hazardous fuels on over 4 million acres with Federal funding using all available authorities. The Forest Service is expanding use of HFI and HFRA authorities throughout the country with an 88 percent increase in acres treated under the authorities from fiscal year 2005 to fiscal year 2006. To date, the Forest Service has treated over 115,000 acres in fiscal year 2007, more than 6,000 of which are in California. The Pacific Southwest Region has placed increased emphasis on HFRA projects, and continues to work with communities to develop the Community Wildfire Protection Plans (CWPP) necessary to proceed with HFRA authorities. As more communities implement CWPPs, the Forest Service can expand use of HFRA authorities in California and throughout the country.

In 2006, the Forest Service conducted a review of Healthy Forests and associated authorities including Stewardship Contracting. The review team found widespread agreement among both Forest Service and partners that while useful in many scenarios, HFI and HFRA authorities were not appropriate or feasible in many situations. The agency is proceeding with implementation of many of the recommendations made by the review team. A copy of the review report will be made available to Congress following Departmental approval.

Question. Your budget calls for decisions on whether to mobilize a number of preparedness resources, including helicopters, hotshot crews and smokejumpers, to be made at the national rather than the regional level starting in fiscal year 2007?

Who will be in charge of deciding to deploy these resources?

Answer. An interagency delegation of authority is being finalized for members of the National Multi-Agency Coordinating Group (NMAC) to implement the national mobilization and prioritization of these resources. NMAC members include representatives from the four DOI bureaus, the Forest Service, and the National Association of State Foresters.

These resources may be deployed locally by the host unit if no higher geographic area or national priority is pending. Deployment at the geographic area level will be determined by the geographic area multi-agency coordinating groups.

Question. What is the proposed timeline for nationalizing these resources?

Answer. Hotshot crews, smokejumpers, Type 1 helicopters, and a portion of the Agency's Type 2 helicopter fleet are currently managed as national resources. For 2007, our remaining Type 2 helicopters will be converted from local to national resources for the impending fire season. Additional analysis will be required before converting our local Type 3 helicopters to national resources, this analysis will occur prior to the 2008 western fire season.

Question. How will you balance local concerns against national needs?

Answer. Consistent with our policy of allocating resources on the basis of risk mitigation, control of these resources will transfer to higher levels as the national preparedness level escalates. Priorities for resource deployment will be based on anticipated initial attack requirements, Predictive Services analysis, and decision support tools.

Question. The agency will spend $301 million on fuels treatments in fiscal year 2007—a significant investment in the face of other budget constraints. How does the Forest Service measure the amount of fire risk generated through these fuels treatments?

Answer. We do not have a system designed to track fire risk generated, as our programs are aimed at mitigation of fire risk through the reduction of hazardous fuels. Often our restoration and fuel reduction objectives require multiple entries to achieve. There have been cases in which the first treatment puts fuel on the ground that temporarily increases fire risk. That risk is short lived and balanced by the long term benefit of the fuel reduction treatments. To enter a treatment in our accomplishment reporting system, it must meet the definition of hazardous fuel reduction. In 2006, the Forest Service reduced fire risk on approximately 2.5 million acres from management actions with a direct or indirect benefit of fuels reduction.

Question. How much funding is proposed in your fiscal year 2008 budget for fuels reduction related to the bark beetle infestation in the San Bernardino National Forest? How much funding is proposed to address infestation and fire risk on adjacent State or private lands?

Answer. The fiscal year 2008 allocation to the San Bernardino will depend on the final allocation to Region 5 and reflect consideration of regional priorities. We anticipate that expected funding for the San Bernardino bark beetle infestation will be at or above historical levels.

Question. I am concerned that California fuels treatments are at a disadvantage because the region has higher unit costs due to the abundance of wildland-urban interface and other factors. Has the Forest Service examined what factors contribute to higher unit costs in the State? Has the agency taken steps to try to reduce the unit costs for California fuels treatments?

Answer. High unit costs within the region are a significant concern for the administration. The region has conducted several region wide assessments of unit costs and visited a forest to conduct a specific unit cost review and develop a strategy for reducing unit costs. A significant part of the cost of activities in the region is the general cost of doing business in California. A typical vegetation mastication contract is over $500/acre. Typically the California program is greater than 60 percent mechanical treatments. Some of the treatments on the San Bernardino have exceeded $2,500/acre. The only choice is whether or not to proceed with implementation of the treatment. We will continue to re-examine the program mix, choices of project areas, and opportunities for modification of objectives to reduce contract costs.

Question. It is critical that the Forest Service has incentives in place for the agency to fund the highest priority fuels treatments, regardless of unit costs. What role do unit-cost measures play when you are allocating fuels dollars? How does the agency balance cost-effectiveness with other priorities?

Answer. For fiscal year 2007, the Forest Service developed the Ecosystem Management Decision Support model, which will assist with establishing national priorities and allocation of funds. This model is under continuing development and enhancement for fiscal year 2008 to incorporate improved data on wildfire potential and consequences of problem fires, particularly the wildland-urban interface. The model will be used in fiscal year 2008 for national- to regional-scale strategic planning, broad ecological assessments, and resource allocation. The model emphasizes areas with the highest potential for problem wildfire, consequences, and greatest opportunity for efficient and effective treatments while meeting multiple objectives. Based upon this analysis, the Forest Service will identify national priorities within the fuels program and focus funding on those priorities, consider performance in risk reduction through systematic risk analysis tools for fire hazard analysis and fuels treatment implementation, and assess project criteria for WUI fuels treatments. Average Regional unit cost comes into effect in allocation of funding.

The objective in the allocation is to distribute funding to the highest priority projects while optimizing accomplishments. In essence, the agency must provide optimal benefits at an efficient and effective level of cost as reflected in a risk-informed decision process. National program allocations and local project selections would attempt to optimize wildfire risk mitigation (i.e., net benefits) over time by choosing projects that provide cost-effective risk reduction. Having a risk-informed approach provides a path forward for both national and local decision-makers that is suitable in a variety of circumstances, including where there exist differing State and local government codes or where there are numerous fire protection alternatives. It also recognizes the ecological benefits associated with wildfires occurring within normal ranges of intensity.

Question. How will you improve incentives for local decision-makers to choose higher priority treatments, even when they are more expensive?

Answer. Both national and local decision makers seek cost-effective risk reduction. Local decision-makers focus on a balance between high priority, high cost work near communities and lower cost restoration and maintenance treatments that will restore sustainability in the long term. The selection of projects is accomplished in collaboration with local communities, partners and stakeholders and includes balancing values at risk with costs. Decision makers participate as partners in the formulation and execution of community wildfire protection plans (CWPPs) that help to prioritize fuel treatment and restoration activities. These plans describe the common vision between Federal land managers and adjacent communities on how we may work together to meet our objectives on both sides of the property line. Those projects determined with the use of the CWPP become eligible to use streamlined planning protocols made available under the Healthy Forest Restoration Act, with fewer action alternatives to analyze, reducing planning workloads.

Question. How much funding does your fiscal year 2008 budget contain to support the activities of the California Fire Safe Councils, and how does this compare to fiscal year 2007 levels? How much funding in your budget will go toward community wildfire protection planning in California in fiscal year 2008?

Answer. A portion of the funding to be allocated to the Pacific Southwest Region is available, as the California State Forester deems appropriate, to fund California Fire Safe Councils. In fiscal year 2007 approximately $1.9 million was made available to the California Fire Safe Councils. There is no set amount established or pro-

grammed for community wildfire protection planning in any of the States. Our program direction will include community wildfire protection planning as a high priority for funding in 2008.

Question. On March 10, 2007, the Riverside Press-Enterprise ran a story regarding increased illegal dumping in the San Bernardino National Forest. According to the story, there has been a dramatic increase in the amount of illegal dumping in the forest as fees at public dumps and recycling centers has increased. The story also notes that the problem is no longer limited to dumping household garbage, but rather "trash by the trailer load. Truckloads of old tires. Fifty cans of paint at a time. Assortments of junked refrigerators and recliner chairs, mattresses and TV sets." The San Bernardino National Forest may be at risk for dumping more because of its large residential population and proximity to urban areas. Have you assessed the situation, and do you have an estimate of how much funding will be required to clean up the forest? How much funding with the Forest Service devote to these clean-up efforts in fiscal year 2007?

Answer. The San Bernardino National Forest has not assessed the forest dumping situation. In fiscal year 2007, approximately $250,000 will be spent on the San Bernardino to address unauthorized and illegal dumping in key areas located in the urban interface and watersheds. Increased funding levels requested in the President's fiscal year 2008 budget justification for law enforcement will be used to prevent further and future dumping from occurring. Additional officers should help deter and eliminate future dumping. In addition, collaboration with local partners and volunteers will assist the Forest in cleanup efforts.

Question. Are there other forests, especially in California, where you have seen significant increases in illegal dumping? What measures is the Forest Service taking to prevent dumping on national forests in California?

Answer. This is strictly a reactionary/responsive enforcement action. In the rare cases that we have a "pattern" we have scheduled officers to try to catch the individuals in the act. But that is rare. Prevention requires a prolonged presence. Our limited presence is most often concentrated where people are. Illegal dumping does not usually take place in those locations—that's why it's successful. Our best prevention tool is patrol "being in the right place at just the right time". Officers will look through debris to see if we can find any evidence of ownership, etc, and every once in a great while we'll find some household mail with an address that allows officers to conduct follow-up contacts.

Question. Public Law 109–154, the Public Lands Corps Act, authorizes the Secretary of Agriculture to enter into contracts and cooperative agreements with our Nation's Service and Conservation Corps for projects that reduce fire risk. What steps has the Forest Service taken to implement this act, and what steps does the agency plan to take in fiscal year 2007 and fiscal year 2008?

Answer. The Forest Service has a long-standing and rich history of working with State and local Service and Conservation Corps throughout the Nation. Public Law 109–154 allows the agency to continue this rich tradition and to develop even greater Partnerships.

The Public Land Corps Healthy Forests Restoration Act of 2005 amends the act governing the youth conservation corps laws to include provisions for "priority projects" that meet the purposes of HFRA. Essentially, it allows the FS and DOI to give preference to certain youth and conservation corps to carry out projects that meet the purposes of HFRA.

The FS supports opportunities for qualified youth and conservation corps to further the goals of the Healthy Forests Restoration Act when the corps have the appropriate skills and capabilities to safely complete the projects under the provisions of the Public Land Corps Healthy Forests Restoration Act.

QUESTIONS SUBMITTED BY SENATOR LARRY CRAIG

FIRE PREPAREDNESS

Question. Your budget proposes to create a new appropriation called Wildland Firefighters. These funds were previously funded within the Preparedness line item of the overall fire budget. When I add what you are proposing for this new appropriation to what remains of the traditional preparedness budget it looks to me like a cut of about $95 million for overall fire preparedness.

What will be the impact on our fire readiness capability?

Answer. The agency will have approximately 10,010 firefighters in fiscal year 2008 as compared to 9,550 firefighters in fiscal year 2006; however other resources will be reduced commensurate with the agency's transition to Appropriate Manage-

ment Answer. The agency will focus and prioritize resources, such as engines, to the areas where the highest risk exists. The following displays planned resource changes:

Resource	Fiscal years		
	2006 actual	2007 planned	2008 estimated
Firefighters [1]	9,550	10,010	10,010
Type I Interagency Hot Shot Crews (20 person)	67	67	67
Other Firefighters:			
Smoke Jumpers	277	277	190
Prevention Technicians	419	399	277
Engines	940	950	726
Water Tenders	57	63	48
Dozers & Tractor Plow Units	144	152	119
Type I, II, and III helicopters for local mobilization	80	84	65
Type II helicopters for national mobilization	7	7	5
Airtankers	18	16	14
Type 1 helitankers/helicopters	15	15	8

[1] Includes IHC crews.

Question. Won't this lower the agency's initial attack success rate and lead to more catastrophic fires?

Answer. The agency anticipates a 2–5 percent reduction in initial attack success and an increase in acres burned in fiscal year 2008, which will be consistent with our transition to a risk informed performance based fire suppression system.

This strategy will minimize cost and recognize contributions of lower intensity wildfires to healthy forests. Initial attack capability will remain a priority for the agency and as fire activity and risks elevate, existing resources may be supplemented to enhance capability.

Question. How does it make sense to cut money for firefighter training and equipment following the worst fire season we have ever had in terms of acres burned?

Answer. The Wildland Firefighter Appropriation provides adequate funding to ensure continued firefighter training. In fiscal year 2006 approximately $30 million was spent on wildland fire training, we anticipate a similar amount in fiscal year 2008. While some large firefighting equipment, such as engines, will be reduced, adequate funding will be provided to ensure field and safety equipment is available for firefighters. Compared to earlier years, the 9.9 million acres burned in 2006 was indeed a large amount but still significantly lower than the numbers of acres burned earlier in the 20th Century, including an average of 35 million acres per year in the 1920s and 38 million acres per year in the 1930s.

FOREST PLANNING PROCESS

Question. Under the old forest planning rules, the time and expense to complete Forest Plans became incredibly expensive. Plans designed to last for 15 years were taking 6–8 years to complete and many millions of dollars. This Administration streamlined that process and I see that your budget reflects a reduction of $5 million or roughly 10 percent of the total budget for the program.

Can you tell us what your experience is so far under the new planning rules? For example, how much less are individual plans costing now than before?

Answer. The agency has not yet completed an approved plan under the 2005 Planning Rule. In addition the agency's financial management system does not track actual expenditures to the activity level. Thus, even if we had an approved plan under the new rule, it would be difficult to estimate the costs of producing that plan and to compare those costs with those from revisions conducted under the 1982 planning rule. However, anecdotal evidence suggests that the costs of revising a plan under the new rule are lower than those incurred under the 1982 rule.

In addition to having the option of using streamlined NEPA procedures, forest and grassland supervisors have found the 2005 planning rule identifies and encourages the use of much more engaging procedures to involve the public in land management planning. Rather than relying on predominantly a "notice and comment" method for public involvement, the 2005 planning rule improved the planning process by collaboratively involving the public. The public is offered more opportunities to help with existing condition and trend evaluations, developing guidance for land management plans, and developing monitoring programs for the plan. While a "notice and comment" opportunity still exists with the required 90-day comment period

and 30-day objection period, the public has many opportunities to be involved in the planning process prior to these comment/objection periods.

Question. Quite a number of Forest Plans have gone beyond their 15 year revision date. Are the new rules helping address this backlog?

Answer. Although the 2005 planning rule is expected to reduce the time and cost associated with revising a forest plan, the rule has not been in place long enough to affect the backlog of Land and Resource Management Plan revisions. Implementing the new rule has taken longer than expected because of the need for many units to engage in lengthier transition tasks while changing over to the new rule.

In addition, the new rule has been litigated. The United States District Court for the Northern District of California has enjoined the 2005 planning rule. This will delay some plan revision approvals. The Forest Service has started the rulemaking process to approve a new planning rule.

RECREATION BUDGET

Question. I see that your budget for the recreation program is decreased by over $27 million—that's a 10 percent cut. In many of our Western States, recreation is helping to reduce some of the impacts from reduced harvesting on our national forests by providing another means to attract investment and dollars into rural communities. This seems like a large cut for this program.

What impacts will there be on effectively managing recreation facilities, administering special use permits for various private operators, and providing interpretive services for visitors?

Answer. The proposed reduction in funds will result in a number of program reductions, including shortened seasons at some developed and dispersed recreation sites; reduced hours for visitor information services with minimal staffing; processing new special use permit applications would be limited; restoration and adaptive reuse of heritage properties for interpretation, recreation, and tourism will occur at very low levels; and a limited number of wilderness rangers will be available to provide visitor information and education. However, recreation resources will continue to be directed towards efforts that maximize program delivery, including strengthening partnerships which are vital to accomplishing stewardship work on the ground. Additionally, the Recreation Site Facility Master Planning process is working to analyze our existing recreation site inventories to identify sites that are most used and most valued by the public, allowing the agency to determine where to prioritize recreation site investments in response to public needs.

GRAZING PERMITS

Question. There is a real problem with a backlog of expiring grazing permits that need to be renewed. Congress put a schedule in place for the renewal of these permits in the 1995 Rescissions Act. The schedule requires NEPA to be completed on all allotments by 2010. Your budget justification says that accomplishments from 1995 through 2003 were well below scheduled levels. It also indicates that significant amounts of work remain to finish the NEPA reviews by the deadline.

In the fiscal year 2005 Interior appropriations bill, the Committee provided additional funds to address the backlog of allotments and also provided a Categorical Exclusion from NEPA for grazing allotments that met certain conditions. There was a cap of 900 allotments on this authority.

How many allotment decisions have been made using this authority so far?

Answer. The Rescissions Act schedule identifies 6,886 allotments that need NEPA based analysis and decisions by the end of CY 2010. At the end of fiscal year 2006, 4,616 allotments had NEPA completed and management decisions made. To date, approximately 250 allotment decisions have been completed using the Categorical Exclusion (CE) authority provided in the fiscal year 2005 Interior and Related Agencies Appropriations Act. Another 250 CEs are planned for fiscal year 2007.

Question. Is this authority helping to speed up the process?

Answer. Yes. The CE authority helped the Forest Service complete more allotments on the Rescissions Act schedule then without it. On those allotments that meet the established criteria, the Forest Service was able to reduce the time and effort necessary to complete the NEPA process. In addition, the CE authority has allowed the Forest Service to focus funding and staffing on those allotments with more complex management issues.

Question. Does this cap need to be raised so you can get more allotments processed that meet the standard for use of this authority?

Answer. No. The 900 allotment cap appears to be sufficient for the number of allotments that meet the established criteria. However, an extension of the authority

to September 30, 2008, would be very useful so that the remaining 400 CEs would continue to be available should they be needed.

Question. Will you be able to complete the NEPA on these allotments consistent with the Rescissions Act schedule?

Answer. The Forest Service continues to place a strong emphasis on allotment NEPA in order to complete the Rescissions Act schedule. It is our intention to complete the NEPA by the scheduled time frame. However, from fiscal year 2007 through fiscal year 2010 the agency will need to further accelerate the process to complete NEPA on an average of over 500 allotments per year in order to meet the Rescissions Act schedule.

TIMBER BUDGET

Question. For 2007, the timber budget was increased by roughly $33 million. The increase was to fully fund the implementation of the timber sales piece of the Northwest Forest Plan. Your fiscal year 2008 budget retains this level of funding for the Plan.

I can acknowledge that promises were not kept to the timber industry in the Northwest Forest Plan, but I wonder whether such a large increase primarily aimed at 2 regions of the Forest Service covering Washington and Oregon is the most efficient use of timber dollars.

Aren't there still major litigation problems with timber sales in Oregon and Washington?

Answer. The agency does not expect that litigation will significantly affect the timber sale program under the Northwest Forest Plan, and the volume needed to meet the Settlement Agreement. In fact, there is a good deal of support for thinning in late successional reserves, where much of the treatments need to be conducted.

Question. Could these funds be allocated in a fashion where more Regions could benefit and would have a better chance to maximize actual harvest volumes?

Answer. The administration has made a commitment to fully fund the Northwest Forest Plan, and the proposed Forest Products allocations to Regions 5 and 6 are necessary to achieve that commitment. The unit costs to produce timber volume under the Northwest Forest Plan are some of the lowest in the agency, so shifting funds to other Regions would likely reduce our capability to produce timber.

CATEGORICAL EXCLUSION

Question. In October of 2005, a Federal District court in the *Earth Island Institute* v. *Ruthenbeck* case held that the Forest Service had to provide notice, comment, and appeal on projects implemented through the use of Categorical Exclusions. This judicially created requirement regarding CE's applies to no other agency in the Federal Government.

Last year, the Chief testified before this subcommittee that this case delayed or canceled 723 fuels reduction projects affecting over 1 million acres. What is the status of this litigation?

Answer. Injunctions issued in *Earth Island Institute* v. *Ruthenbeck* (E.D. Cal.) and *Wilderness Society* v. *Rey* (D. Mont.) remain in effect, as do the Chief's instruction letters issued after each ruling.

—Categorically excluded activities listed by the court (timber sales and 10 other types of activities) are subject to notice, comment and appeal; and

—Eligibility to appeal is to be determined under the 1993 version of 36 C.F.R. 215.11(a)—not 36 C.F.R. 215.13(a)(2005).

A brief status report on the three nationwide challenges to the project appeal regulations follows:

Earth Island Institute v. *Ruthenbeck*

The District Court's injunctive order remains in effect. The Ninth Circuit declared eight claims were not ripe for judicial review, but affirmed the District Court's application of the Appeal Reform Act to certain categorical exclusions (CE). The agency petitioned for a rehearing with a suggestion for rehearing en banc seeking reversal of the adverse portion of the ruling. The petition was denied by the Ninth Circuit June 8, 2007.

Wilderness Society v. *Rey*

The District Court's injunctive order remains in effect. An appeal was filed, but briefing in this case was stayed pending action by the Ninth Circuit on the Forest Service's petition for rehearing in *Earth Island* v. *Ruthenbeck*. It is expected that briefing will now move forward.

Wildlaw v. *USDA*

No injunction was issued. All Appeal Reform Act issues were dismissed as unripe facial challenges. The Forest Service was affirmed on NEPA claims. The deadline for filing notice of appeal was March 27, 2007.

Question. How many projects are being affected by this ruling now?

Answer. We do not have a current survey of projects being affected.

Question. Is there anything you can do administratively to address this situation or is a legislative fix needed so that the Forest Service is treated like every other agency when it comes to the use of categorical exclusions?

Answer. The courts' rulings relate to the Appeal Reform Act and the types of activities subject to administrative appeal under the act. The agency clarified through its 2005 appeal regulations that CEs are not subject to appeal under the Act and thus do not require notice, comment and opportunity for appeal. However, the courts have rejected that interpretation. The courts' rulings require notice, comment and opportunity for appeal of several types of categorically excluded activities. This undermines the purpose of CEs established through the National Environmental Policy Act implementing regulations—to reduce documentation requirements for project analysis and decision-making for projects that typically have no significant effects.

There is no further administrative action the agency can take to address the effects of these court rulings.

WILDLAND FIRE OUTLOOK FOR THIS YEAR

Question. A number of fires have been in the news already this year, particularly in the chairman's home State. Drought is persisting in much of Interior West. I know that it is very early for predictions but it concerns me that if this year's fire season is as bad as last year's your agency could be $750 million short of what it needs to fight fires and will be forced to borrow massive amounts of money from other programs.

When GAO looked at this fire borrowing problem recently, it concluded that "the borrowing of funds caused numerous project delays and cancellations, strained relationships with State and local agency partners and disrupted program management efforts. In some cases, these cancellations and delays increased costs and the time needed to complete the projects."

Can you give us some sense of how severe you expect this fire season to be based on what you know now?

Answer. Most of the eastern, central, and northwestern United States has a normal outlook for wildland fire potential. A portion of the Southwest is predicted to have a below-normal wildland fire season. This area includes northeastern New Mexico, and small parts of southeastern Colorado, western Oklahoma, and northern Texas, where it borders New Mexico. Wildland fire potential is expected to be higher than normal across much of the Southwest, California, portions of the Great Basin, the Northern Rockies, a small portion of the Northwest, Alaska, and the Southeast. The amount of precipitation many areas receive in the early summer will determine the severity of the fire season.

Predictive Services' May through August outlook is available at: http://www.nifc.gov/nicc/predictive/outlooks/season__outlook.pdf

Question. The supplemental appropriations bill that we are considering on the floor this week has $400 million for the Forest Service for firefighting. Is it your sense that these funds may very well be needed by the agency to pay for firefighting and avoid the massive borrowing that has occurred in recent years?

Answer. Current funding is sufficient for foreseeable suppression needs.

PERSONNEL CUTBACKS

Question. As I mentioned in my opening statement, if we accept this budget as proposed, there will be a cut of over 2,000 Forest Service employees. That's over 6 percent of the work force. I understand the need for belt tightening given the budget climate that we're in, but it strikes me as a little odd that at the Department of the Interior, other land management agencies like the BLM and the Fish and Wildlife Service will face virtually no cutbacks in personnel. The Park Service is slated to go up by over 2,000 employees.

I believe the important role that the Forest Service plays in rural areas that rely on grazing, recreation, and timber could be harmed by such cutbacks. I'm also concerned about how we address the massive forest health problems that we are facing with fewer boots on the ground.

Can you explain this difference in treatment between your budget and those of the land management agencies at the Department of the Interior?

Answer. The priorities reflected in the requests for the Department of the Interior bureaus and the Forest Service with regard to proposed staffing levels for fiscal year 2008 are based on the President's Budget request.

Question. How will these cutbacks affect the agency's mission?

Answer. We know that our personnel costs are increasing. We are taking action to respond to this. We are focusing on reducing operating costs at the WO/RO/Northeastern Area, which may result in a reduction of personnel at these levels of the organization. Taking this action will enable us to invest more resources toward mission delivery through enhanced services to the public by agency field units.

Question. Are there really that many efficiencies that can be achieved at the Forest Service that would warrant such a reduction of employees?

Answer. In our best judgment, the answer is yes. It is critical to the Forest Service to reduce costs at the WO/RO/Northeastern Area so to provide opportunities to enhance program delivery and services on the ground to benefit the public.

WILDERNESS MANAGEMENT

Question. I have a question regarding the agency's position on recommended wilderness management. It seems that different Regions treat recommended wilderness differently and as you know I have two forest service Regions in my State.

NFS: Does the agency believe it is their job to designate wilderness?

Answer. No, the agency studies areas to determine whether they have wilderness characteristics and then determines their eligibility and decides whether to recommend their designation to Congress. These analyses occur during the forest planning process and the forest plans may then contain a recommendation for wilderness designation. However, only Congress has the power to designate wilderness areas.

Question. If not, would the agency attempt to restrict historical mechanized access to recommended wilderness areas even though it is congress' job to designate wilderness?

Answer. Once an area has been recommended to Congress for wilderness designation, the agency has the responsibility to maintain its wilderness character until Congress has had the opportunity to decide whether to designate it. Maintaining its wilderness character while an area is being considered by Congress may, in some cases, mean limiting the types of use an area receives, including mechanized use.

QUESTIONS SUBMITTED BY SENATOR WAYNE ALLARD

Question. I believe that Forest Service staff on-the-ground in Colorado are working hard, and we appreciate the funding that was shuffled last month, but the final fiscal year 2007 timber and fuels program funding is still less than the national forests in Colorado need to address the bark beetle epidemics.

Are you willing to work with me on some meaningful strategies to address the bark beetle epidemic and the risk of catastrophic fire to see if there isn't a way to get more funding to the national forests in Colorado this year, and in future years, until we've dealt with the problems to the best of our ability?

Answer. Yes, we are interested in working with you Senator as we have in the past, on meaningful strategies to address bark beetles.

Question. Is it true that "fully funding the Northwest Forest Plan", as proposed in the President's budget, will require reductions in timber and fuels funding to Colorado's national forests?

Answer. To the extent possible we will try to maintain level timber and fuels funding from for the other regions in fiscal year 2008.

Question. I strongly support spending money proactively on hazardous fuels projects if it will reduce the risk of forest fires and the associated risks to watersheds, communities, and residents. However, I'm concerned that some of the acres treated aren't the highest priority acres. From your reviews of the hazardous fuels program, is there room to improve what's being done on-the-ground, and how are you working toward that objective?

Answer. The agency is continually looking to improve efficiency and effectiveness of program delivery. Based on preliminary results from the 2006 Healthy Forests Review, the agency feels that greater efficiency will be gained through increased use of Stewardship Contracting authorities and greater coordination with communities through the Community Wildfire Protection Plan process. The Forest Service anticipates that we will be in better position to address high priority projects in an efficient manner through the use of these two initiatives and other relevant authorities. The agency works to balance the high costs of some projects through lower cost

maintenance treatments to both protect earlier investments and meet National resource and community protection goals.

For fiscal year 2007, the Forest Service developed the Ecosystem Management Decision Support model to assist with establishing national priorities and allocation of funds. This model is under continuing development and enhancement for fiscal year 2008 to incorporate improved data on wildfire potential and consequences of problem fires, particularly the wildland-urban interface. The model will be used in fiscal year 2008 for national- to regional-scale strategic planning, broad ecological assessments, and resource allocation. The model emphasizes areas with the highest potential for problem wildfire, consequences, and greatest opportunity for efficient and effective treatments while meeting multiple objectives. Based upon this analysis, the Forest Service will identify national priorities within the fuels program and focus funding on those priorities, consider performance in risk reduction through systematic risk analysis tools for fire hazard analysis and fuels treatment implementation, and assess project criteria for WUI fuels treatments.

The objective in the allocation is to distribute funding to the highest priority projects while optimizing accomplishments. In essence, the agency must provide optimal benefits at an efficient and effective level of cost as reflected in a risk-informed decision process. National program allocations and local project selections would attempt to optimize wildfire risk mitigation (i.e., net benefits) over time by choosing projects that provide cost-effective risk reduction. Having a risk") informed approach provides a path forward for both national and local decision-makers that is suitable in a variety of circumstances, including where there exist differing State and local government codes or where there are numerous fire protection alternatives. It also recognizes the ecological benefits associated with wildfires occurring within normal ranges of intensity.

Question. In addition, how successful has the Forest Service been at integrating multiple budget line items, for instance hazardous fuels, forest health, and timber sales funding, into individual projects and getting "more bang for your buck?"

Answer. Integration of budget line items is occurring at all levels in the organization. The Washington Office Directors of the vegetation treatment programs (Fire & Aviation Management, Forest Management, Range Management, Forest Health Protection, Wildlife Management, etc.) are working at the National level to enhance coordination across program areas and foster greater integration of allocations to the Regional level. For fiscal year 2008, the Directors developed new allocation methodologies that incorporate integrated objectives.

Hazardous fuels, forest health, wildlife and forest management coordinate the budget line item allocations to each region. In addition, the construction and landline location line items are coordinated to support these vegetation treatments. This exercise delivers a total package of vegetation treatments for regions to build integrated programs.

Integration of projects has been increasing every year. The ability to use multiple funding sources to achieve a total vegetation treatment has worked well with recent new authorities, such as stewardship contracting and the Healthy Forests Restoration Act.

Examples of integrated projects at the forest level include restoration of native species, provisions for T&E habitat, catastrophic event recovery, and suppression of insect epidemics. As part of the long-term recovery efforts implemented after Hurricanes Katrina and Rita in 2005, the agency integrated and aligned a wide range of programs (hazardous fuels, forest management, wildlife, and forest health) and tools (salvage timber sales, mechanical fuels treatments, stewardship contracts, prescribed burns, and wildlife habitat treatments) to achieve restoration of the native longleaf pine ecosystem, restore habitat for threatened and endangered species such as the Red-cockaded Woodpecker and Gopher Tortoise, reduced insect and disease risks, and protected adjacent communities.

Question. The Forest Service is in the process of considering forest plan amendments that would determine how Canadian Lynx habitat is managed. As I understand it, in order to manage the Lynx habitat, precommercial thinning in critical habitat areas will be greatly reduced. Is this the case? How will the proposed amendments affect long-term forest health and productivity?

Answer. The following information is specific to the Northern Rockies Lynx Amendment (NRLA) area, which includes several National Forests in Montana, Idaho and Wyoming, and one Forest in Utah. A final decision on these amendments was made on March 23, 2007. The vegetation management standards in the amendment do not apply to fuel treatments in the Wildland Urban Interface as defined by the Healthy Forest Restoration Act. Precommercial thinning within mapped lynx habitat (areas capable of supporting snowshoe hares) could occur on a total of about 135,000 acres over the next decade. There are an additional 180,890 acres per dec-

ade available for precommercial thinning outside of lynx habitat in the NRLA area. A total of 314,870 acres are now available for thinning each decade. The historic average precommercial thinning within the NRLA area has been 193,530 acres per decade. Precommercial thinning may also be conducted for essential restoration activities for aspen, western white pine, and whitebark pine. Precommercial thinning may also be permitted elsewhere if new information indicates that long-term benefits exceed short-term adverse effects.

The following information is specific to the Southern Rockies Lynx Amendment (SRLA) area, which includes several National Forests in Colorado and Wyoming. Public comments on the Draft Environmental Impact Statement for these amendments are being reviewed and considered. A final decision on these amendments is expected this fall.

Effects of the amendments on forest health are difficult to quantify as many factors and values are involved, including very diverse forest plan management goals and objectives. Forest health and productivity for Canada lynx will be increased. Much management flexibility remains during the design of individual projects for land managers to respond to insect and disease outbreaks with silvicultural treatments, should that be desirable and feasible.

Question. I am concerned that the multiple-use philosophy may be falling by the way-side in our National Forests. I understand that the Boulder Ranger District is in the process of holding public input sessions on limiting campfires, overnight camping, and shooting on parts of the forest. The community believes that the District is essentially hoping to close the forest off in certain areas to these activities. Similar closures have taken place in other forests in Colorado. Can you tell me why the Forest Service has moved toward limiting multiple use?

Answer. Operating and managing recreation opportunities on National Forest System lands is authorized under the Organic Act of 1897 and has been further defined under many subsequent acts, such as the Multiple Use Sustained-Yield Act of 1960. The Forest Service is currently working under these authorities to identify a variety of sustainable uses to determine conditions which indicate a potential purpose and need for future action. This charge is particularly challenging on highly fragmented lands with high levels of recreation uses, such as the Arapaho Roosevelt National Forest (one of the highest in the Nation). The Boulder Ranger District, in particular, is reviewing its past implementation of dispersed camping, campfires and recreational shooting as these are the uses that cause the most conflict between users and adjacent private homeowners, and between visitors expecting different settings and experiences. Involvement of the local public, surrounding communities and each national forest's recreation visitors will continue to remain a critical and essential component of this process to respond to public needs and ensure that a variety of multiple uses are available to the American people on our national forests, while ensuring sustainable management of the land, protection of private property and the safety of those visiting.

Question. I ask this question in light of the fact that my office has received several phone calls from constituents who claim that they have had agreements for years—sometimes decades—and are abruptly being told that their access road is closing and they will not have access to their property. What process does the Forest Service use to close a road and is this process dictated by agency policy or statute?

Answer. Current authorities provided through each year's appropriations act allows for the use of road maintenance funds for decommissioning roads, including unauthorized roads not part of the transportation system, and that no funds be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project. Changes to the existing use (open road to closed road or vice versa) on Forest Service system roads also require notice and an opportunity for public comment. In 2001, the Forest Service implemented the Road Analysis Process (RAP) to utilize a science-based method of determining the minimum road system needed for managing lands under Forest Service jurisdiction. Implementation of this policy utilizes the input from interested citizens, other State and Federal agencies and tribal governments. The Forest Service is also implementing the Travel Management Rule which will determine the portion of the Forest Service road system that will be available for motorized use. Public involvement is being utilized for the implementation of this regulation.

Question. After passage of the Ditch Bill the agency set a goal to have all Ditch Bill easements issued within four years. It is my understanding that, with the level of funding requested this year that goal might not be met. Can you please tell me if the agency is still on track to meet that goal? If not, what can be done to ensure that the goal is met?

Answer. In June 2004, the Forest Service issued direction for the consistent and timely processing of the remaining 1,800 Ditch Bill applications by the end of fiscal

year 2008. The agency expects to complete 1,200 (two-thirds) of these cases by October 2008. The processing of the remaining Ditch Bill applications is a high priority. Although completion of the remaining applications is very near, many of the remaining Ditch Bill cases are complex, involving Endangered Species Act consultations and the need for additional information from applicants. Often, these complex situations require more time and attention to resolve.

Question. With regard to the aspen die-off happening around the State of Colorado. We have several sawmills in Colorado that depend heavily on aspen sales from the national forests; can you increase the volume of aspen sales to regenerate young, thrifty aspen stands? Please tell me what—if anything—the Forest Service is doing to determine the reasons for these die-offs and what can be done about it.

Answer. The Region 2 Forest Health Management Staff has initiated a study, in cooperation with the San Juan and Grand Mesa-Uncompahgre-Gunnison National Forests and the Rocky Mountain Research Station, to better understand the causes and extent of recent accelerated mortality of aspen. Results of the study will include management recommendations. In addition, the Region 2 Forest Health Management Staff and cooperators are assessing the expanse of the problem across Colorado, and in adjoining States. We know from the 2006 aerial survey data that over 140,000 acres of recent aspen mortality were documented in the State of Colorado alone.

Our current plan for aspen treatments ranges from 500–1,000 acres each year. This generates 10,000–20,000 CCF (5–10 million board feet) of aspen sawlogs and other products.

Question. Can anything be done to mitigate these losses? Do you need additional authorities to take action?

Answer. Regeneration of aspen is key. Our observations indicate that some aspen stands are regenerating beneath a recently dead overstory, other aspen stands are not regenerating. One of the aspects of the study is to determine the condition of root systems. If the aspen root system is dead, no amount of prescribed burning or harvest will be successful in regenerating the aspen. The mortality trigger was likely drought. With recent years of increased moisture, it has been hypothesized that the stands/clones will recover. However, stands already seriously impacted by disease cankers, wood borers and aspen bark beetles will continue to decline.

At this time we do not need additional authorities to take action.

I believe that Forest Service staff on-the-ground in Colorado are working hard, and we appreciate the funding that was shuffled last month, but the final fiscal year 2007 timber and fuels program funding is still less than the national forests in Colorado need to address the bark beetle epidemics.

Question. Please provide me with the percentage and dollar amounts of the total funding that was appropriated for the purposes of Fire Preparedness and Fire Suppression that actually "reach the ground?" By "reach the ground" I mean the amount that is actually used at the lowest level to fund temporary hires, permanent positions, purchase equipment, let contracts, etc to deal with the upcoming fire season.

Answer.

Fire Preparedness.—The Forest Service has $665 million of Appropriated Fire Preparedness funds for fiscal year 2007. Sixty percent or $397 million will be available to fund firefighting capability and operations including temporary hires, permanent positions, purchase equipment, dispatchers, and contracting resources.

Fire Suppression.—The Forest Service has $741 million of Appropriated Fire Suppression funds for fiscal year 2007. Seventy one percent or $523 million are available to fund temporary hires, permanent positions, purchase equipment, contracts, etc. for the upcoming fire season. The funds are available on an as needed basis.

Question. Please provide nation-wide information, as well as numbers specifically relating to my home State of Colorado.

Answer.

Fire Preparedness.—The Forest Service has $665 million of Appropriated Fire Preparedness funds for fiscal year 2007.

Within the State of Colorado, the Forest Service will spend approximately $13.7 million on Preparedness capability and operations.

Fire Suppression.—The Forest Service has $741 million of Appropriated Fire Suppression funds for fiscal year 2007.

Through mid June 2007 the Forest Service has expended approximately $215,000 of Fire Suppression funds in Colorado.

CONCLUSION OF HEARINGS

Senator FEINSTEIN. Thank you all very much. The subcommittee will stand in recess subject to the call of the Chair.

[Whereupon, at 11:13 a.m., Tuesday, May 22, the hearings were concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2008

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

NONDEPARTMENTAL WITNESSES

[CLERK'S NOTE.—The subcommittee was unable to hold hearings on nondepartmental witnesses. The statements and letters of those submitting written testimony are as follows:]

PREPARED STATEMENT OF THE ALABAMA TRAILS ASSOCIATION

The Alabama Trails Association appreciates the opportunity to submit written testimony concerning the appropriation of funds for USDA, U.S. Forest Service land acquisition projects for the fiscal year that will begin October 1, 2007. The Association requests that Congress appropriate $1,650,000 which will leverage another $550,000 in private funds to buy a key 1,100 to 1,200-acre inholding along the Pinhoti Trail corridor on Rebecca Mountain in the Talladega National Forest.

The Alabama Trails Association is a membership organization that was founded in 1985. The major reason behind the founding of the group was to work toward linking the Pinhoti Trail in the Talladega Mountains of east Alabama to the Appalachian Trail and to expand the Pinhoti Trail to cover the full 140- to 145-mile length of the Talladega Mountains. The link to the Appalachian Trail will complete the vision of Benton MacKaye, the founder of the Appalachian Trail, whose plan for the famed "AT" was adopted at the first meeting of the Appalachian Trail conference in 1925 and included an "extension trail" running into Alabama from the Appalachian Trail in north Georgia.

Working with the Georgia Pinhoti Trail Association and other trail organizations, the Alabama Trail Association is on the verge of completing the link to the Appalachian Trail. Since the late 1980s, the Pinhoti Trail effort has received considerable support from Congress in both funds appropriated to acquire land for the trail corridor and funds appropriated to construct trail. Those appropriations have led to the protection of over 6,000 acres and over 20 miles of mountain ridge crest in Alabama and to the construction of over 100 miles of trail in both Alabama and Georgia. The first acquisitions in this long-term project took place in the 1989–1990 time. The two most recent acquisitions are closing this spring, and the U.S. Forest Service in Alabama is acquiring two tracts that lie along the crest of Rebecca Mountain a few miles east of the 1,100 to 1,200-acre tract involved here.

With those two closings, only the 1,100 to 1,200-acre tract involved in this request for funds is needed to complete the acquisition of land for the Pinhoti in the Talladega National Forest of Alabama. This tract includes around two and a quarter miles of the 8-mile long ridge crest of the portion of Rebecca Mountain that lies south and west of Bull Gap and Alabama State Highway 148. If this tract is acquired, the Pinhoti Trail can be completed along the crest of Rebecca Mountain which is the southernmost mountain in the Talladega National Forest range and one of the southernmost mountains in the entire Appalachian Range. Acquisition of this tract will complete U.S. Forest Service ownership of all but two quite small portions of the 8-mile long Rebecca Mountain. Further, the tract involved is native habitat for a rare mountain-top long-leaf pine community and is bounded on three sides by U.S. Forest Service lands which the U.S. Forest Service plans to manage and restore the long-leaf pine community.

Based on an early 2007 purchase of a 700 to 800-acre tract that lies within 2 miles of this 1,100 to 1,200-acre Rebecca Mountain tract, $2,200,000 will be needed to buy this property. A private donor has committed to provide $550,000 of the purchase price if Congress will provide the other $1,650,000. Thus, the Congress has a rare opportunity to protect a beautiful inholding in the Talladega National Forest and pay only 75 cents for each dollar of land value.

In light of the above considerations, this 1,100 to 1,200-acre Rebecca Mountain project in the Talladega National Forest is an excellent project in that it will (1) "fill in" one of the major inholdings in the Talladega National Forest, (2) complete U.S. Forest Service ownership of the 8-mile crest of Rebecca Mountain, (3) allow the construction of the southernmost portion of the Pinhoti Trail in the Talladega National Forest, (4) allow the U.S. Forest Service to restore a rare mountain-top longleaf pine community, and (5) leverage $550,000 in private funds and allow the public and U.S. Forest Service to protect a significant mountain ridge tract by paying only 75 percent of the cost.

PREPARED STATEMENT OF THE ALLIANCE TO SAVE ENERGY

ENVIRONMENTAL PROTECTION AGENCY'S ENERGY STAR PROGRAM

INTRODUCTION

The Alliance to Save Energy, a bipartisan, nonprofit coalition of more than 120 business, government, environmental, and consumer leaders, appreciates this opportunity to submit testimony in support of a $20 million increase in funding for the Environmental Protection Agency's (EPA's) Energy Star Program in fiscal year 2008 compared to the fiscal year 2006 appropriated level. The Alliance's mission is to promote energy efficiency worldwide to achieve a healthier economy, a cleaner environment, and greater energy security. The Alliance, founded in 1977 by Senators Charles Percy and Hubert Humphrey, currently enjoys the leadership of Senator Mark Pryor as Chairman; Duke Energy President and CEO James E. Rogers as Co-Chairman; and Representatives Hall, Markey, and Wamp, and Senators Bingaman, Collins, Craig, and Dorgan, as its Vice-Chairs. The American Council for an Energy-Efficient Economy (ACEEE) also supports the recommendations in this testimony.

The Energy Star program is the brightest light in the galaxy of voluntary climate change programs, and is the single most effective Federal consumer information program on energy efficiency. Indeed it is one of the most successful efforts anywhere to promote marketplace solutions for greater energy efficiency. The program works with thousands of business partners to make it easy for consumers to find and buy energy-efficient products, buildings, and services by awarding the well-known Energy Star label and by providing other consumer information. The Energy Star program is an entirely voluntary program that reduces energy demand, lowers energy bills, and helps avoid pollution and greenhouse gas emissions.

Increased investment by the Federal Government in the Energy Star program will translate to increased energy savings by consumers and businesses across the country. The EPA estimates that every Federal dollar spent on the Energy Star program results in an average savings of $75 or more in consumer energy bills, the reduction of about 3.7 tons of carbon dioxide emissions, an investment of $15 in private sector capital, and the contribution of over $60 to the economy.

In 2006 alone, Energy Star helped Americans save 35,000 megawatts of peak power, avoiding the need for about 70 new power plants. The electricity savings—170 billion kilowatt-hours—represent 5 percent of total 2006 electricity use. Working together with Energy Star, Americans prevented the emission of 37 million metric tons of greenhouse gas emissions, which is equivalent to removing 25 million cars from the road. And Americans, with the help of Energy Star, saved $14 billion on their energy bills. As these statistics exemplify, the Energy Star program is helping millions of Americans get the energy they need, while saving money and avoiding pollution.

ENERGY EFFICIENCY IS AMERICA'S GREATEST ENERGY RESOURCE

Energy efficiency is the Nation's greatest energy resource—we now save more energy each year from energy efficiency than we get from any single energy source, including oil, natural gas, coal, or nuclear power. The Alliance to Save Energy estimates that if we tried to run today's economy without the energy-efficiency improvements that have taken place since 1973, we would need 43 percent more energy supplies than we use now (43 quadrillion Btu). What's more, increasing America's energy efficiency is the quickest, cleanest, and cheapest way of meeting our energy

needs. Without these enormous savings, our difficulties in meeting energy demand would be far, far worse than they are today.

HOW ENERGY STAR CAPITALIZES ON THIS RESOURCE

EPA's Energy Star program has proven to be an extremely effective way for this Nation to capitalize on the potential of energy efficiency as a resource. Energy Star's voluntary partnership program—which includes Energy Star Buildings, Energy Star Homes, Energy Star Small Businesses, and Energy Star Labeled Products—works by removing marketplace barriers to existing and emerging technologies, providing information on technology opportunities, generating awareness of energy-efficient products and services, and educating consumers about life-cycle energy and cost savings.

Energy efficiency is an investment. There is often a modest additional cost for purchasing more efficient, smarter technologies, but that additional cost and more is paid back to the consumer through lower energy bills. Energy Star helps consumers understand and realize these benefits. The label represents the "good housekeeping seal of approval" for energy efficiency. The program sets rigorous guidelines representing high energy-efficiency and product quality goals that products, buildings, or services must meet in order to qualify for the Energy Star label.

In 2003 the Alliance to Save Energy undertook an extensive public opinion survey and found that the name recognition of the Energy Star program is very high—86 percent among U.S. homeowners. Approximately one-third of U.S. consumers report using the Energy Star label as an information tool for making purchase decisions, and an even higher number report using Energy Star as an information tool to help them save energy. Most consumers who are aware of the Energy Star label correctly understand that products bearing the Energy Star label use less energy and can save them money on energy bills.

ABOUT THE ENERGY STAR PARTNERSHIPS

Energy Star works through voluntary partnerships, and these have grown since the early 1990s to include thousands of businesses. These partnerships demonstrate that energy efficiency delivers "pollution prevention at a profit." And the Energy Star program testifies to the important environmental achievements that can be made through cooperative partnerships between government and businesses.

Energy Star serves broad constituencies in every State in the country. Energy Star currently has more than 9,000 partners who are committed to improving the energy efficiency of our homes, businesses and products. Among those partners are over 1,700 manufacturing partners who make and market over 44,000 different models of Energy Star qualifying products, and more than 900 retail partners representing thousands of storefronts, as well as building owners and operators, utilities, State and local governments, and nonprofit organizations. Energy Star counts more than 3,500 builder partners and partners who supply products and services for energy-efficient home construction. More than 725,000 families now live in Energy Star Homes—locking in financial savings for homeowners of more than $170 million annually. In the past 2 years, the total number of Energy Star qualified homes has doubled.

As you may know, 2007 marks the seventh year that the Alliance has asked Energy Star company partners to join us in our request for a significant increase in funding for the program. The response has been remarkable. Joining us in our request this year are 464 companies and Energy Star partners. I ask that this letter be included in the hearing record.

MUCH HAS BEEN ACCOMPLISHED, BUT HUGE POTENTIAL REMAINS UNTAPPED

Although the Energy Star program has made a significant contribution to reducing consumer energy use, a wide array of important, additional opportunities to use the program to promote energy efficiency remain untapped. In 2001, the President's National Energy Plan recommended that the Energy Star program be expanded to label more products, appliances, buildings, and services. Time and again, the President and the EPA Administrator have noted that voluntary measures are vital to addressing climate change and have held up Energy Star as an exemplary program.

Yet funding for the program has declined. The fiscal year 2008 proposed budget for Energy Star, $43.9 million, is down 12 percent from fiscal year 2006 and, after inflation, is down more than one-quarter from fiscal year 2002. In addition, internal funding cuts at EPA have plagued the program over the past several years. In the fiscal year 2007 operating plan, EPA cut the Energy Star budget $4 million below the fiscal year 2006 level on which the continuing resolution was based.

Even with tight budgets, the number of products and manufacturers in the labeling program has greatly expanded, and the number of partners in the Buildings, Homes, and Small Business programs has soared. But more funds are needed.

Considering the sky-high energy prices around the country and the concerns about electricity reliability, natural gas supplies, air pollution, and global warming, the Alliance believes that funding for the Energy Star program should be increased by at least $20 million over the fiscal year 2006 appropriated level in fiscal year 2008, and should be doubled over the next 5 years. This would enable the Energy Star program to label additional products, update its criteria, increase consumer education campaigns, and—especially important—address energy-efficient home improvements nationwide.

By building on the Energy Star name, we can save much more energy and break through additional market barriers, building homeowner trust in energy audit programs and whole-home retrofits, including insulation, duct sealing, and home envelope sealing. In addition to labeling products and buildings, Energy Star has begun a successful effort working with State and local organizations to help homeowners audit and upgrade the efficiency of their homes. Home Performance with Energy Star is growing as State and utilities look for opportunities to save energy and reduce peak load. More than 26,000 homes have been improved through this program. While this is a good start, much more needs to be done to expand this program across the country. With additional funding, the Energy Star program could develop a supportive infrastructure for contractors around the country, partner with interested State organizations, and develop marketing efforts in up to 10 metropolitan areas per year.

RECOMMENDATIONS

The Alliance to Save Energy recommends the subcommittee take the following actions to best leverage the proven results that stem from EPA's Energy Star program:

—First, we recommend that Congress increase funding of the Energy Star program by $20 million over the fiscal year 2006 appropriated level, to $69.8 million, in order to expand the number of products, programs, and partners involved in the current program. This should be a first step to doubling the $50 million budget for the Energy Star program within 5 years. In particular, the added funds will allow expansion of the new Energy Star "Home Performance" program nationwide.

—Second, we ask that the House, Senate, and conference reports again specify the exact level of Federal funding that is appropriated for the Energy Star program as in the fiscal year 2006 reports. Such direction to EPA is needed to assure that funding intended by Congress for the program is used by the agency for that purpose. Unfortunately, EPA has a history of imposing internal cuts in the program, especially in years when Congress has not specified Energy Star funding.

CONCLUSION

The Energy Star program proves that we can protect the environment while simultaneously saving consumers money on their energy bills and enhancing the economy. Energy Star provides the catalyst for many businesses, State and local governments, and consumers to invest in energy efficiency, which in turn yields multiple private and public benefits. It does this by providing access to information, improving brand recognition, and providing positive publicity.

While there are many demands on the country's financial resources, Energy Star has proven tremendously cost-effective, and it returns important benefits to the Nation. Every added Federal dollar invested in Energy Star in fiscal year 2008 will return a significant and cost-effective yield in pollution reduction, economic stimulation, energy security, and consumer savings.

PREPARED STATEMENT OF THE AMERICAN ARTS ALLIANCE

Madam Chairwoman and distinguished members of the subcommittee, I am grateful for this opportunity to submit testimony on behalf of the American Arts Alliance and its member organizations. The American Arts Alliance is a national network of more than 4,100 members comprising the professional, nonprofit performing arts and presenting fields. For more than 30 years, the American Arts Alliance has advocated for national policies that recognize, enhance, and foster the contributions the performing arts make to America.

We urge the committee to designate a total of $176 million to the National Endowment for the Arts (NEA). This testimony is intended to highlight the importance of the Federal investment in the arts to sustaining a vibrant cultural community.

THE NEA INCREASES OPPORTUNITIES FOR THE AMERICAN PUBLIC TO ENJOY AND BENEFIT FROM THE PERFORMING ARTS

Since the establishment of the NEA in 1965, access to the performing arts has improved in communities large and small across the country. The NEA has helped to foster the development of the many regional theatres, opera companies, dance companies, orchestras, and performing arts centers that Americans now enjoy. Despite diminished resources, the NEA awards more than 1,700 grants annually to nonprofit arts organizations for projects that encourage artistic creativity, provide lifelong learning opportunities, and engage audiences in the best the arts have to offer. This modest public investment in the Nation's cultural life has resulted in both new and classic works of art reaching all 50 States.

THE NEA SUPPORTS THE CREATION AND PRESENTATION OF THE PERFORMING ARTS IN YOUR COMMUNITY

Last year, performing arts organizations received grants to support a wealth of performing arts productions in communities large and small. The NEA supported a symphony tour to rural communities, an Asian arts festival, a deaf theatre company, a program to provide hands-on music training to African American and Latino students in the 3rd and 4th grade, the 14th annual International Women's Playwriting Festival, the world premiere of an opera based on Nebraska history, a 34-year-old chamber music festival and more. These productions happened not only in major metropolitan areas but in Shepherdstown, West Virginia, Lebanon, New Hampshire, Chico, California and Moscow, Idaho. Few other Federal investments realize economic benefits, not to mention the intangible, intrinsic benefits that only the arts make possible.

WITH MORE FUNDING, THE NEA COULD DO MORE

The NEA has never recovered from a 40 percent budget cut in fiscal year 1996 and all of its programs are seriously underfunded. Any additional monies over the NEA's current budget of $124.4 million will ensure that the NEA continues to support arts organizations in all 50 States. Additional funds would allow the size of individual grants to increase and provide support for the many high-quality grants applications that go unfunded each year.

THE NONPROFIT PERFORMING ARTS COMMUNITY

The following profiles of the current State of the arts presenting, orchestra, dance, musical theatre, opera and theatre fields exemplify the economic, educational and quality of life benefits that performing arts organizations bring to American communities.

ARTS PRESENTERS

Performing arts presenters bring professional performing artists from all over the world into the communities they serve. They include organizations such as performing arts centers, academic institutions, local arts agencies, festivals and fairs. In coordinating all the necessary steps to bring the arts to a local community, presenters facilitate the interaction between artists and audiences, support the creation and touring of new works and are civically engaged in their communities. The number of nonprofit presenting organizations in the United States has grown from fewer than 400 in 1965 to more than 7,000. Collectively, presenters in the United States serve 6 million audience-goers each week and constitute more than a $5 billion industry. This is in large part due to support from the NEA. Presenters not only bring the arts into communities, but value arts education and give back to the communities they serve. The Association of Performing Arts Presenters, a national service and advocacy organization with more than 2,100 members worldwide, commissioned an Urban Institute survey revealing that:

—77 percent of presenting organizations develop programs and offer performances for students K–12.

—75 percent of presenting organizations offer free tickets through programs serving the poor, elderly and youth groups.

—50 percent of presenting organizations facilitate programs for adult education and outreach.

—54 percent of presenting organizations offer special services for persons with hearing, sight or mobility impairments.

DANCE

In 1965, there were approximately 35 nonprofit professional dance companies. Today, there are more than 600. America's dance companies perform a wide range of styles and genres. These include both classical and contemporary ballet, both classical and contemporary modern, as well as jazz, tap, cross-disciplinary fusions and traditional to modern work rooted in other cultures. When the NEA instituted its Dance on Tour program in the 1970's, great dance became accessible to every community in America. NEA programs today, like the National College Choreography Initiative, continue to ensure that the best of American dance is for all of America, and a showpiece for the rest of the world as well.

Based on a 2005 survey, Dance/USA estimates that the 79 largest and most visible non-profit dance companies in the United States do the following:

—Employ over 7,000 people;

—Perform for total home audiences of nearly 3.3 million people. This does not include touring audiences, nor does it count the millions who attend performances given by the hundreds of dance companies with budgets under $1 million;

—Utilize 26,500 volunteers, including 3,100 members of boards of trustees;

—Pay nearly $227.9 million in wages and benefits;

—Receive 3 percent of their income from government sources.

MUSICAL THEATRE

Located in 35 States and 7 countries, the 148 member organizations of the National Alliance for Musical Theatre include not-for-profit and commercial theatres, presenting houses, universities and independent producers. Founded in 1985 and based in New York City, the National Alliance for Musical Theatre (NAMT) is the national service organization dedicated exclusively to musical theatre and serving some of the leading musical theatre producers in the world. Last season, NAMT members cumulatively staged over 27,000 performances attended by 16 million people, and had revenues totaling over $500 million. NAMT has presented its Festival of New Musicals annually since 1989, bringing together theatre producers and writers, with the goal of furthering the development and production of new musicals. NAMT's Festival has showcased over 300 writers and 200 new musicals, which have had thousands of subsequent productions worldwide. Past Festival shows include Children of Eden (over 1,000 productions), The Drowsy Chaperone (five Tony Awards in 2006 and named "Best Musical" by the Drama Desk Awards, New York Drama Critics Circle, and L.A. Ovation awards), I Love You Because (Off-Broadway in 2006), Meet John Doe (world premiere at Ford's Theatre in 2007), Songs for a New World (over 400 productions), and Thoroughly Modern Millie (2002 Tony Award for Best Musical).

OPERA

OPERA America members are found in communities all across the country—a total of 116 companies in 44 States. American opera companies are well known for their innovative and exemplary education and outreach programs, many of which are funded in part with NEA grants. Virtually all U.S. opera companies run such programs in their communities. Opera companies help fill the void left by discontinued arts education in many public school systems and can help young people communicate the realities of their lives via disciplined artistic expression. The audience for education and community programs served by US and Canadian companies during the 2004–2005 season totaled over 2 million people.

All together, the opera companies of America contribute more than one half billion dollars to the U.S. economy each year and provide more than 20,000 jobs each year (paying almost $473 million in taxable salaries and fees).

ORCHESTRAS

In its 40-year history, the NEA has provided invaluable leadership and support for musicians, orchestras, and the communities they serve through direct grants, support to State arts agencies, and national leadership initiatives. Supported by a network of musicians, volunteers, administrators, and community leaders, America's adult, youth, and college orchestras total more than 1,800 and exist in every State and territory, in cities and rural areas alike. They engage more than 150,000 instrumentalists, employ (with and without pay) more than 8,000 administrative staff, and attract more than 475,000 volunteers and trustees.

In 2004–2005, orchestras perform more than 37,000 concerts to total audiences nearing 28 million. In addition to concerts, orchestras offer more than 40 different kinds of programs for their communities, including:

—in-depth, multi-year residencies
—long-term partnerships with schools
—after-school and summer camps
—programs in hospitals and libraries
—instrumental education
—educational classes for seniors

The NEA's fiscal year 2006 grants to organizations included 111 grants to orchestras and the communities they serve, supporting arts education for children and adults, expanding public access to performances, preserving great classical works, and fostering the creative endeavors of contemporary classical musicians, composers, and conductors.

THEATRE

In 1961, nonprofit theatre in America consisted of only 16 theatre companies. Today, thanks in large part to the pivotal role played by the NEA, the number of theatre companies is estimated to be greater than 1,400. Nearly every Pulitzer Prize winning play since 1976 has originated at a NEA-funded theatre.

Theatre Communications Group (TCG), the national organization for the American non-profit theatre, reports that the estimated 1,490 theatres in the U.S. employ more than 110,000 workers—actors, directors, playwrights, designers, administrators and technicians—and constitute a more than $1.5 billion industry. Collectively, these theatres are estimated to have offered 169,000 performances that attracted over 32 million patrons.

Based on recent surveys of 202 non-profit theatres, TCG reports the following:

—Over 1,283 outreach and educational programs are in existence today.
—Over 3.5 million people—including a large number of at-risk children—are served by these programs. This network of educational and outreach programs all across the country, ensures access to all Americans and helps develop new generations of audiences.
—These programs include touring productions, artists-in-the-schools, teacher training, workshops and lectures in local community centers and libraries, programs for at-risk youth, and lifelong learning opportunities.

CONCLUSION

Performing arts organizations are a vital component of community life, allowing citizens to appreciate our Nation's culture and heritage through excellent artistic programming. The arts illuminate the human condition, our history, contemporary issues and our future. The NEA is an investment that realizes significant returns on the Federal dollars invested, both measurable and intangible. We urge you to designate no less than $176 million to the NEA. Thank you for your consideration of our request.

PREPARED STATEMENT OF AMERICANS FOR THE ARTS

Americans for the Arts is pleased to submit written testimony to the Senate Appropriations Subcommittee on the Interior, Environment, and Related Agencies, supporting fiscal year 2008 funding for the National Endowment for the Arts (NEA) at a restored level of $176 million. Through this statement, we hope to provide you with a snapshot of some national trends in the arts community.

A month ago, Americans for the Arts hosted Arts Advocacy Day, an event that was cosponsored by 93 national organizations representing dance, theatre, music, literature, visual and media arts—the full gamut of American culture. Collectively these groups represent tens of thousands of nonprofit and governmental cultural organizations at the State and local levels across the country. On that day, we came together on a common agenda, and the above request—for $176 million for the NEA in fiscal year 2008—is the result of the collaborative work of these passionate groups.

Our Nation's leaders recognize that creativity and innovation are the key to remaining competitive in the 21 century. Too often, however, the role of the arts in fostering these attributes is overlooked or minimized. The fact is that creativity and innovation do not fit into the simple silos of "arts" or "science" or "mathematics" or "technology." Any scientist will tell you that science is not merely a matter of logic but also one of creativity. It's no accident that Donna Shirley, who managed the Jet

Propulsion Laboratory's Mars Rover project, said that 70 percent of her top scientific staff had an arts background. Any artist can testify to the discipline needed to excel. Many of our cultural and educational institutions, such as MIT, have educational programs, performances, and exhibitions that reveal and celebrate the complex relationships among art, science, and technology. The mathematical and scientific elements in music are obvious, from rhythm to acoustics. The physical and chemical properties of light, paint, and canvas are well known to visual artists—not to mention to those who are charged with the conservation of such works. But the arts also stand on their own as powerful stimulants of creativity. They demand intense concentration and keen observation; they facilitate comparison, judgment, and critical thinking; just as surely as does a complex math problem or a feat of engineering.

Leading voices in this field such as Daniel Pink, Sir Ken Robinson, and Richard Florida are speaking about the interdependent nature of arts, sciences, creativity, innovation, technology, education, and the economy, and the importance of developing multi-faceted policies that take advantage of their rich connections to each other. Congressional Arts Caucus Co-Chair Louise Slaughter has called attention to "the stunning gifts American artists make to our daily lives. Their creative force not only helps our children learn but also makes them smarter. It brightens the life of each one of us, bringing us joy and comfort, enlightenment and understanding, in ways impossible to find otherwise. The arts and artists of America are our national treasure, which this great Nation needs, deserves, and must support as other nations do."

ECONOMIC IMPACT AND REACH OF THE ARTS

For some policy makers, the human enrichment factor of the arts is not always enough to motivate spending taxpayers' money. To that point, I say that the arts also mean business. In 2002, Americans for the Arts released a groundbreaking national report, "Arts & Economic Prosperity II: The Economic Impact of Nonprofit Arts Organizations and Their Audiences," documenting the economic return for communities that support the arts. It revealed that the nonprofit arts industry generates $134 billion in economic activity annually, supporting 4.85 million full-time equivalent jobs and generating $24.4 billion of tax revenue back to Federal, State, and local governments. The best news is that the nonprofit arts industry is a growing industry that is a full partner of America's new "information economy" and is inextricably rooted in creating home-grown American jobs that cannot be later outsourced abroad.

On May 22, we will release our largest-ever national report on the economic impact of the arts. More than 6,000 nonprofit arts organizations and 90,000 arts audience attendees in 157 communities in every State, including the District of Columbia, participated in this updated study.

According to data that we collect from Dun & Bradstreet, an astounding 547,000 companies in this country directly or indirectly center their business on the arts. We have mapped each of these companies by congressional district. The economic importance of the arts does not stop there. The arts fuel creativity and innovation in hundreds of other industries, ranging from product and software design to breakthroughs in science and medical research. It is no wonder Daniel Pink's best selling book A Whole New Mind: Why Right-Brainers Will Rule the Future has taken the business community by storm with his assessment that "the MFA is the new MBA."

STATUS OF PUBLIC AND PRIVATE SUPPORT FOR NONPROFIT ARTS ORGANIZATIONS

Despite the economic and societal potential of the arts, the Federal Government has not kept pace with its government partners at the State and local level. Except for declines in funding after 9/11, local and State government budgets for the arts have collectively and steadily increased, respectively representing a 32 percent and 45 percent increase since 1994. On the other hand, Federal support for the National Endowment for the Arts took a deep 40 percent cut in 1995 and has had only modest increases in the subsequent years, representing a 27 percent decrease.

During the mid-90s when Congress decided to cut funding for the arts, one rationale was that private sector charitable giving would easily make up for the funding gap. Unfortunately, the problem became worse. The matching requirement that is prerequisite in NEA grants acts as a powerful funding magnet for the arts. Despite record increases in total philanthropy for charities over the last decade, the market share of private giving to the arts has rapidly decreased, perhaps not so coincidentally around the same time as the cuts in Federal funding for the arts.

Last October, the Wall Street Journal ran a major article on this topic, "Hunger vs. the Arts," which described the challenges that arts organizations are facing as this market share of private sector support for the arts declines. Expressed in real

dollars, if the nonprofit arts had merely maintained the 8.4 percent market share of total philanthropic giving that it enjoyed back in 1992, instead of the 5.2 percent market share it has today, there would have been an additional infusion of $8.4 billion for the arts this year alone. The Federal Government can help reverse this trend by bringing back national attention and incentives for giving to the arts in America.

LOCAL ARTS AGENCIES

Since its inception, the NEA has had great influence on growing the local arts agency field, providing powerful incentives for local governments to step up their own government funding programs for the arts. The local arts agency field of community-based arts service and organizational capacity builders has expanded to include united arts funds, arts and business councils, statewide arts service organizations, and other community-based arts organizations. In 1967, shortly after President Johnson signed the act that created the NEA, there were 500 local arts agencies. That number has grown to about 4,000 today, an 800 percent increase.

Local arts agencies, along with State arts agencies, are the only organizations that are Federally designated to re-grant NEA funds to help serve the unique needs of local arts organizations and individual artists. Also, in many cases, they are Federal grantees themselves. Local arts agencies use NEA grants to create diverse public programs that include developing cultural plans; creating economic zones for cultural districts; distributing emergency relief funds; partnering with school districts to create arts education plans; and even coordinating local business groups with 'central ticketing' marketing projects. Perhaps most importantly, local arts agencies facilitate public and private charitable giving to the arts through united arts funds. Examples of recent NEA grants to local arts agencies include:

Los Angeles County Arts Commission, Los Angeles, CA

To support leadership development opportunities for municipal arts staff and commissioners. Project activities will include an internship program and the provision of grants for cultural planning or assessments that will culminate in a written plan with implementation strategies.

Mimbres Region Arts Council, Silver City, NM

To support the Youth Mural Project. Students will be paired with professional artists, local historians, and community elders to produce murals that express aspects of the cultural history of the Grant County Region.

Salt Lake Arts Council Foundation, Salt Lake City, UT

To support Living Traditions: A Celebration of Salt Lake's Folk and Ethnic Arts. Nationally recognized artists and local artists, including craftspeople, dancers, and musicians identified with the assistance of the staff folklorist of the Utah Arts Council, will share contemporary customs founded on local heritage.

City Cultural Commission, Portsmouth, NH

To support an arts district planning process. This arts district planning study will build on priorities articulated in the current citywide cultural and master plans and will lead to the development of the Islington Street Arts District.

The NEA has also provided grants to local arts agencies to help administer emergency relief funds to communities affected by disaster, including grants to the New Orleans Arts Council after Hurricane Katrina and to the Lower Manhattan Arts Council after 9/11. However, because the NEA has no dedicated relief funds for the arts, it has been sometimes difficult to identify and disburse the funds as quickly as needed. For that reason, Americans for the Arts established its own permanent Emergency Relief Fund that disbursed over $100,000 to Gulf Coast arts organizations within the first two weeks of Katrina hitting.

NATIONAL ENDOWMENT FOR THE ARTS

Federal support carries increased value because it sends a signal to other funders. As NEA Chairman Gioia recently noted, "In case after case, the NEA learned that its grants had a powerful multiplying effect. Every dollar that the NEA gave in grants typically generated seven to eight times more money in terms of matching grants, further donations and earned revenue." The NEA should be a national leader in responding to the organizational capacity of arts organizations to help meet the growing needs of a growing population. Currently, however, the NEA budget of $124 million is woefully inadequate to carry out this role. In 1992, the NEA's all-time-high budget was $176 million and we ask the subcommittee to return the agen-

cy's budget to this level. Thank you very much for the opportunity to submit formal testimony on these issues.

PREPARED STATEMENT OF THE AMERICAN FOREST & PAPER ASSOCIATION

The American Forest & Paper Association[1] (AF&PA) supports the sustainable management of our Nation's public and private forests. The recommendations outlined in this testimony concern fiscal year 2008 appropriations for the U.S. Forest Service and related agencies. Restoring the health of our national forests through active management, while maintaining a strong forest products infrastructure, is AF&PA's number one priority for the fiscal year 2008 budget.

ACTIVE MANAGEMENT TO RESTORE FOREST HEALTH AND KEEP AMERICA COMPETITIVE

Increased funding for the Forest Service and Bureau of Land Management (BLM) to implement the President's Healthy Forests Initiative and the Healthy Forests Restoration Act is critical. Government researchers estimate that almost 200 million acres of Federal lands are at increased risk for catastrophic wildfire due to the buildup of hazardous fuels. This poses serious threats to adjacent private forestlands, communities, air and water quality, and wildlife habitat. Insect epidemics in both the west and east now cover millions of acres, creating additional risks to private forestlands and also increasing the risk of catastrophic wildfire. A further risk posed by catastrophic wildfires is the immediate release of carbon dioxide into the atmosphere.

The Forest Service wildfire suppression budget over the last 16 years has increased from 13 percent of the total agency's budget to 45 percent, and it is predicted to continue to increase. As a result of the rising suppression costs and a relatively flat overall budget, the National Forest System budget as a proportion of the total Forest Service budget has shrunk significantly over this period, limiting the resources that can be used to proactively reduce fuel loads and improve forest health. It is critical that the Forest Service focus on active management strategies in order to "get ahead" of fires and insect epidemics. We also encourage consideration of alternative strategies to budget for large wildfires to avoid the impact on vegetation management and other programs, as well as greater emphasis on suppression cost containment measures.

Specific tools available to the Forest Service to help address these problems include:

Forest Products.—AF&PA supports an increase to the Forest Products program, for a funding level of $318.5 million, and the proposed increase in program outputs to 3.5 billion board feet. Timber sales and stewardship projects are important tools to achieve forest health and hazardous fuels reduction objectives. Furthermore, these activities are crucial to retaining forest industry infrastructure, which is vital for meeting national forest objectives. Lost industry capacity cannot be replaced easily, especially in rural communities where sawmills have traditionally relied on timber supplies from the national forests. The resulting lost capacity diminishes the Forest Service's ability to economically manage the national forests and address forest health.

A reliable and increased supply of national forest timber is critical to the stability of industry infrastructure. The volume sold through timber sales has increased slightly over the last several years, but currently is still less than three billion board feet. This level is well below sustainable harvest levels, and is insufficient to develop and maintain the industry capacity needed to meet ecological, economic, and social needs. Forest Service data indicate that annual growth of trees on the national forests is five times greater than annual harvest, further exacerbating the risk of catastrophic fires and insect epidemics.

An increase to the forest products program is a necessary and important step towards implementation of all national forest plans. Current funding levels compromise the ability of the agency to implement these forest plans, including forest health activities and timber sales. We are pleased to note, however, that the agency is proposing a substantial reduction in unit costs, which we applaud.

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[1] AF&PA is the national trade association of the forest, paper and wood products industry. AF&PA represents more than 200 companies and related associations that engage in or represent the manufacture of pulp, paper, paperboard and wood products. The U.S. forest products industry accounts for approximately 6 percent of the total U.S. manufacturing output, employs more than a million people, and ranks among the top 10 manufacturing employers in 42 States with an estimated payroll exceeding $50 billion.

Timber sales provide important revenue to the Treasury and an opportunity to offset significant restoration costs on our Nation's public lands. Timber sales and mechanical thinning represent economically worthwhile strategies, and funding can be leveraged to provide additional acres of hazardous fuels reduction activities.

We support measures to reduce costs and increase efficiencies. We urge Congress to monitor the cost effectiveness of Forest Service management and provide direction that will allow the Forest Service to reduce costs of doing business. The Forest Service has proposed a $63 million savings through indirect cost pool reductions, and further savings through a 25 percent reduction in the Washington office and regional offices. We support these goals and strongly urge Congress to require a fiscal year 2008 mid-year report on the agency's progress in achieving them. Further, those savings should be directed to active management to improve forest health.

Hazardous Fuels Reduction.—AF&PA supports an increase to the Hazardous Fuels Reduction program. Treating hazardous fuels within the wildland-urban interface and across the landscape is essential to preventing catastrophic wildfires and insect and disease outbreaks and protecting resource values and species habitat. In order to reduce costs, we urge emphasis of these activities in areas with existing forest industry infrastructure. We further support a greater emphasis on mechanical thinning to reduce hazardous fuels and greenhouse gas emissions, from prescribed and wildland use fires, with particular priority on Condition Class 3 acres (acres representing the greatest departure from the natural regime). Mechanical thinning provides ecological benefits, economic benefits through the value of fiber removed, and climate change benefits, since wood products help prevent the use of other products that have larger carbon impacts, such as aluminum, steel, concrete, and plastic.

We are concerned about the lack of accountability within the agency's forest health strategy. The agency currently measures its accomplishments through acres treated, which is too simplistic a metric to capture the landscape needs. The metrics need to focus on improving conditions on the landscape, in order to fully ensure that appropriated funds achieve the desired land stewardship goals. We recommend separate accounting for maintenance of acres and improvement of acres relative to the fire regime condition class. Furthermore, we urge that each National Forest improve at least 5 percent of Condition Class 3 acres annually over 20 years.

We also continue to be concerned about the lack of integration between the hazardous fuels program and other vegetation management programs. In particular, we are concerned that the Forest Service has not moved the hazardous fuels program and funding into the National Forest System, even though Congress has provided this authority. In our view, this shift would increase the agency's ability to fully integrate fuels reduction and other vegetation management programs, thereby achieving greater efficiencies on the ground, and we urge Congress to require this shift.

RESEARCH TO RESTORE FOREST HEALTH AND KEEP AMERICA COMPETITIVE

Targeted research is needed to support forest health, restoration, and economic utilization of fiber. Research helps find innovative ways to promote and enhance forest sustainability and provides scientifically sound data that benefits both public and private forests. Forest Service research investments in enhancing forest productivity, addressing the threats of insect and disease, quantifying carbon sequestration, and understanding forest management decisions on wildlife, water quality, biodiversity, landscapes and habitats, all contribute to efforts to achieve healthy forests.

Forest Inventory and Analysis (FIA).—AF&PA recommends full funding of the program, an $11 million increase over the President's fiscal year 2008 request. The FIA program is the Nation's most comprehensive forest data collection and analysis program. It is a critical program that allows us to assess the sustainability and health of the Nation's forest resources. Full funding is needed to allow the Forest Service to achieve its stated goals to cover 100 percent of U.S. forest lands, fully implement the annual inventory, expedite data availability and analysis, improve working relationships with the States, and modernize FIA management systems.

Forest Products and Utilization Research.—AF&PA supports the research on forest products and utilization at the Forest Products Lab and other Research Stations. Innovative wood and fiber utilization research contributes to conservation and productivity of the forest resource. The development of new forest products and important research on the efficient use of wood fiber directly address the forest health problem through exploration of small diameter wood use and bioenergy production.

Agenda 2020 Research.—AF&PA recommends increased funding within the Forest Service R&D program in support of the Agenda 2020 Sustainable Forest Productivity roadmap. The forest product industry's Agenda 2020 program has a proven track record for pre-competitive R&D. Working in partnership with universities and

the private sector, Forest Service R&D funding for the Agenda 2020 program supports research to develop and deploy wood production systems that are ecologically sustainable, socially acceptable, and economically viable in order to enhance forest conservation and the global competitiveness of forest product manufacturing and biorefinery operations in the United States. There are significant benefits for industry and the Nation, including an improved regulatory and business climate for domestic timber production in managed forests, increased investment in new technologies, and the production of lower cost, higher quality wood on fewer acres of forestland.

CONCLUSION

AF&PA appreciates the opportunity to provide the subcommittee with testimony regarding the fiscal year 2008 budget. If implemented, increased funding for key programs will help promote sustainable management and forest health on our Nation's public and private lands.

PREPARED STATEMENT OF THE AMERICAN GEOLOGICAL INSTITUTE

Thank you for this opportunity to provide the American Geological Institute's perspective on fiscal year 2008 appropriations for geoscience programs within the subcommittee's jurisdiction. We ask the subcommittee to support the well-informed, yet fiscally responsible increases in the administration's budget proposal for the Minerals Management Services (MMS), the Bureau of Land Management's Energy and Mineral Management program and the Smithsonian Institution. AGI also supports new funding for fixed costs and a few high priority programs within the United States Geological Survey (USGS). The high priority programs include a new Integrated Multi-Hazards Demonstration Project, the National Streamflow Information Program, the Energy Resources Program and some new funding for the Landsat Continuity Mission.

Regrettably, the administration also proposes significant cuts to the USGS mineral resources and water programs. If the President's request were enacted, the USGS would receive a total budget of only $975 million, a 0.3 percent decrease compared to last year's funding, while the Mineral Resources Program would receive a more than $24 million cut, leaving the program with less than $30 million in fiscal year 2008 and the Water Resources Program would be cut by about $7 million. If enacted, these reductions would hamper the Survey's ability to carry out its important objectives to monitor environmental conditions and provide resource assessments for economic development and national security. The value of domestically processed nonfuel mineral resources is estimated to be about $478 billion and growing. The USGS Mineral Resources Program is the only entity, public or private, that provides an analysis and assessment of the raw materials and processed minerals accessible from domestic and global markets. Specifically, we ask the subcommittee to restore funds to the Mineral Resources Program and the Water Resources Program and to support a $1.2 billion overall budget for USGS. This budget would allow essential, but consistently under funded, programs throughout the agency to fulfill their basic mission and such a request is supported by the 70 organizations of the USGS Coalition. AGI is a charter member of the USGS Coalition.

For the Environmental Protection Agency (EPA), the proposed fiscal year 2007 is $7.3 billion, a 5.1 percent decrease from last year with significant cuts for State water programs. AGI supports full funding for water programs in EPA and USGS, given the importance of clean and readily available water for our citizens, industries, local to Federal Government agencies and the environment.

AGI is a nonprofit federation of 44 geoscientific and professional associations that represent more than 100,000 geologists, geophysicists, and other earth scientists who work in industry, academia and government. The institute serves as a voice for shared interests in our profession, plays a major role in strengthening geoscience education, and strives to increase public awareness of the vital role that the geosciences play in society's use of resources and interaction with the environment.

U.S. GEOLOGICAL SURVEY

For the fifth year in a row, the USGS faces cuts in the administration's request. AGI thanks the subcommittee for its record of restoring critical funds and recognizing the Survey's essential value to the Nation. The USGS is a critical Federal science agency and it should receive increased funding like the proposed increases in the President's American Competitiveness Initiative for the National Science Foundation and the Office of Science within the Department of Energy. The USGS

performs complementary research, analysis and education and should be part of the President's initiative to advance innovation, reduce imported oil dependencies and ensure American competitiveness in science and technology.

Virtually every American citizen and every Federal, State, and local agency benefits either directly or indirectly from USGS products and services. As was made clear by the National Research Council report Future Roles and Opportunities for the U.S. Geological Survey, the USGS's value to the Nation goes well beyond the Department of the Interior's stewardship mission for public lands. USGS information and expertise address a wide range of important problems facing this Nation: earthquakes and floods, global environmental change, water availability, waste disposal, and availability of energy and mineral resources. Some of the most important activities of the Survey serve the entire Nation. At the same time, AGI recognizes that the Survey does have a responsibility to provide scientific support for its sister land management agencies at Interior, an important mission that needs to be well executed if land management decisions are to be made with the best available scientific information. It is imperative that these missions be recognized and valued within the Department and by the administration. AGI asks the subcommittee to continue its efforts to help the administration better understand the Survey's value to the Nation as a whole.

Mineral Resources Program.—This highly regarded research program is the Nation's premier credible source for regional, national and global mineral resource and mineral environmental assessments, statistics and research critical for sound economic, mineral-supply, land-use and environmental analysis, planning and decision-making. AGI urges the subcommittee to reject the administration's requested cuts to this program and to fund it at the fiscal year 2005 appropriated level of $54 million. The huge cut, leaving the program with less than $30 million in fiscal year 2008 would decimate the program. It would cost about 210 of 380 full time positions and would eliminate or reduce global mineral resource assessments of mineral commodities, research on industrial minerals, research on inorganic toxins, materials flow analyses, and the Minerals Resources External Research program. The essence of the program would be jeopardized at a time when mineral products account for a rapidly growing and valuable commodity of the U.S. economy.

The Mineral Resources Program (MRP) has 6 divisions with offices across the United States working on a broad range of initiatives to secure the Nation's economic base and environmental welfare. Each month, the Minerals Information Services of the MRP responds to over 2,000 telephone inquiries and more than 90,000 email or facsimile inquiries from the Federal Government, State agencies, domestic and foreign agencies, foreign governments and the general public. Cutting-edge research by MRP scientists investigates the role of microbes in the geochemical cycles of arsenic, mercury, lead and zinc to understand the transport and accumulation of health-threatening toxins related to these elements and to distinguish their natural or anthropogenic sources. MRP scientists also investigated and prepared a report on the asbestos-bearing debris in the aftermath of the World Trade Center disaster. The Global Mineral Resource Assessment Project of the MRP provides unbiased and timely information about the current and future availability of mineral resources around the world, which is needed to understand and anticipate economic, health, environmental and political factors that will affect how these resources are used in this increasingly interconnected world.

The data and analyses of the MRP are used by the Department of the Interior, Department of Defense, the Central Intelligence Agency, the Department of State, the Federal Reserve, other Federal, State, and local government entities, foreign governments, private companies and the general public. Analyses based on the MRP data are essential for guiding economic and environmental policy and for providing options for land use decisions posed by industry, government and private land owners. We urge the subcommittee to restore the Mineral Resources Program to its fiscal year 2005 level of $54 million so that it may perform its core missions effectively and efficiently.

National Cooperative Geologic Mapping Program.—AGI is encouraged by the administration's continued requests for small annual increases for the National Cooperative Geologic Mapping Program (the fiscal year 2008 request is for $26 million) and values Congress' past support for much larger increases. This important partnership between the USGS, State geological surveys, and universities provides the Nation with fundamental data for addressing natural hazard mitigation, environmental remediation, land-use planning, and resource development. The program was authorized (Public Law 106–148) to grow by about 10 percent to 20 percent per year from a starting level of $28 million in 1999 to $64 million in fiscal 2005. Reauthorization at $64 million per year over the next 5 years is currently being considered in Congress. AGI strongly supports the increased funding being considered by

Congress because the program provides a timely basis for assessing water availability and quality, risks from hazards and other major land and resource-use issues that are of increasing prominence in many States.

Natural Hazards.—A key role for the USGS is providing the research, monitoring, and assessment that are critically needed to better prepare for and respond to natural hazards. The tragic earthquake/tsunami in the Indian Ocean, hurricanes Katrina and Rita striking the Gulf Coast and the massive earthquake in Pakistan, remind us of the need for preparation, education, mitigation and rapid response to natural hazards. A 2006 National Academies report entitled Improved Seismic Monitoring estimates that increased seismic monitoring leads to increased future savings from the damaging effects of potential earthquakes. Given recent events and this timely report, AGI strongly supports the administration's request for increased funding for Earthquake, Volcano and Landslide Hazards and appreciates Congress' past support for these programs. With great forethought, the Earthquake Hazards Reduction Authorization Act of 1999 called for a significant Federal investment in expansion and modernization of existing seismic networks and for the development of the Advanced National Seismic System (ANSS)—a nationwide network of shaking measurement systems focused on urban areas. ANSS can provide real-time earthquake information to emergency responders as well as building and ground shaking data for engineers and scientists seeking to understand earthquake processes. ANSS has been allocated about 10 percent of its authorized funding level per year, which is not nearly enough to deploy the 7,000 instruments called for in the law. Currently, 66 are operating and there is much more work that needs congressional support. We would like to commend the subcommittee for your leadership in securing previous increases for ANSS and ask for additional increases in fiscal year 2008. ANSS was authorized to receive $36 million in fiscal 2008 and the President's request is only for about $8 million. The National Earthquake Hazards Reduction Program (NEHRP) was reauthorized in October, 2004 and AGI supports the appropriation of full funding for this vital program. We hope that all of these under funded systems will receive additional support to meet their timely goals of better protection and mitigation of earthquake hazards long before we need to react.

Water Programs.—The president's request calls for the termination of the Water Resources Research Institutes. AGI strongly encourages the subcommittee to oppose these reductions and to fully support this program at its small, but effective fiscal year 2005 level of $6.4 million. AGI is pleased that the administration supports increased funding for stream gages and the National Streamflow Information program.

Homeland Security.—Another troubling aspect of the President's request is the lack of funding for the USGS activities in support of homeland security and the war on terrorism overseas. All four disciplines within the Survey have made and continue to make significant contributions to these efforts, but the fiscal year 2008 request does not provide any direct funding. Instead, those costs must be absorbed in addition to the proposed cuts. AGI encourages the subcommittee to recognize the Survey's important role in homeland security and ensure adequate support for its newfound responsibilities.

SMITHSONIAN INSTITUTION

The Smithsonian's National Museum of Natural History plays a dual role in communicating the excitement of the geosciences and enhancing knowledge through research and preservation of geoscience collections. AGI asks the subcommittee to build up Smithsonian research with steady increases that are a tiny fraction of the overall budget, but would dramatically improve the facilities and their benefit to the country. We support increased funding for Smithsonian research in fiscal year 2008.

NATIONAL PARK SERVICE

The national parks are very important to the geoscience community as unique national treasures that showcase the geologic splendor of our country and offer unparalleled opportunities for both geoscientific research and education of our fellow citizens. The National Park Services's Geologic Resources Division was established in 1995 to provide park managers with geologic expertise. Working in conjunction with USGS and other partners, the division helps ensure that geoscientists are becoming part of an integrated approach to science-based resource management in parks. AGI would like to see additional support for geological staff positions to adequately address the treasured geologic resources in the national parks.

Thank you for the opportunity to present this testimony to the subcommittee. If you would like any additional information for the record, please contact me at 703–

379–2480, ext. 228 voice, 703–379–7563 fax, rowan@agiweb.org, or 4220 King Street, Alexandria VA 22302–1502.

PREPARED STATEMENT OF THE AMERICAN HIKING SOCIETY

American Hiking Society fiscal year 2008 trail and recreation funding recommendations:

National Park Service (NPS):
—Rivers, Trails and Conservation Assistance program: $12 million
—National Trails System: $11.915 million, plus $1.25 million for GIS Network
Bureau of Land Management (BLM):
—National Landscape Conservation System: $69 million
—Recreation and Wilderness Management: $70 million
U.S. Fish & Wildlife Service
—National Wildlife Refuge System: $451 million
USDA Forest Service (FS):
—Recreation Management, Heritage and Wilderness: $271 million
—Capital Improvement and Maintenance—Trails: $78 million
Land and Water Conservation Fund (LWCF):
—Stateside LWCF (NPS): $125 million
—Federal LWCF: $220 million, including $47.265 million for National Scenic and Historic Trails, as follows: Appalachian NST: $9.32 million (FS); Continental Divide NST: $200,000 (BLM); Ice Age NST: $4.75 million (NPS); Florida NST: $5 million (FS); North Country NST: $4 million (FS); Pacific Crest NST: $23.8 million (FS); Overmountain Victory NHT: $195,000 (FS).

Madam Chairwoman and members of the subcommittee, American Hiking Society is the only national nonprofit organization that promotes and protects foot trails and the hiking experience. With a strong membership base of individual hikers and hiking clubs, American Hiking represents half a million outdoors people and serves as the voice of the American hiker. American Hiking Society, our members and member organizations, and the 75 million Americans who hike have a strong interest and stake in the future of trails and our parks, forests, and other public lands. We appreciate the subcommittee's past support for trails and recreation and urge you to support strong funding in fiscal year 2008 that will keep our trails open, safe, and enjoyable today and for future generations.

Our Nation's trails provide unparalleled opportunities for hiking and other outdoor recreation activities, enjoyment and appreciation of natural and cultural resources, healthy physical activities, alternatives for transportation, and economic development for local communities. Hiking in particular offers a healthy, enjoyable and relatively simple way to deepen one's connections to nature, people, and place. Whether it is for fitness, recreation, or learning about nature, hiking is inspirational, fun, and an activity for a lifetime. Hiking can also motivate people to protect the places they love and preserve them for future generations.

Recreation and conservation have increased greatly in importance for the American people, yet the Federal investment for trails, recreation, and land conservation has not increased accordingly. This lag has resulted in high maintenance backlogs, deteriorating infrastructure, loss of open space, and negative impacts to resources. In order for Americans to enjoy the outdoors, experience our rich natural heritage, and find healthy places to recreate, we need protected open spaces and well-maintained trails and other recreation facilities. We recommend the following investments in trails and recreation to protect resources and recreational experiences for future generations, benefit local communities and the economy, and enhance public health and quality of life.

National Park Service.—Under the administration's proposed fiscal year 2008 budget, the NPS would receive a $258 million increase for operations, including the funding of 3,000 new seasonal employees, increases for park maintenance and operations, and modest increases for the Rivers, Trails and Conservation Assistance program and national scenic and historic trails administered by the Park Service. American Hiking supports these increases and urges the following improvements to the proposed NPS budget.

NPS, Rivers, Trails, and Conservation Assistance program (RTCA)—$12 million

RTCA is a technical assistance program that yields enormous conservation and recreation benefits to communities by fostering partnerships between Federal, State, and local interests. The resulting cooperative efforts restore rivers and wildlife habitat, develop trail and greenway networks, preserve open space, and revitalize communities—all contributing to improved quality of life and close-to-home recreation.

RTCA is a very successful and efficient program, but its funding has remained relatively flat during the last decade and lagged well behind the rate of inflation. The program's declining real budget has resulted in significant cuts to staff and reduced staff participation in on-the-ground projects. RTCA requires at least a $3.8 million increase—a total $12 million appropriation—to remedy the program's continued erosion, compensate for losses due to inflation, and enable the program to respond to growing needs and opportunities in communities throughout the country.

NPS, National Trails System—$11.915 million

We request $11.915 million for the National Trails System for resource protection, trail maintenance, interpretation and volunteer coordination, plus $1.25 million to further develop mapping through a Geographic Information System network for the National Trails System. We request $4.5 million for the NPS Challenge Cost-Share Program, with one-third of it earmarked for the National Trails System, or the establishment of a separate Challenge Cost Share Program for the National Trails System at $1.5 million. American Hiking Society is a member of the Partnership for the National Trails System (PNTS) and endorses the specific funding requests for administration and construction for the individual national scenic and historic trails submitted by the PNTS.

BUREAU OF LAND MANAGEMENT (BLM)

National Landscape Conservation System (NLCS)—$69 million

The National Landscape Conservation System represents the crown jewels of western public land managed by the BLM, yet it faces a $10 million cut. The fiscal year 2008 administration budget request would cut funding for the trails and special places in the BLM's Conservation System to less than $2 per acre. American Hiking urges the following:

—Fund the Conservation System at $69 million in fiscal year 2008. This funding level will enable the BLM to retain volunteers, protect visitor safety, survey cultural resources and engage in sound science to manage resources for future generations to enjoy. We support the specific funding requests for national scenic and historic trails submitted by the PNTS totaling $4.652 million.

—Support any Member requests for additional funding, including LWCF requests, for Conservation System units in their districts.

—To promote greater management transparency and accountability for the System, we urge the committee to request expenditure and accomplishment reports for each of the System's Monuments and Conservation Areas for fiscal year 2007 and to ask BLM to include unit-level allocations by major sub-activities for all System units (including Monuments, National Conservation Areas, and National Scenic and Historic Trails) but Wilderness and Wilderness Study Areas (WSAs). These unit-level allocations are to be combined with Wilderness and WSAs under a new activity account for the entire System.

BLM, Recreation Management—$70 million

The BLM supports a broad range of recreational opportunities within its multiple use mission yet continues to receive very limited funding for recreation. The BLM faces daunting challenges with a growing deferred maintenance backlog for upkeep of more than 15,500 miles of trails. BLM is also facing critical inventory, planning and management challenges as it manages a staggering network of an estimated 600,000 miles of roads, trails, routes and ways available for public use—with 80,000 miles maintained and signed. Increased funding will support the development of travel management plans, interpretation projects, stewardship education, outreach projects, expansion of partnerships, and the protection of natural and cultural resources.

U.S. Fish & Wildlife Service, National Wildlife Refuge System (NWRS)—$451 million

With refuges in all 50 States and U.S. Territories, the NWRS protects countless species of wildlife, fish, plants, and critical habitat and provides recreational opportunities for nearly 40 million visitors annually, yet it continues to face significant budget shortfalls. The operations and maintenance backlog for the system totals about $2.75 billion. Approximately 200 refuges do not have any staff. The Refuge System needs an additional $15.1 million annually just to keep pace with inflation and to keep refuges from cutting conservation and public use programs. The NWRS uses its approximately 2,500 miles of land and water trails to deliver its congressionally determined six priority wildlife dependent recreation activities. Without adequate and appropriate staff, refuges will suffer from deteriorating conditions and disrepair. Important management activities such as law enforcement, trail mainte-

nance, biological programs, facilities maintenance, wildlife management, habitat restoration, recreational activities, and educational programs will be diminished or eliminated. At least $8 million is needed for Visitor Facility Enhancements in the NWRS construction budget.

USDA Forest Service, Recreation Management, Heritage and Wilderness—$271 million

Although recreation accounts for the greatest use of National Forest System lands, recreation remains woefully underfunded and understaffed. We are deeply concerned about the administration's fiscal year 2008 proposed funding level for recreation. The proposed cuts, combined with years of inadequate funding, would result in devastating reductions to programs and staff, adversely impact trails and recreation opportunities throughout the country, exacerbate maintenance backlogs, and result in degraded trails and recreation resources, negative impacts to resources, and diminished hiking experiences. The Forest Service requires increased funding for recreation management and wilderness to protect critical resources, upgrade recreation facilities, reduce the $200+ million deferred maintenance backlog, augment on-the-ground recreation staff, improve recreation resource analyses and planning, and more effectively utilize partnerships and volunteers. We ask for your continued strong support of the world class recreation heritage of our National Forest System.

Forest Service, Capital Improvement and Maintenance—Trails—$78 million

The Forest Service manages 133,000 miles of trails and requires increased funding to restore and maintain these thousands of trail miles, improve trail infrastructure, prevent and mitigate resource impacts, and provide safe, high-quality recreational experiences for millions of hikers and other trail enthusiasts. Deferred maintenance costs for trails currently exceed $240 million. We support the individual requests for national scenic and historic trails submitted by the Partnership for the National Trails System totaling $10.24 million.

Land and Water Conservation Fund (LWCF)—$125 million Stateside; $220 million Federal

The LWCF provides and protects hiking opportunities nationwide through Federal land acquisition and State recreation grants. The program helps create parks, protect trails and open spaces, preserve wilderness and wildlife habitat, and enhance recreational opportunities. While LWCF funds have been cut severely, the need for open space and recreation has soared. Through the LCWF, more than 40,000 local and State park, recreation, and conservation projects have been completed in virtually every county across America. Authorized at $900 million annually, LWCF is one of the most important conservation tools ever designed and is critical to the future protection of our public lands and national trails. We strongly oppose the administration's recommendation to zero out the stateside LWCF program.

CONCLUSION

Federal policy encouraging partnerships, healthy lifestyles, and promoting volunteerism to protect and maintain our public lands warrants increased funding for trail and recreation programs across the Federal agencies. Volunteer contributions are also essential to trails and recreation programs, and American Hiking and its members and partners contribute hundreds of thousands of hours each year, worth millions in labor, to help maintain our Nation's trails. However, an increase in volunteerism on public lands must not be perceived as a panacea to agency budget constraints. American Hiking is coordinating nearly 100 week-long Volunteer Vacation trail maintenance trips in 2007 on national parks, forests, and other public lands. On June 2, 2007, American Hiking will coordinate the fifteenth National Trails Day to raise public awareness and appreciation for trails, with more than one thousand events nationwide to maintain and celebrate trails. We work tirelessly to build, maintain and protect hiking trails and their natural corridors so that current and future generations can experience the many joys and benefits of hiking and are inspired to protect this legacy. American Hiking members and outdoorspeople nationwide appreciate the subcommittee's past support for trail and recreation and look forward to continued strong support. Thank you for the opportunity to testify and for considering our requests.

PREPARED STATEMENT OF THE AMERICAN INSTITUTE OF BIOLOGICAL SCIENCES

The American Institute of Biological Sciences (AIBS) encourages Congress to provide the United States Geological Survey (USGS) with at least $1.2 billion for fiscal

year 2008, and at least $200 million for programs of the Biological Resources Discipline.

The USGS provides independent research, data, and assessments needed by public and private sector decision-makers. A unique combination of biological, geographical, geological, and hydrological research programs enables USGS scientists to utilize innovative interdisciplinary research techniques to answer important questions. For instance, USGS data are essential to improving our understanding of climate change, including how biological and environmental systems may respond. Moreover, the USGS collects data that other Federal agencies and nongovernmental scientists do not collect. We cannot afford to sacrifice this information; rather, we should increase our investments in this work.

USGS scientists work collaboratively and are vital members of the research community. Through offices and science centers located in every State and partnerships with more than 2,000 Federal, State, local, tribal, and private organizations, the USGS has built the capacity to leverage additional research expertise. For example, through the Cooperative Research Units program, USGS scientists are stationed at universities. This proximity to academic researchers heightens the intellectual and technical resources devoted to answering biological and natural resource questions. Moreover, Cooperative Research Units are a vital component of our Nation's education and training infrastructure, helping to develop the skills that graduate students need to become the natural resource professionals that government agencies require.

Natural resource managers demand reliable, relevant, and timely information. The Biological Informatics Program develops and applies innovative technologies and practices to the management of biological data, information, and knowledge. Increased funding for the USGS would enable the Biological Informatics Program to continue on-going activities and begin to implement initiatives that the resource management and research communities have identified as priorities. For instance, new nodes could be added to the National Biological Information Infrastructure program, allowing scientists and managers to better access and unlock the power of existing data.

Biological science programs within the USGS gather long-term data not available from other sources. This data has contributed fundamentally to our understanding of bird migratory patterns and the status and dynamics of biological populations, and it has improved our understanding of how ecosystems function. This array of research expertise not only serves the core missions of the Department of the Interior, but also contributes to management decisions made by other agencies and private sector organizations. In short, we need to increase our investments in these important research activities.

Funding for the USGS has remained flat for nearly a decade. The situation is even worse when the budget is adjusted for inflation. Despite inadequate budget requests from the present and prior administrations, Congress has demonstrated its recognition of the importance of USGS science by restoring proposed cuts. In response, the USGS has made every effort to be responsible stewards of public funds and has sought to leverage its limited human and financial resources to the greatest extent possible.

There is growing concern from within the government and outside that funding for the USGS must improve if it is to continue to serve its mission. Without an increased investment in USGS science, core missions and national priorities will suffer. Thus, any effort that Congress can make to fundamentally improve funding for the USGS will be appreciated.

Thank you for your thoughtful consideration of this request. If you require additional information, please contact me at 202–628–1500 or publicpolicy@aibs.org.

PREPARED STATEMENT OF THE AMERICAN PUBLIC POWER ASSOCIATION

The American Public Power Association (APPA) is the national service organization representing the interests of over 2,000 municipal and other State and locally owned utilities throughout the United States (all but Hawaii). Collectively, public power utilities deliver electricity to 1 of every 7 electric consumers (approximately 44 million people), serving some of the Nation's largest cities. However, the vast majority of APPA's members serve communities with populations of 10,000 people or less.

We appreciate the opportunity to submit this statement outlining our fiscal year 2007 funding priorities within the jurisdiction of the Interior and Related Agencies Subcommittee.

ENVIRONMENTAL PROTECTION AGENCY: ENERGY STAR PROGRAMS

APPA is disappointed in the administration's request of $44 million for fiscal year 2008 for EPA's Energy Star Programs as it represents a $1.7 million reduction in their request of approximately $45.7 million from fiscal year 2007 as well as a reduction in the congressional allocation of $49.5 million for fiscal year 2007. We urge the subcommittee to allocate at least the fiscal year 2007 amount for Energy Star.

Energy Star is a voluntary partnership program pairing EPA with businesses and consumers nationwide to enhance investment in underutilized technologies and practices that increase energy efficiency while at the same time reducing emissions of criteria pollutants and greenhouse gases. In particular, APPA member systems across the country have been active participants in a subset of the Energy Star program called "Green Lights." The Green Lights program encourages the use of energy efficient lighting to reduce energy costs, increase productivity, promote customer retention and protect the environment.

According to the EPA, Energy Star is saving businesses, organizations, and consumers more than $9 billion a year, and has been instrumental in the more widespread use technological innovations like LED traffic lights, efficient fluorescent lighting, power management systems for office equipment, and low standby energy use.

ENVIRONMENTAL PROTECTION AGENCY: LANDFILL METHANE OUTREACH PROGRAM

APPA is also disappointed in the administration's request of $1.9 million for fiscal year 2008 for the Landfill Methane Outreach Program at EPA. We would urge the subcommittee to again consider an allocation for this program over and above the administration's request.

The Landfill Methane Outreach Program (LMOP) helps to partner utilities, energy organizations, States, tribes, the landfill gas industry and trade associations to promote the recovery and use of landfill gas as an energy source. According to the U.S. Environmental Protection Agency (EPA), LMOP has more than 490 Partners that have signed voluntary agreements to work with EPA to develop cost-effective landfill-gas-to-energy (LFG) projects. There are approximately 395 operational LFG energy projects in the United States with approximately 140 projects currently under construction or exploring development options and opportunities. LMOP has also developed detailed profiles for over 1,300 candidate landfills.

Landfill gas is created when organic waste in a landfill decomposes. This gas consists of about 50 percent methane and about 50 percent carbon dioxide. Landfill gas can be captured, converted, and used as an energy source rather than being released into the atmosphere as a potent greenhouse gas. Converting landfill gas to energy offsets the need for non-renewable resources such as coal and oil, and thereby helps to diversify utilities' fuel portfolios and to reduce emissions of air pollutants from conventional fuel sources.

In 2005, all operational LFG energy projects in the United States prevented the release of 19 MMTCE (million metric tons of carbon equivalent). This reduction is the carbon equivalent of removing the emissions from 13.3 million vehicles on the road or planting 19 million acres of forest for 1 year. This reduction also has the same environmental benefit as preventing the use of 162 million barrels of oil or offsetting the use of 341,000 railcars of coal.

As units of local and State governments, APPA's member utilities are uniquely poised to embark on landfill-gas to energy projects. EPA's LMOP facilitates this process by providing technical support and access to invaluable partnerships to our members and the communities they serve.

COUNCIL ON ENVIRONMENTAL QUALITY

APPA is disappointed with the administration's request of $2.7 million for fiscal year 2008 for the White House's Council on Environmental Quality (CEQ), and urges the subcommittee to consider allocating at least $3.2 million for this office. Public power utilities have experienced a general lack of consistency in Federal Government regulation, particularly involving environmental issues. While additional layers of government should be avoided, a central overseer can perform a valuable function in preventing duplicative, unnecessary and inconsistent regulation. CEQ is responsible for ensuring that Federal agencies perform their tasks in an efficient and coordinated manner.

PREPARED STATEMENT OF AMERICAN RIVERS

American Rivers, on behalf of our 65,000 supporters nationwide urges the subcommittee to provide $3,562,562,000 for the following programs in the Interior, Environment, and Related Agencies Appropriations bill for fiscal year 2008. I request that this testimony be included in the official record.

ENVIRONMENTAL PROTECTION AGENCY

The Clean Water State Revolving Fund (SRF) provides capitalization grants to States, which in turn provide low-cost loans to communities for a variety of programs to clean up impaired water bodies and protect pristine waters. This program has been extremely effective in helping communities to improve water quality and provide safe drinking water. However, the needs to improve, repair and replace the Nation's aging water infrastructure are tremendous. Postponing necessary water infrastructure investments will only defer and increase costs that must eventually be met. The annual need for clean water funding is close to $20 billion. Historically, the Federal Government has provided between 10 and 20 percent of those funds or what should be $2 to $4 billion. The SRF programs have also been used to fund nonstructural projects that reduce non-point source pollution, protect estuaries, prevent contamination of drinking source waters, and reduce polluted runoff by protecting natural areas and other "green infrastructure," such as stream buffers. These approaches are often more cost-effective then traditional pipe and cement options and provide a wide array of environmental and social benefits, including open space, wildlife habitat, recreation, and improved water supply. American Rivers urges the committee to appropriate $1.35 billion for the Clean Water SRF and $850 million for the Drinking Water SRF in fiscal year 2008. Additionally, within the funds appropriated for the Clean Water SRF at least $75 million should be dedicated to Low Impact Development or non-structural green infrastructure to deal with stormwater run-off and combined sewer overflows.

WaterSense.—EPA established a water efficiency market enhancement program in the fiscal year 2005 budget similar to the Energy Star program that promotes energy efficient appliances and practices. Promoting water efficient products and practices would represent a significant step forward in moving the Nation towards more efficient water use. American Rivers urges the committee to appropriate $3.3 million for the WaterSense program in fiscal year 2008.

The establishment of Total Maximum Daily Loads (TMDLs) allows States and the Environmental Protection Agency (EPA) to identify all sources of water quality impairment to rivers, streams and lakes that do not meet water quality standards, develop specific goals for improvement, and design plans to reduce pollutant loads into receiving water bodies. The development of strong TMDLs by the States done through funding under section 106 of the CWA requires a commitment of adequate resources. American Rivers urges the committee to appropriate $250 million for State Program Management Grants in fiscal year 2008.

Non-point Source Management Program (Clean Water Act Section 319) grant money that States, territories, and Indian tribes can use for a wide variety of non-point source pollution reduction activities including technical and financial assistance, education, training, technology transfer, demonstration projects, and monitoring. American Rivers urges the committee to appropriate $250 million for Section 319, the Non-point Source Management Program in fiscal year 2008.

The Targeted Watersheds Grants program provides direct grants to a limited number of watershed groups, tribes and communities working to improve water quality. Portions of these funds are designated for technical assistance programs and to train community groups engaged in watershed-level protection and restoration projects. This training is essential to protect and restore the Nation's rivers and watersheds. American Rivers urges the committee to appropriate $35 million, including $3.5 million dedicated to technical assistance for Targeted Watersheds Grants in fiscal year 2008.

The National Estuary Program protects and restores the Nation's estuaries by creating partnerships with local communities. The program focuses not just on improving water quality in an estuary, but also on maintaining the integrity of the whole system—its chemical, physical, and biological properties, as well as its economic, recreational, and aesthetic values. Since its inception, the program has grown to include 28 programs across the country, but funding levels have stagnated. American Rivers urges the committee to appropriate $35 million for the National Estuary Program in fiscal year 2008.

WILD AND SCENIC RIVERS

The National Wild and Scenic Rivers System protects free-flowing rivers with outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. The Bureau of Land Management, Fish and Wildlife Service, National Park Service, and Forest Service share responsibility for conducting studies to determine if rivers qualify for designation, and administering and developing river management plans for designated rivers. Unfortunately, none of these agencies receive sufficient funding to adequately protect the Wild and Scenic Rivers System, as Congress intended. Although 84,500 stream miles are potentially eligible for designation, only 165 rivers covering almost 11,500 miles are currently designated. The condition of many Wild and Scenic Rivers is unknown as Federal agencies have been forced to turn a blind eye to their protection and management requirements for these jewels. Streams are becoming degraded and restoration is needed in many locations. Increased funding, will allow these agencies to better manage and protect designated rivers and promote their values to the public. American Rivers urges the committee to appropriate a total of $38.862 million for the management of the Wild and Scenic River System. These funds should be split as follows: U.S. Forest Service—$9 million for wild and scenic river management, $6 million for the completion of river studies and the creation of river management plans; BLM's National Landscape Conservation System—$7 million for WSR management and $5 million for completion of WSR studies; U.S. FWS—$1,787,000 for wild and scenic river management, restoration and studies; NPS Rivers and Trails Studies—$1 million for wild and scenic rivers studies and $16 million for wild and scenic river management; NPS Partnership Wild and Scenic Rivers—$2.1 million for management of the wild and scenic rivers.

U.S FISH AND WILDLIFE SERVICE

The National Fish Passage Program has opened more than 3,750 miles of river and restored 69,000 acres of wetlands for fish spawning and rearing habitat. Restoring fish migration enhances entire watersheds and benefits birds and mammals, such as eagles, ospreys, herons, kingfishers, brown bears, otters, and mink. Since its inception in 1999, working with local, State, tribal, and Federal partners, the Fish Passage Program has leveraged Federal dollars nearly three-to-one. The Fish Passage Program is also one half (with NOAA) of the $12 million Open Rivers Initiative which will provide grants to communities and local dam owners to remove their dams that no longer make sense. Many others are either dilapidated, having outlived their 50-year life expectancy, or are no longer providing the benefits for which they were built. These dams are unnecessarily degrading the riverine ecosystem and holding up economic development. These restoration projects provide significant environmental improvements and offer noteworthy economic and societal benefits. They create new opportunities for recreational fishing, river rafting, and kayaking; provide cost savings by eliminating the need for dam repairs; and remove safety and liability risks associated with outdated structures. American Rivers urges the committee to appropriate the National Fish Passage Program $11 million in fiscal year 2008, of which $6 million should be dedicated to the implementation of the Open Rivers Initiative.

The National Fish Habitat Initiative will harness the expertise of existing efforts to create a coordinated approach to improving fishery habitat. The combined force of Federal agencies, State, and local governments, and conservation groups will leverage Federal dollars with both private and non-profit resources in order to maximize funding for fish habitat conservation projects across the Nation. The initiative partners have created an "action plan" in 2006 that will foster geographically focused, locally driven, and scientifically based partnerships to protect, restore, and enhance aquatic habitats. The plan is non-regulatory and will succeed only through its collaborative nature. American Rivers urges the committee to appropriate the National Fish Habitat Initiative $3 million in fiscal year 2008.

The Fisheries Restoration and Irrigation Mitigation Act Program (FRIMA) is a unique voluntary program that helps improve anadromous and resident fish passage through installing better fish screens for irrigation and water diversions in Oregon, Washington, Idaho and western Montana without impairing existing water withdrawals. American Rivers urges the committee to fund Fisheries Restoration and Irrigation Mitigation Act Program at $5 million in fiscal year 2008.

The Partners for Fish and Wildlife Program has worked with more than 28,700 landowners to restore 639,550 acres of wetlands; 1,069,660 acres of native prairie, grassland, and other upland habitats; and 4,740 miles of riparian and in-stream aquatic habitat. American Rivers urges the committee to appropriate $52 million for the Partners for Fish and Wildlife program in fiscal year 2008.

The Coastal Program has worked through partnerships to reopen 3,450 miles of coastal streams for anadromous fish passage; restore 130,325 acres of coastal wetlands, 27,746 acres of coastal upland habitat, and 1,275 miles of riparian habitat; and protect 1,639,232 acres of habitat through conservation easements since 1994. American Rivers urges the committee to fund the FWS's Coastal Program at $15 million in fiscal year 2008.

NATIONAL PARK SERVICE

The Rivers, Trails and Conservation Assistance Program (RTCA) has helped produce some of the best examples of conservation based local-Federal partnerships by providing communities with assistance to help revitalize riverfronts, protect open space, and build trails and greenways. If funded at $15 million, RTCA could expand to assist approximately 250 additional projects in some 25 new and currently underserved locations. American Rivers urges the committee to fund the RTCA program at $15 million in fiscal year 2008.

Elwha River Restoration.—Removal of Glines Canyon and Elwha dams will restore salmon access to the Elwha river's wilderness heart in the Olympic National Park for the first time in 100 years. This dam removal will produce a landmark in river restoration for our national parks and an unprecedented opportunity to study a large dam removal and its impact on the river and wild salmon populations. American Rivers urges the committee to provide $25 million to complete the restoration of the Elwha River ecosystem and its fisheries in fiscal year 2008.

Dam Safety Program.—Dams that have outlived their average life expectancy now threaten the health of rivers inside the National Park System. Of the 482 dams in the Park System, some 330 are in poor or fair condition. Since its formation, the Dam Safety program has repaired 198 dams and removed 159 hazardous dams. American Rivers urges the committee to fund the Dam Safety Program at $3.6 million in fiscal year 2008.

U.S. GEOLOGICAL SURVEY

These water resource investigation programs provide vital information on water quality conditions and trends on the health of our Nation's rivers and water supply. American Rivers urges the committee to provide the following amounts in fiscal year 2008:

—National Water Quality Assessment Program: $70 million
—Toxic Substances Hydrology Program: $17.4 million
—National Streamflow Information Program: $28.4 million

OFFICE OF SURFACE MINING

Abandoned Mine Land Program—Clean Streams Initiative.—The Clean Streams Initiative coordinates and funds community, citizen, and government abandoned mine reclamation efforts. American Rivers urges the committee to appropriate $285 million to the Abandoned Mine Land Program and should earmark $20 million for the Clean Streams Initiative in fiscal year 2008.

LAND AND WATER CONSERVATION FUND

The Land and Water Conservation Fund (LWCF) provides much-needed dollars for purchasing ecologically important lands. LWCF has proven highly successful, projects have helped States and localities purchase some 2.6 million acres of land and advanced river restoration through acquisition of riverside lands to serve as buffer zones. In particular, the following river protection projects deserve funding this fiscal year. Within the BLM there are Oregon's Rogue Wild & Scenic River-Winkle Bar project that needs $1.5 million, the Sandy River/Oregon National Historic Trail that needs $500,000, Idaho's Upper Snake/South Fork Snake River project that needs $2 million and Colorado's Gunnison Gorge National Conservation Area that needs $856,000. Within the U.S. Forest Service Michigan's Ottawa National Forest- Sturgeon River Gorge Wilderness project for $4 million. And within the NPS $5.6 million is needed to purchase the Riverstone tract for the Congaree National Park and $5.2 million is needed to protect riparian land in New Jersey and Pennsylvania as part of the Delaware Water Gap National Recreation Area. American Rivers urges the committee to appropriate at least $220 million for the Land and Water Conservation Fund in fiscal year 2008.

PREPARED STATEMENT OF THE AMERICAN SOCIETY FOR MICROBIOLOGY

The American Society for Microbiology (ASM) is pleased to submit the following testimony on the fiscal year 2008 appropriation for the U.S. Environmental Protection Agency (EPA) research and education programs. The ASM is the largest single life science organization with more than 42,000 members. The ASM mission is to enhance the science of microbiology, to gain a better understanding of life processes, and to promote the application of this knowledge for improved health and for economic and environmental well-being.

The EPA relies on sound science to safeguard both human health and the environment. The EPA Office of Research and Development (ORD) sponsors leading-edge research that provides the solid underpinning of science and technology for EPA regulatory and public outreach activities. ORD conducts research on ways to prevent pollution, protect human health, and reduce risk. The work at ORD laboratories, research centers, and offices across the country helps improve the quality of air, water, soil, and the way we use resources. Optimal EPA oversight clearly depends upon the Agency's access to scientific expertise and its ability to respond quickly to our changing environment.

The ASM is very concerned with the diminishing budget for EPA's research and development programs. The fiscal year 2008 budget request for the ORD is $540 million, a 9 percent, or a $55 million, decrease from fiscal year 2006. This cut will further erode the scientific foundation, which is critical to EPA's abilities to make science-based decisions on regulations designed to protect human health and the environment. The ASM urges Congress to provide at least $595 million for the ORD in fiscal year 2008, the same as the funding level provided in fiscal year 2006.

STAR GRANTS AND FELLOWSHIPS

The proposed budget decreases for ORD include a reduced level of spending for the Science to Achieve Results (STAR) program. The ORD budget proposes only $62 million for STAR, a 4.6 percent reduction from fiscal year 2007, cutting the program for the sixth consecutive year. The ASM urges Congress to increase funding for the STAR grants program to at least the fiscal year 2002 level of $102 million. Reductions in the STAR program will severely limit the ability of EPA to draw upon critically needed scientific expertise from the academic community, a valuable source of research insights and personnel for EPA programs. For the third straight year, EPA's research campus in Research Triangle Park, NC, is ranked among the top three institutions in the United States for postdoctoral fellows to work, yet the ability of EPA to support these important young scientists is diminishing.

Limited funding for STAR will diminish U.S. competitiveness in environmental research, training, and development of new technologies for solving environmental problems. The STAR program revitalizes all areas of EPA research and fosters workforce development in environmental science and technology through fellowships. In December 2006, EPA reported results from several STAR-funded studies on biomarkers—substances or processes that can be measured in biological samples like blood and that indicate toxic exposure or predict disease. Extramural researchers confirmed that easy-to-collect saliva can be used to assay pesticide exposure in children and adults; other grantees used biomarkers to demonstrate that specific insect management techniques effectively reduce prenatal pesticide exposure. Other high-priority strategies within the STAR program include funding climate change studies with grants administered through EPA's Global Climate Research Program in two principal areas: assessments of consequences of global climate change and human dimensions research.

INDOOR AIR QUALITY

One impact of cuts to ORD over the last several years includes the loss of capacity for research on indoor air quality. This is an important issue because we spend 80 percent or more of our time indoors and climate changes will likely affect indoor air quality in yet unpredictable ways. Funding needs to be restored for this important program.

CLIMATE CHANGE

Climate change affects all of earth's biota, including microbes that often dominate the living mass of many ecosystems. The potential effects of climate change include sea level rise, shrinking glaciers, changes in the range and distribution of plants and animals, changes in plant and animal life cycles, changes in the water (or hydrologic) cycle and thawing of permafrost. The impact of these changes on microbial activities is often unpredictable, but the central role of microbes in the mobilization

and toxicity of selenium, arsenic and mercury provides apt examples of the potential for deleterious outcomes if microbial activity is altered by climate change. Because microbes play major roles in water quality, environmental integrity and human health, it is essential that the EPA retain and expand its ability to support research on climate change and subsequent impact on both beneficial and pathogenic microorganisms.

The ASM is concerned with the proposed 9 percent cut to the Global Change research program at ORD because it is clear that certain diseases and pathogens are sensitive to climate changes. Since 1995, Lake Erie has experienced a microcystis algal outbreak every summer; scientists have concluded that the warmer the water temperature, the more extensive the outbreak. Although the toxic algae can be filtered out of drinking water, microcystis can kill fish and birds, and coastal communities often ban swimming and water skiing when the algae bloom. Heavy rainfall has been associated with waterborne disease outbreaks throughout the United States, while outbreaks of vector-borne diseases like encephalitis have been linked to a pattern of warm winters and hot dry summers. As global temperatures rise, the incidence of malaria and other serious diseases, some of which are currently limited to tropical latitudes, could expand significantly in incidence and geographic distribution. Public health officials elsewhere are reporting unusually high incidences or new geographic locations of diseases like ciguatera poisoning (toxic algae in marine fish), Lyme disease, and hemorrhagic dengue fever, which officials suspect might be linked to climate changes. Global climate experts predict even more striking changes in infectious diseases as global temperatures rise and regional climate patterns change.

The climate research programs at ORD can provide valuable information necessary for prevention of, response to, and recovery from changing patterns of pathogens and disease. Last December, the EPA released a draft document on its review of the impact of climate variability and changes in aeroallergens in the United States (pollens, molds and indoor allergens), concluding that climate changes likely will increase allergy-related issues. In 2006, the Agency completed a study of publicly owned water treatment systems in the Great Lakes Region, finding that climate change could have significant effect on pollutant discharge.

CLEAN AND SAFE WATER

Congress has mandated that the EPA ensure the safety of our drinking and recreational waters, an enormous regulatory and assessment task that relies on sufficient EPA funding and personnel resources. The ASM supports the proposed 7 percent and 10 percent increases for the Drinking Water and Water Quality programs at ORD, respectively. It is imperative that the EPA continue to: develop analytical methods for accurately measuring contaminant levels in drinking water and surface water; ensure proper certification and assessment of laboratories that analyze drinking-water samples; conduct research that strengthens the scientific basis for standards that limit public exposure to contaminants; and assess, restore and protect aquatic systems. Topics of growing concern include, among others, the dissemination into the environment through water and wastewater treatment systems of diverse anthropogenic compounds, such as pharmaceuticals and estrogens or estrogen-like compounds. These compounds are now ubiquitous, but their fates in the environment and impacts on humans and other organisms are inadequately known.

EPA researchers have aggressively sought improved techniques for water quality assessment, building "toolkits" of assays and computational models that can be used by local and State public health officials. Recent examples include a new rapid DNA analysis to quantify enterococci and bacterioides bacteria in water, reducing the time for detecting these sewage contaminants from 24 hours to just two and making possible same-day decisions on beach warnings or closings—some of the first research findings from a multi-year water study being conducted jointly by the EPA and the Centers for Disease Control and Prevention. Other current ORD research efforts include developing laboratory cell lines and assays to measure chemical interactions with human hormone receptors and using new genomics technologies to assess risks from widely used conazole fungicides. Last year, the Agency, in collaboration with other Federal agencies, launched the Harmful Algal Blooms Observing System in South Florida, the first component of a planned surveillance network to rapidly identify and track red tide outbreaks in ocean waters.

WATER AND WASTEWATER INFRASTRUCTURE

In order to provide safe and secure drinking water for its citizens, the Nation must improve the sustainability and energy efficiency of its water distribution systems from sources to "sinks". Energy efficiency is an important but often overlooked

consideration. At present, the Nation's water distribution infrastructure consumes approximately 5 percent of total electricity use. The development of non-fossil fuel energy sources for water distribution can not only contribute to a more secure water supply, but can also contribute to the Nation's energy security. Coupling microbial activity during wastewater treatment to electricity generation provides one example for increasing energy efficiency.

Researchers, supported by the National Science Foundation (NSF) and the U.S. Department of Agriculture (USDA), have made great strides in advancing the technology of microbial fuel cells to benefit wastewater treatment plants. Microbial fuel cells work through the action of bacteria, which can produce electricity in fuel cells. In the process, the bacteria consume organic matter in the wastewater and thus, improve water quality. This approach uses the bacteria that naturally occur in wastewater, requiring no special bacterial strains or unusual environmental demands. The benefit of microbial fuel cell applications is that while they generate electricity, they purify wastewater, a goal of wastewater treatment facilities that usually requires the consumption of energy.

The ASM urges Congress to support a collaborative relationship between the EPA and the Department of Energy (DOE), the NSF, and the USDA to explore energy production from waste treatment, and to develop mechanisms for improving energy efficiency in water distribution.

CONCLUSION

Sound science is necessary for the protection of human health and the environment. The ORD is an integral component for conducting research needed to answer many of the challenges we face, such as climate change, and clean and safe water. The ASM urges Congress to provide at least $595 million for the ORD and $102 million for the STAR program in fiscal year 2008.

The ASM appreciates the opportunity to provide written testimony and would be pleased to assist the subcommittee as it considers the fiscal year 2008 appropriation for the EPA.

PREPARED STATEMENT OF THE AMERICAN SYMPHONY ORCHESTRA LEAGUE

On behalf of America's orchestras, the American Symphony Orchestra League urges the subcommittee to approve fiscal year 2008 funding for the National Endowment for the Arts (NEA) at a level of $176 million. Bipartisan congressional support for the NEA has strengthened in recent years, evidenced by meaningful incremental funding increases. Still, the NEA has never fully recovered from a 40 percent budget cut in fiscal year 1996. The current fiscal year 2007 level of funding for the NEA—$124.4 million—is well below the 1992 appropriation of $176 million.

The arts are essential to life in American communities nationwide. From small towns to urban centers, communities look to the arts to generate economic activity and educate our Nation's citizenry. Most significantly, as a Nation we also turn to the arts for their unique capacity to offer comfort in times of stress, provide meaning amidst uncertainty, spark unity during conflict, and to mark many of our most historically significant moments. More than 40 years of support from the National Endowment for the Arts has fostered the development of many orchestras and has increased the capacity of the arts to serve and strengthen communities across our country.

Founded in 1942, the American Symphony Orchestra League is the national service organization for nearly 1,000 symphony, chamber, youth, and collegiate orchestras, with budgets ranging from less than $50,000 to more than $70 million. Together with the NEA, we share a common goal of strengthening orchestras as organizations and promoting the value of the music they perform.

A significant increase in funding will expand the NEA's ability to serve the American public through grants supporting and promoting the creation, preservation, and presentation of the arts in America through the NEA's core programs—Access to Artistic Excellence, Challenge America: Reaching Every Community, Learning in the Arts for Children and Youth, and Federal/State partnerships—and through important national initiatives.

NEA GRANTS UNIQUELY SUPPORT THE CREATION, PRESENTATION, AND PRESERVATION OF THE ARTS

The NEA awarded more than 1,700 grants last year to nonprofit arts organizations for projects that encourage artistic creativity and that bring the arts to millions of Americans. The NEA's fiscal year 2007 Grants to Organizations included

127 grants to orchestras and the communities they serve, supporting arts education for children and adults, expanding public access to performances, preserving great classical works, and fostering the creative endeavors of contemporary classical musicians, composers, and conductors.

Orchestras across the country are essential and active partners in increasing access to music, improving the quality of life in their communities by collaborating with school systems and other local partners in a wide array of performances and programs.

—Funding from the NEA has been a key source of support for The Phoenix Symphony's One Nation program, a partnership between the Symphony and the Salt River Pima-Maricopa Indian Community. Through the One Nation program, the Symphony enhances the fundamental music education programs of the community's elementary and secondary schools while simultaneously interacting with new audiences in the Native American community. The community-to-community connection forged by this partnership will facilitate good relations between the reservation and the community as a whole. This project exemplifies how NEA funding can help local arts organizations respond to the emerging needs and priorities of their communities.

This project is just one of the many community-based programs supported by the NEA's competitive grant-making process and for hundreds of other community-based arts programs across the country.

NEA FUNDING UNIQUELY INCREASES THE CREATIVE CAPACITY OF THE UNITED STATES

NEA funding is a critical component in the network of public, private, corporate, and philanthropic support that makes the work of America's orchestras possible. Orchestras exist in all 50 States, in virtually every community, with annual budgets ranging from less than $50,000 to more than $70 million. Nationwide, concert income accounts for only 37 percent of orchestra revenue. Further funds are provided through the generosity and vision of thousands of individuals, corporations, and foundations. This delicate balance of public and private support is key to supporting the nearly 1,800 orchestras across the United States.

The grants awarded directly to local orchestras by the NEA, and support provided to orchestras through NEA funds administered by State arts agencies, provide critical support for projects that increase access to music in communities nationwide. NEA funding also makes good economic sense. In this Federal/State partnership, 40 percent of the NEA's program dollars are granted to State arts agencies, conditional on each State devoting its own appropriated funds. NEA funds produce a similar leveraging effect at the local level. For many communities, the benefit of an NEA grant goes far beyond the dollar-value of the award, multiplying private support by attracting additional sponsorship and recognition.

—The New West Symphony received an NEA grant for the commission and performance of a new work by composer-in-residence Bright Sheng. The project also included collaborations with local Chinese cultural groups, public discussions and visits to a local Chinese school. Support from the NEA helped attract a $25,000 grant from a private foundation. Donors and other members of the community view the support provided by the NEA as a significant endorsement of this project, generating additional financial support and press coverage, and increasing public participation and concert attendance.

NEA FUNDING CONNECTS THE ARTS AND ARTISTS TO THEIR COMMUNITIES

The NEA identifies and supports projects that connect the arts—and artists—to their broader communities, encouraging creative collaboration and building artistic strength. Orchestral music is the product of a vast network of hundreds of thousands of local musicians, volunteers, administrators, and community leaders—all dedicated to adding value and meaning to life by fostering creativity and engaging the public in the extraordinary experience of orchestral performances.

—The Nashville Symphony received an NEA grant to support outreach concerts in rural areas of Tennessee and Alabama. In partnership with local community organizations, the orchestra performed eleven concerts in six counties outside of Nashville, Tennessee's Davidson County. The Symphony reached 9,800 children and adults through outdoor concerts, participation in community-wide events, and at indoor concert venues in the community. These concerts are offered free of charge to the public, or are offered for a minimal fee that the communities themselves charge, so that funds go the communities' own local arts programs and initiatives. This program has strengthened communities by promoting the local arts, and showcasing talent inherent in each community.

Thank you for this opportunity to illustrate the value of NEA support for orchestras and communities across the Nation. The Endowment's unique ability to provide a national forum to promote excellence, both through high standards for artistic products and the highest expectation of accessibility, remains one of the strongest arguments for a Federal role in support of the arts. We urge you to support creativity and access to the arts by approving a substantial increase in funding for the National Endowment for the Arts.

PREPARED STATEMENT OF THE APPALACHIAN TRAIL CONSERVANCY

In behalf of the Appalachian Trail Conservancy (formerly the Appalachian Trail Conference), I am requesting an fiscal year 2008 appropriation from the Land and Water Conservation Fund in the amount of $9.32 million for the USDA Forest Service for the acquisition of lands bordering the Appalachian National Scenic Trail in the States of Virginia, Tennessee, and North Carolina.

BACKGROUND

The Appalachian Trail (A.T.) is America's premier long-distance footpath. Initially established between 1923 and 1937 as a continuous footpath extending from western Maine to northern Georgia, the trail gained Federal recognition in 1968 with the passage of the National Trails System Act. Later 1978 amendments to that act expanded the authorization for Federal and State land acquisition to establish a permanent, publicly owned right-of-way as well as a protective corridor or greenway along the trail. Since 1978, the Appalachian National Scenic Trail land-acquisition program of the National Park Service and USDA Forest Service has become one of the most successful land-conservation efforts in the Nation's history with the acquisition of more than 187,000 acres, more than 3,360 parcels, in 14 States. Today, only approximately 7 miles of the 2,175-mile Appalachian Trail remain to be protected through public ownership.

RESOURCE CHARACTERISTICS

The Appalachian Trail is a 2,175-mile footpath extending generally along the crests and valleys of the Appalachian Mountain chain through 14 States from Maine to Georgia. Often characterized as a "string of pearls," the trail, which is considered a unit of the National Park System, connects eight National Forests, six other units of the National Park System, and approximately 75 State parks, forests, and game-management units. With an estimated 3 to 4 million visitors per year, the trail ranks among the most heavily visited units of the National Park System and also ranks among the top 10 units from the standpoint of natural and cultural resource diversity. For example, based on natural-diversity inventories conducted in the 1990s, more than 2,000 occurrences of rare, threatened, and endangered Federally and State-listed flora and fauna have been identified at more than 500 discrete sites within the trail corridor. More recent cultural-resource inventories in selected States suggest that the Appalachian Trail greenway is equally diverse from the standpoint of historic and cultural resources.

The Appalachian Trail is equally well known as a remarkable public/private partnership. For more than 80 years, the Appalachian Trail project has been recognized as one of America's most successful examples of private-citizen action in the public interest. Since the initial construction of the trail in the 1920s and 30s, volunteers affiliated with the Appalachian Trail Conservancy (ATC) have constructed, reconstructed, and maintained the footpath as well as a system of more than 250 shelters and associated facilities such as privies, improved campsites, bridges, signs, and parking lots. More recently, as a result of a 1984 agreement between the National Park Service and ATC that is unique in scope if not in concept, the Conservancy has accepted management responsibility for more than 110,000 acres acquired by that agency along the trail. ATC, through its network of 30 club affiliates and many thousands of volunteers, is now responsible for virtually all phases of "park" operations, ranging from trail and facility maintenance and construction to land and resources management to visitor education and services. Through other agreements with the USDA Forest Service and most of the 14 trail States, ATC also provides ongoing, volunteer-based stewardship for other trail lands, totaling more than 250,000 acres. In 2006, for example, more than 5,000 volunteers contributed more 200,000 hours of labor along the trail.

NEED FOR APPROPRIATIONS

As noted previously, while the Appalachian National Scenic Trail protection program represents perhaps the most successful Federal, State, and private land-acquisition program in the history of the conservation movement in the United States, that program is not yet complete. Although our hope had been to complete the program by the year 2000, escalating land values coupled with diminished administrative capacity in the affected agencies have conspired to delay full program completion. Nowhere are those trends more apparent than in the southeastern region of the trail, in the National Forests of Virginia (George Washington/Jefferson), Tennessee (Cherokee), and North Carolina (Pisgah/Nantahala). Nevertheless, five key parcels are now "ripe" for land acquisition and we are seeking fiscal year 2008 LWCF appropriations to secure those properties. The following narrative provides a brief description of each of those critical parcels. More detailed descriptions, along with maps and photographs of each of the referenced properties, have been provided to subcommittee staff.

NEW RIVER, VIRGINIA/JEFFERSON NATIONAL FOREST

For more than 30 years ATC and the USDA Forest Service have sought to establish a final alignment for the Appalachian Trail adjacent to the New River in Giles County, Virginia. The current route crosses a private property owned by Celanese LLC immediately adjacent to a busy highway (U.S. 460) directly across from a large Celanese industrial facility offering no real scenic or recreational value. After many years of negotiations, Celanese representatives have expressed an interest in selling—potentially at a bargain-sale price—a 400-acre parcel in fee and an additional 25-acre scenic easement that will permit a relocation of the footpath to a much improved location along a more remote and scenic portion of the property. Additional scenic-easement interests also are being sought along the back portions of approximately a dozen private lots bordering the eastern edge of the property. Total project costs are estimated at $1.6 million. However, ATC has been successful in attracting a private donation and also is seeking additional funding from the Commonwealth of Virginia. In addition, due to limited administrative capabilities in the affected National Forest, ATC also is providing pre-acquisition assistance for appraisal and environmental-clearance work. While total project costs are estimated to be $1.6 million, our request for fiscal year 2008 LWCF appropriations is $1.25 million.

TILSON FARM, VIRGINIA/JEFFERSON NATIONAL FOREST

This 170-acre property is situated near the northern boundary of Smyth County on the Smyth/Bland county line near the town of Ceres, Virginia. The property is adjacent to a narrow Appalachian Trail corridor that was acquired some years ago. Acquisition of the property will provide an important scenic buffer along the A.T., conserve the headwaters of the North Fork of the Holston River, provide an opportunity to develop a 5-mile loop trail, conserve the site of an early settler cemetery on the property, and consolidate Forest ownership. The current property owner has expressed an interest in the selling the tract at a favorable or bargain-sale price and ATC is contributing toward pre-acquisition costs including appraisal and environmental clearance work. Total project costs are estimated at $400,000. ATC is requesting an fiscal year 2008 LWCF appropriation of $300,000.

ROCKY FORK, TENNESSEE/CHEROKEE NATIONAL FOREST

The Rocky Fork property is a 10,000-acre property in eastern Tennessee situated midway between Johnson City and Asheville, North Carolina. It represents the largest privately owned in-holding within the southern National Forest System. Named for the cool waters of one of several prominent watersheds and high-quality trout streams that pass through the property, it is adjacent to 22,000 acres of designated wilderness or potential wilderness lands including the 8,000-acre Sampson Mountain Wilderness, the 3,000-acre Sampson Mountain Addition Inventoried Roadless Area (IRA), and the 11,700-acre Bald Mountain IRA. For many years, the Tennessee Wildlife Resources Agency has leased the property for its game and non-game wildlife values, including 16 miles of "blue-ribbon" trout streams and outstanding black bear, white-tailed deer, and wild turkey habitat. The property also contains a number of Federal species of concern or State-listed species in need of management including the peregrine falcon, the eastern hellbender, the woodland jumping mouse, smoky shrew and star-nosed mole, and a potential new species of salamander, the Yonahlossee salamander. The property also includes 1.2 miles of the Appalachian National Scenic Trail with no protected right-of-way.

The Rocky Fork property presently is owned by New Forestry, LLC and is being managed by Timbervest. It is currently being marketed for primary and second-home development and is readily accessible from Interstate 26. However, the owners have expressed a willingness to sell the property for conservation purposes and negotiations are underway now to secure a purchase and sales agreement. ATC is working closely with The Conservation Fund, the Southern Appalachian Highlands Conservancy, and a number of other local conservation and sportsmen organizations to secure the property. Total estimated costs are approximately $43 million. However, ATC and its partners already have secured financial support from the State of Tennessee and through a number of private-sector donations. We are requesting an fiscal year 2008 LWCF appropriation of $7 million and an additional fiscal year 2009 LWCF appropriation for another $7 million. Those contributions are likely to be matched 2:1 by State and private funds.

SHOOK BRANCH, TENNESSEE/CHEROKEE NATIONAL FOREST

This 20-acre property is situated in eastern Tennessee in the Cherokee National Forest. Since at least 1983, ATC, together with the Tennessee Eastman Hiking Club and the USDA Forest Service, have sought a safe passage for the Appalachian Trail between the Pond Mountain Wilderness and the shoreline of Watauga Lake. The A.T. currently follows a dangerous road-walk and crosses U.S. 321 at a location with limited site distances to on-coming traffic. A proposed new route has been identified and a number of parcels have been acquired by the Forest Service to establish the route. The Shook Branch property is necessary in order to complete the proposed relocation. The current property owner has expressed a willingness to sell the property. Total project costs, including construction of the trail relocation, is estimated at $550,000. ATC is requesting an fiscal year 2008 LWCF appropriation of $500,000.

WESSER BALD, NORTH CAROLINA/NANTAHALA NATIONAL FOREST

This 90-acre property is situated in western North Carolina in the Nantahala National Forest. The Appalachian National Scenic Trail passes within 200 feet of the property and affords a number of outstanding scenic views at several locations along the northern portion of the property and from a viewing platform atop the Wesser Bald fire tower which is maintained for visitor use. The platform provides 360-degree views encompassing the Great Smoky Mountains skyline, Cheoah Bald, the Nantahala Mountains, and Brasstown Bald in northern Georgia. The current property owners are working with The Conservation Fund and the USDA Forest Service to conserve the property. TCF, with the aid of a private donation, is seeking to acquire conservation easements affecting 65 to 80 percent of the property. The remainder of the property—approximately 20 acres—is proposed for fee-simple acquisition by the Forest Service. Total project costs are estimated at $450,000. ATC is requesting an fiscal year 2008 LWCF appropriation in the amount of $270,000.

With the acquisition of the above-described properties, ATC hopes to complete a substantial portion of the remaining land-acquisition needs in the Appalachian National Scenic Trail program in the southern National Forest System. Again, we respectfully request an fiscal year 2008 Land and Water Conservation Fund appropriation of $9.32 million for the USDA Forest Service.

Thank you for the opportunity to submit this testimony and for your consideration of our request.

PREPARED STATEMENT OF THE APS-FOUR CORNERS POWER PLANT

I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.

3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF THE ARCHERY TRADE ASSOCIATION; ASSOCIATION OF FISH AND WILDLIFE AGENCIES; BEAR TRUST INTERNATIONAL; BOONE AND CROCKETT CLUB; BOWHUNTING PRESERVATION ALLIANCE; CONGRESSIONAL SPORTSMEN'S FOUNDATION; DUCKS UNLIMITED; FOUNDATION FOR NORTH AMERICAN WILD SHEEP; NATIONAL TRAPPERS ASSOCIATION; NORTH AMERICAN BEAR FOUNDATION; NORTH AMERICAN GROUSE PARTNERSHIP; PHEASANTS FOREVER; POPE AND YOUNG CLUB; QUAIL FOREVER; QUALITY DEER MANAGEMENT ASSOCIATION; SAFARI CLUB INTERNATIONAL; THEODORE ROOSEVELT CONSERVATION PARTNERSHIP; WILDLIFE FOREVER; WILDLIFE MANAGEMENT INSTITUTE; AND THE WILDLIFE SOCIETY

We write to ask for your assistance in meeting this Nation's pressing natural resource challenges by providing sufficient fiscal year 2008 funding to make greater use of the U.S. Geological Survey's Cooperative Fish and Wildlife Research Units (CFWRU). This important research and training partnership already brings together State fish and wildlife agencies, State universities, and Federal agencies around applied research agendas.

The CFWRUs are crucial to successfully addressing the natural resource management challenges posed by climate change, energy development needs, invasive species, infectious diseases, wildfire, and increased demand for limited water resources. These challenges also include replacing the unprecedented number of natural resource professionals who will be retiring over the next 10 years.

As you know, each of the CFWRUs in 38 States is a true Federal-State-university-private partnership among the U.S. Geological Survey, a State natural resource agency, a host university, and the Wildlife Management Institute. The CFWRUs build on these partner contributions to leverage more than $3 for every $1 appropriated to the program by Congress.

Finding workable solutions to our natural resource challenges requires the CFWRU's management-oriented, community-based approach to research, which relies on interdisciplinary efforts and fosters collaboration and accountability. The CFWRUs also are well positioned to help replace our retiring workforce. They have an established record of educating new natural resource professionals who are management-oriented, well-versed in science, grounded in State and Federal agency experience, and able to assist private landowners and other members of the public.

To begin meeting these high priority research and training needs in fiscal year 2008, we ask that you request establishment of a competitive, matching fund program within existing CFWRU legislative authority that would make available $20 million annually in new funds beyond base operational costs. These new funds would support future cooperative, high priority research efforts and essential training of new natural resource professionals to replace the large number who will retire within the next decade.

To begin meeting these high priority research and training needs in fiscal year 2008, we ask that you establish a competitive, matching fund program within existing CFWRU legislative authority that would make available up to $20 million annually in new funds beyond base operational costs. These new funds would support future cooperative research efforts in key areas and essential training of new natural resource professionals to replace the large number who will retire within the next 10 years.

In order to fill current scientist vacancies, restore seriously eroded operational funds for each CFWRU, and enhance national program coordination, the fiscal year 2008 Interior Department budget request for the CFWRUs must increase approximately $5 million more than the fiscal year 2007 funding level. This funding would restore necessary capacity in the CFWRU program for it to meet the Nation's research and training needs, and it would ensure that the Interior Department provides the Federal scientist staffing agreed to with partners so that the return on their continuing investment in the CFWRUs is realized and fully leveraged. Without an infusion of funds, one quarter of all CFWRU scientist positions (29) will need to be vacant by the end of fiscal year 2008.

We thank you for consideration of our request. With your assistance, the Cooperative Fish and Wildlife Research Units can become even more effective in using science and collaboration to address the natural resources challenges facing the Interior Department and other Federal, State, and local agencies.

PREPARED STATEMENT OF THE ASSOCIATION OF AMERICAN UNIVERSITIES

On behalf of the Association of American Universities (AAU), an organization of 60 leading U.S. public and private research universities, I appreciate the opportunity to submit testimony on the fiscal year 2008 budget of the National Endowment for the Humanities (NEH). The Endowment is the single most important source of Federal support for the humanities. We believe that the Nation would benefit from a significant funding increase for NEH, in part as a complement to the Federal investment in science and engineering research. It is through the humanities that we can better understand and address the human encounter with social, economic, and political change. It is through the humanities that we can come to understand who we are as a people and our place in the global community. We also believe that as teachers and supporters of the humanities, we have an obligation and an opportunity to educate through history, literature, and language the framework of a culture of tolerance and civility that is so needed today. The NEH serves to strengthen and benefit the Nation, as a whole, by promoting excellence in the humanities and conveying the lessons of history to all Americans.

Now is the time to make a significant investment in the humanities, and so we ask Congress to fund NEH at the level of $177 million in fiscal year 2008, an increase of $37 million, or 26 percent, above fiscal year 2007 funding.

THE HISTORY OF AAU AND THE HUMANITIES

AAU universities are devoted to maintaining a system of high-quality academic research and education in a wide range of fields at the undergraduate, graduate and professional levels. Our member universities perform about 60 percent of Federally funded university-based scientific and engineering research. But our schools also are leaders in humanities through their support of academic departments, public performance and lecture facilities, museums, and centers. For our institutions, the humanities are both subjects of research and a critical element of undergraduate and graduate education. AAU institutions use NEH grants for research and scholarship, preserving the Nation's diverse heritage, educating the next generation of Americans, and bringing the humanities to the wider public through libraries, museums, centers, and public programs.

Faculty at a large number of universities, including Stanford University and the University of Southern California, are engaged in productive NEH-funded grants. For example, the King Papers Project at Stanford University is a major research effort to assemble and disseminate historical information concerning Martin Luther King, Jr. and the social movements in which he participated. The King Papers Project's principal mission is to publish a definitive fourteen-volume edition of King's most significant correspondence, sermons, speeches, published writings, and unpublished manuscripts. The published volumes of The Papers of Martin Luther King, Jr., have already influenced scholarship and become essential reference works. Building upon this research foundation, the Project also engages in other related educational activities. Using multimedia and computer technology to reach diverse audiences, it has greatly increased the documentary information about King's ideas and achievements that is available to popular as well as scholarly audiences. The Project also offers unique opportunities for students to become involved in its research through the King Fellowship Program. The University of Southern California has an NEH-funded grant called the Virtual Italian Experience. The grant is a virtual learning environment created by the university faculty to teach foreign language and culture to undergraduate students. The goal is to engage students with every type of learning style and enrich their knowledge of the language and culture and is linked to the goals of the NEH's Digital Humanities initiative. It is important to remember that universities supplement Federal funds with their own funds to support researchers and scholars. NEH-funded challenge grants, which require universities to provide a 4-to-1 match, leverage significant resources from universities and other institutions to achieve the goals of the Endowment.

AAU led an effort to identify ways in which academic institutions and the Federal Government can partner in increasing the visibility and public support of the humanities. AAU's 2004 report, Reinvigorating the Humanities: Enhancing Research and Education on Campus and Beyond, not only called for university presidents and chancellors to give increased attention to the humanities but also provided an inventory of exciting campus projects and programs around the country. Indeed, AAU institutions are engaged in a wide range of activities that focus attention on the benefits of a humanities education. As a follow-up to the 2004 report, AAU encouraged its members to convene roundtable discussions on emerging trends and best practices in the humanities. While many institutions had been actively engaged in these discussions for some time, the AAU report provided a focal point for the delibera-

tions among campus constituencies. These campus efforts culminated in a national convocation with the American Council of Learned Societies in 2006, which brought together university, association, Federal agency and congressional leaders to discuss the appropriate role for the humanities in meeting today's challenges and to begin building an action agenda for the humanities in academic and national life. AAU more recently assembled a small group of provosts and graduate deans to discuss how academic institutions and the Endowment might better support the current needs of humanities graduate students and faculty. These discussions have helped to shape our funding priorities, including a preliminary program proposal to facilitate greater interaction among humanities graduate students and faculty, I am about to describe.

AAU FUNDING PRIORITIES FOR THE NEH

In nominal dollars, NEH was funded at $177.5 million in fiscal year 1994 ($231.4 million in constant dollars based on the 2005 annual Consumer Price Index). In the following years, the agency sustained some of the most severe reductions of any Federal agency. Over time, the combined impact of budget cuts and inflation has reduced the number, diversity, and buying power of grants provided by the NEH. The President's fiscal year 2008 request would further undermine the grant programs: it is estimated that the President's request would cut competitive grant funds by approximately $1 million within each of the following NEH core programs: education, preservation and access, public programs, research and challenge grants. While some universities have tried to close the funding gap themselves, it is getting increasingly difficult to do so and misleading to assume that higher education can compensate for a lack of growth in Federal funds. In addition, foundation support for the humanities has slipped during the past decade, according to the first comprehensive study on the topic completed by the Foundation Center. The humanities community is not only concerned over the reduction in foundation support, but also the fact that there has been a long-term shift away from funding for scholarship and core disciplines and toward funding for public programming. These funding trends are of particular concern to AAU because of the unmet need and rising debt assumed by humanities students.

The community's fiscal year 2008 request of $177 million for the NEH represents an important step in restoring the Endowment to its historic funding levels. Within our overall request, AAU has two funding priorities for the Endowment that I would like to share with you today. The first collective priority shared by the National Humanities Alliance, is to provide proportional increases to all NEH grant programs, including research, education, preservation and access, public programs, and State councils, giving preference to the core divisions that have sustained the deepest cuts since fiscal year 1994. When funding for the Endowment was cut in the mid-1990s, 60 percent of the cuts were made to the education and research core programs, which are both of particular importance to AAU members. In fiscal year 2006, these programs were funded at approximately $12 million, or less than 10 percent of total Endowment funding.

Within the education division, AAU is particularly focused on the Summer Seminars and Institutes, which support national faculty development programs in the humanities. These programs provide a critical forum for leading scholars and faculty to deepen their knowledge of current scholarship in the key fields of the humanities. Similarly, Faculty Humanities Workshops support local and regional professional development programs that allow faculty and scholars to engage in collaborative study. Within the research division, several programs, including Summer Stipends and Fellowships, support individuals or teams of two or more scholars (not including graduate students) pursuing advanced research that will contribute to scholarly knowledge or to the public's understanding of the humanities. Increased funding for competitive peer-reviewed grants in the education and research divisions, and all the core divisions, is essential to addressing many of today's social, cultural, economic and international relations challenges.

The second priority for AAU is a new pilot program that would simultaneously expand scholarship in key areas of inquiry, support the critical education of graduate students in the conduct of research, and bring faculty and graduate students in the humanities together in collaborative arrangements that have long characterized the sciences. In the sciences, such collaborations foster rich and creative interactions of faculty and graduate students defining new areas of inquiry in seminars and carrying them out jointly in the lab, combining the knowledge and experience of faculty with the energy and creativity of graduate students. The ancillary benefits of faculty mentorship, the early and in-depth engagement of graduate students in

research, and the enrichment of the scholarly endeavors by the close interaction of faculty and graduate students has been all too lacking in the humanities.

We propose a national competitive program in which proposals from universities would be judged on the scholarly inquiry to be conducted, the manner in which the central organizing research topic would be expanded by faculty-supervised graduate student research, the intellectual, social or cultural significance of the research, the contribution of the research to interdisciplinary research, and the plans to communicate the research within and beyond the academic community. We believe that the first step should be internal competitions within institutions, with the university selecting which proposals should be submitted to the national competition to be conducted by NEH. The institutional proposals might involve a team of one faculty member and one graduate student, or they might involve two or more faculty working with several graduate students on an interdisciplinary research topic.

The NEH does not currently support graduate research in the humanities. While the National Institutes of Health, National Science Foundation, Department of Defense, Department of Energy, and the National Aeronautics and Science Administration, among others, each have a graduate education component that complements the agencies' research, the NEH stands as one of the few Federal agencies that does not support or train the next generation of researchers or support collaboration between students and faculty. While the Endowment funded a small dissertation fellowship program, the program was de-funded when the agency was cut significantly in the mid-1990s. We believe that NEH is uniquely positioned to promote a higher level of collaboration between faculty and graduate students in a manner that helps to supply our Nation with the talented and knowledgeable individuals who will contribute to a culturally competent workforce.

Many details of course remain to be worked out, but we strongly believe that such a collaborative, interactive faculty/graduate student research and education program at the NEH will enrich humanities scholarship and improve humanities graduate education, essentially gaining two for one in a single program. We hope that we can further discuss this proposal as you move forward in crafting your Interior, Environment, and Related Agencies Appropriations bill.

AAU encourages you to take seriously the importance of the humanities in our society today. NEH helps our universities—and other colleges and universities around the country—ensure that the humanities remain central to their missions and to the cultural life of the Nation. The NEH, as the largest Federal supporter of the humanities, broadens public awareness of and participation in the humanities through teaching, scholarship and research. We, in coalition with the larger humanities advocacy community, support a significant increase in the Endowment to help restore historic cuts to all grant programs, with a focus on the core research and education programs. In addition, we believe that the 110th Congress provides a unique opportunity to develop a new program that facilitates more interaction between students and faculty in the humanities.

Again, thank you for the opportunity to testify today and I welcome any questions.

PREPARED STATEMENT OF THE ASSOCIATION OF FISH AND WILDLIFE AGENCIES

State fish and wildlife agencies enjoy a long history of working in partnership with the Federal Government to conserve our Nation's fish and wildlife resources. Working together, we are able to ensure robust fish and wildlife populations living in healthy lands and waters, providing critical recreational opportunities and economic benefits to local communities and preventing fish and wildlife from declining to the point of becoming endangered.

As the subcommittee moves forward with the fiscal year 2008 Interior and Environment Appropriations bill, we urge you to put the greatest emphasis on programs that:

—take a preventive rather than reactive approach to conservation problems, saving money by making an investment now to get a larger return.
—advance landscape-level conservation efforts that are targeted at addressing the needs of many species and habitats across large regions, rather than individual projects.
—facilitate & catalyze partnerships that leverage additional resources, magnifying the impact of every Federal dollar.

The Association has provided the subcommittee with a full report that outlines the fiscal year 2008 Budget Recommendations of State fish and wildlife agencies. We offer the following highlighted priorities:

State Wildlife Grants.—The Association appreciates the subcommittee's strong support for the State Wildlife Grants program. This program has become the core Federal program to advance the national interest in preventing fish and wildlife from becoming endangered. Over the last 6 years, States have made great strides in developing strong programs to take action on the ground to rebuild populations of imperiled fish and wildlife, conserve and restore important lands and waters, and gather data to support sound management decisions.

We recommend that Congress provide at least $85 million in fiscal year 2008 order to restore this program back up to the highest level of funding it has ever received, in fiscal year 2002. Consistent funding is essential to the long-term success of this program. As you know, every State has completed a comprehensive wildlife conservation strategy, or wildlife action plan, as mandated by Congress. These action plans detail each State's species of greatest conservation need, their habitats, the problems and data gaps that confront them, and the conservation actions that are needed in order to prevent them from becoming endangered. A funding level of $85 million would reflect the Congress's commitment to following through on providing the Federal support needed to implement the wildlife action plans. At the same time, the need is much greater.

The State Wildlife Grants program is supported by the Teaming with Wildlife coalition, a coalition of more than 5,000 organizations, agencies, and businesses in every State. The diverse support for this program is reflected in strong support that this program receives among your colleagues. This year, 60 Senators, representing both parties and nearly every State have signed on to a letter of support for at least $85 million.

Fisheries Programs.—The Association urges Congress to increase funding for the Fisheries Program to $124.75 million in fiscal year 2008. The Association, in partnership with the Service, developed a draft strategic plan for the Fisheries Program that outlined goals and performance targets for the next decade. Increased funding will allow the Service to address several priority issues identified in the strategic plan. In addition, the Association urges an expansion of funding for implementation of the National Fish Habitat Action Plan to a level of at least $6 million in fiscal year 2008. This national aquatic conservation effort will complement the highly successful North American Waterfowl Management Plan implemented in the 1980s. The Fish Habitat Action Plan has the support of State fish and wildlife agencies as well as the Secretaries of Commerce and Interior. To date more than 500 organizations have signed on as partners to this effort.

Refuges.—The Association supports increased funding in fiscal year 2008 for the Wildlife and Habitat Management and Refuge Operations. There is a tremendous backlog of funding needs that must be addressed in the future to successfully meet the Service's Refuge System mission of conserving fish and wildlife. Several years ago, the Association, along with 16 other organizations, created the Cooperative Alliance for Refuge Enhancement (CARE) specifically to address this growing backlog. The Association continues to support the CARE recommendations to eliminate the backlog of Refuge operations and maintenance and also strongly urges these recommendations be used to guide future budget requests. The Association supports the increase to the visitor services portion of the National Wildlife Refuge System.

North American Wetlands Conservation Act.—The North American Wetlands Conservation Act is authorized at $75 million. With every Federal dollar being matched by almost three non-Federal dollars, the program has more than 2,000 partners from communities, governments (including of Canada and Mexico), nonprofit organizations, States, and academia. The program has put thousands of projects on the ground in North America, including a total of more than of 16 million acres of wetlands and associated uplands in the United States, Canada, and Mexico. The Association supports the President's request at $42.64 million and urges Congress to make progress towards the fully authorized funding level by appropriating $50 million.

Cooperative Endangered Species Conservation Fund.—The Association supports the $80 million requested by the President for fiscal year 2008. Cooperative efforts between the FWS and the State fish and wildlife agencies are the surest way to meet objectives for species recovery and conservation under the act. The Association recommends that funds be made available to the States through a mechanism that maximizes spending discretion to the States, such as a State fish and wildlife agency ESA Conservation and Recovery Block Grant Program, with the individual States deciding the best mix of information, incentives, and acquisitions to achieve habitat conservation and protection and recovery objectives. Much of the Section 6 grant funds are already earmarked for program needs such as HCPs and CCAs. While

these certainly represent useful purposes, the Association's first priority for Section 6 grants to the States remains those dollars that allow the States the greatest discretion in satisfying priority needs.

Landowner Incentive Program.—The Association strongly urges Congress to fund the Landowner Incentive Program at the $21.6 million level in fiscal year 2008. The administration has not provided funding for this program in fiscal year 2008, which would discard the hard work that States have undertaken to develop this program. LIP has forged unique partnerships between public agencies and private landowners, including water rights holders, and is being used to emphasize the opportunity and importance of proactive conservation of at-risk species in private watersheds and landscapes. LIP is perhaps the best working model for how to work collaboratively with private landowners to proactively addressing the life needs and habitat requirements of threatened and endangered species.

U.S. GEOLOGICAL SURVEY

The U.S. Geological Survey's Biological Resources Division provides critical information for wildlife and habitat management and conservation. The Association is concerned that uncontrollables such as mandated cost of living increases are not fully funded in the budget request. The Association strongly recommends that Congress increase the fiscal year 2008 budget for the Biological Resources Division to a level that fully funds uncontrollables in order to prevent further erosion to essential programs and services.

Cooperative Research Units.—Fiscal year 2001 was the last time Congress fully funded the Cooperative Research Units, thereby allowing unit productivity to rise to record levels. Since that was achieved, budgetary shortfalls have caused an erosion of available fiscal resources, resulting in a current staffing vacancy of 22 positions and a corresponding decrease in productivity. Applied research efforts and dissemination of research information to States and other cooperators has suffered due to the lack of funding for critical research and publication of results. In many States, the Cooperative Research Units are the research arm of the State fish and wildlife agency, and as a result, excellent cooperative relationships have been established. Accordingly, the Association strongly recommends that Congress increase the fiscal year 2008 budget for the Cooperative Research Unit by $25 million to fill the vacancies of 22 essential staff necessary to achieve full function including a proposed matching fund program, as detailed in the Association's Budget Recommendations.

BUREAU OF LAND MANAGEMENT

The Association appreciates the emphasis given to fish and wildlife within the Bureau of Land Management's fiscal year 2008 request, but recommends increased funding for multi-state conservation strategies to benefit at-risk species in Western Grasslands, Shrub-steppe, Hawaiian Islands, and Sierra Nevada Foothills. Proposed funding levels will continue to present a significant challenge to the BLM to address the current levels of activity on public land, without providing the agency any capability to enhance its management presence and programs. Congress needs to bring BLM's operational budget into parity with the other Federal land management agencies.

The Association supports the Secretary of the Interior's $22 million Healthy Lands Initiative, $15 million of which would be allocated to the BLM which would carry out habitat enhancement projects in six regions across the West.

We also encourage the committee to continue to support the BLM in working to integrate collaborative wildlife conservation planning efforts into their own activities. As outlined above, every State has produced a wildlife action plan. These were developed in concert with Federal agency partners, and the Association recommends that Congress support the efforts of the BLM to integrate the wildlife action plans into their own activities and urge the agency to consult with the respective State wildlife agencies to identify collaborative opportunities to advance shared wildlife action plan priorities. Similarly, the BLM is a participant in the National Fish Habitat Action Plan, and we respectfully urge Congress to support the agency in adopting those priorities as well.

U.S. FOREST SERVICE

Wildland Fire Management.—We are concerned that management of forest fires is consuming an increasing portion of the Forest Service's budget, impairing the agency's ability to manage national forest lands, fund critical research, and deliver the services to citizens and taxpayers. While the Forest Service is working hard to manage fire costs within their control, their current "constrained" budget structure

forces increases in the fire program to come at the expense of all other Forest Service work. When adjusted for inflation, non-fire programs in the Forest Service's budget have dropped by 35 percent from 2001–2008. We recommend that fire suppression activities be removed from Forest Service "base" funding, so that the Forest Service is not forced to cut other programs in the annual request process in order to finance the ever increasing costs of fighting wildfires. In particular, we urge that you consider developing a Reserve Fund or Emergency Fund funding process.

Wildlife and Fisheries Habitat Management Program.—The Association is deeply concerned that the President's budget for this program proposes an approximate 11 percent reduction over the 2006 enacted budget. The Association urges Congress to provide $135 million in fiscal year 2008. The Association requests that the USFS closely coordinate use of these funds with State fish and wildlife agencies to recognize and fully utilize the States' authorities for fish and wildlife management.

As with the BLM, the Association recommends that Congress support the efforts of the U.S. Forest Service to integrate the National Fish Habitat Action Plan and the State wildlife action plans into their own activities, and we urge you to encourage the agency to consult with the respective State wildlife agencies to identify collaborative opportunities to advance shared fish and wildlife priorities.

PREPARED STATEMENT OF THE ASSOCIATION TO PRESERVE CAPE COD

Madame Chairwoman and honorable members of the committee: I appreciate the opportunity to provide testimony in support of an appropriation of $4 million from the Land and Water Conservation Fund for the Cape Cod National Seashore in Massachusetts. I also want to take this opportunity to thank the chairman and committee for their leadership in supporting land acquisition programs such as the Land and Water Conservation Fund, which are so critical to preserving our treasured public lands.

The Association to Preserve Cape Cod (APCC) is the largest and most prestigious environmental advocacy organization on Cape Cod, with more than 5,000 families comprising its membership. APCC's mission is to promote programs and policies that protect the natural resources of Cape Cod. As such, APCC has been in the forefront of all of the most important efforts to protect Cape Cod's rich natural heritage for almost four decades.

APCC is particularly interested in the Cape Cod National Seashore, which we consider to be the shining star of Cape Cod and emblematic of all that our organization seeks to safeguard. Cape Cod has a simple geography—it is a land of sand and of water. Nowhere is this simplicity and grace more apparent than at the Cape Cod National Seashore. Thus, when APCC learned that the National Park Service (NPS), which manages the Seashore, has the opportunity to acquire the 57-acre North of Highland Campground, a family-run private campground within the Seashore's congressionally authorized boundary in Truro, we began working with The Trust for Public Lands and our U.S. congressional delegation, Senators Kerry and Kennedy and Congressman Delahunt, to advocate for purchase of this land by the NPS.

The Cape Cod National Seashore, designated by Congress in 1961 to preserve its precious resources for future generations, includes 40 miles of coastline and boasts some of the world's most beautiful white sand beaches. With over 4 million visitors a year, the Cape Cod National Seashore is one of the most heavily visited places in the National Park system, with peak visitation occurring during the summer months.

There are many recreational opportunities at the Seashore, including six swimming beaches—including the popular Head of the Meadow Beach that provides some of the most exciting body-surfing available in the area. The Seashore has more than 11 miles of self-guided nature trails, a variety of picnic areas, scenic overlooks, historic building tours and many fishing opportunities. The Seashore also maintains three bicycle trails that wind through forests and past sand dunes, marshes and kettle ponds.

Nestled in the pines with trail access to the nearby Head of the Meadow Beach, the 57-acre North of Highland Campground, is a Seashore in-holding completely surrounded by National Park Service lands. It has been owned and managed since 1954 as a family-oriented campground. The campground operates from mid-May through mid-September and includes four bathhouses, a camp store, two dwellings and 237 sites for camping. The property also contains seven acres of wetland habitat. Preferring not to sell the land to a developer who would likely build houses, the owners of the campground have been working with the NPS to place the camp-

ground in NPS ownership to ensure that it is not developed and remains open to the public.

In fiscal year 2008, an appropriation of $4 million from the Land and Water Conservation Fund will protect the final 57 acres of this property, helping to ensure that the campground remains open to the public, thereby maintaining affordable recreational opportunities for the public in one of most heavily visited national parks in the country. An initial allocation of $2 in fiscal year 2007 is allowing the National Park Service to begin this critical public acquisition.

Thank you, Madame Chairwoman, for the opportunity to provide this testimony in support of the appropriation of $4 million for Cape Cod National Seashore.

PREPARED STATEMENT OF THE ASSOCIATION OF STATE DRINKING WATER ADMINISTRATORS

James D. Taft, Executive Director, on behalf of the Association of State Drinking Water Administrators (ASDWA), is pleased to provide testimony to the Interior and Related Agencies Subcommittee on fiscal year 2008 Appropriations for the U.S. Environmental Protection Agency.

ASDWA represents the State drinking water programs in each of the 50 States and territories in their efforts to ensure the provision of safe drinking water to more than 275 million consumers nationwide. ASDWA's primary mission is the protection of public health through the effective management of State drinking water programs that implement the Safe Drinking Water Act (SDWA).

SUMMARY OF REQUEST

ASDWA respectfully requests that, for fiscal year 2008, the subcommittee appropriate funding for three State drinking water programs at levels commensurate with Federal expectations for performance and at levels that continue to ensure appropriate public health protection. Specifically, ASDWA requests an appropriation of $112 million for the Public Water System Supervision (PWSS) program; 1 billion for the Drinking Water State Revolving Loan Fund (DWSRF) program; and $6 million for State drinking water program security initiatives. A more complete explanation of the needs represented by these requested amounts and a further explanation of these particular requested levels follows.

HOW STATES USE FEDERAL FUNDS

States Need Increased Federal Support to Maintain Public Health Protection: State drinking water programs strive to meet their public health protection goals through two principal funding programs: the Public Water System Supervision Program (PWSS) and the Drinking Water State Revolving Loan Fund (DWSRF) Program. These two programs, with their attendant State match requirements, provide the means for States to work with drinking water systems to ensure that American citizens can turn on their taps with confidence that the water is safe to drink and that the supply is adequate. In recent years, State drinking water programs have accepted additional responsibilities to work with all public water systems to ensure that critical drinking water infrastructure is protected and that plans are in place to respond to disasters both natural and manmade.

The PWSS Program.—To meet the requirements of the SDWA, States have accepted primary enforcement authority for oversight of regulatory compliance and technical assistance efforts for 160,000 public water systems to ensure that potential health-based violations do not occur or are remedied in a timely manner. Going beyond these longstanding core responsibilities, since 1996, State drinking water programs have participated in the development and implementation of more than 20 new Federal regulations and strategic initiatives designed to enhance the protection of public health. States are also implementing an array of proactive initiatives to protect public health from "source to tap"—including source water assessments and controls; technical assistance with water treatment and distribution; and enhancement of overall water system capacity. State activities go well beyond simply ensuring compliance at the tap.

The DWSRF Program.—In a little over 10 years, States have leveraged funding for the DWSRF program into more than $11 billion in loans to thousands of communities as a means to help them improve the quality and quantity of the water they drink. State drinking water programs have also used DWSRF funds to support the technical assistance and training needs of small drinking water systems and to help them obtain the technical, managerial, and financial proficiency that enables them to meet the requirements of the SDWA.

State Drinking Water Security Responsibilities.—Since the event of September 2001, as well as since the recent experiences of Hurricanes Katrina and Rita, States have taken extraordinary measures to meet the security and emergency response-related needs of the drinking water community. State drinking water programs have responded to the significant number of requests for assistance, training, information, and financial support from the systems under their purview as well as support utility-based mutual aid networks. States have also been instrumental in providing support and assistance to systems in assessing whether a contamination event has occurred and, if so, evaluating the magnitude of the public health implications. States have devised training and technical assistance programs, initiated new communications structures, and begun the work of integrating the concepts of enhanced security concerns throughout all aspects of the drinking water program.

WHY INCREASED FUNDING IS CRITICALLY NEEDED

States must accomplish all of the above-described activities and take on new responsibilities while responding to escalating pressures to further cut their budgets, streamline their workforces, and operate with less State-provided financial support. State drinking water programs have always been expected to do more with less and States have always responded with commitment and ingenuity. However, State drinking water programs are now in crisis. Congress and the Executive Branch, through EPA, have implemented national program guidance calling for both States and water systems to continually improve their contaminant rule compliance rates. However, many States are now experiencing declining compliance rates in the face of declining or stagnant financial resources. Decreases in available Federal dollars increase the likelihood of a contamination event that puts public health at risk.

Although the 1996 SDWA Amendments authorized the PWSS Program at $100 million per year, appropriated amounts have only recently reached or come close to that originally-authorized level. ($98.2 million was appropriated for the PWSS program in fiscal year 2007.) Of the $1.2 billion in PWSS grants that States could have received since 1996, actual appropriations have only been $949 million through fiscal year 2006. This level of funding, 11 years after enactment, is now woefully inadequate for the enormity of the task faced by State drinking water programs. In fiscal year 2006, State drinking water program administrators identified an annual shortfall nationally of approximately $360 million between available funds and those needed to administer their programs. That gap continues to grow and has consequences. It is estimated that one-third of the States may not be able to conduct timely implementation of major provisions of the newer regulations, leaving the work undone or forcing U.S. EPA to undertake rule implementation tasks that they may not have the resources or expertise to perform. This situation has been illustrated, over the past year, in several States being unable to undertake all or part of the initial phases of the most recent microbial contaminant/disinfection by-products rules (known as LT 2/Stage 2). This situation could create a significant implementation crisis in several regions of the country and ultimately delay implementation of several critically needed public health protections.

Similarly, for the DWSRF, the authorized level of $1 billion per year has never been appropriated. States have received less than 80 percent of the $11 billion authorized for the DWSRF program since 1996. This underfunding, coupled with the decline in the spending power of these dollars due to inflation and cost of living increases, has severely hampered State drinking water programs' ability to fulfill their mission and provide critically needed support to drinking water systems.

FISCAL YEAR 2008 REQUEST LEVELS AND SDWA PROGRAM OBLIGATIONS

The PWSS Program.—The State PWSS program request level in the administration's budget is $99.1 million. This reflects an alarming downward trend from prior year administration requests and the enacted budget high point of $101.9 million appropriated just 3 years ago—in fiscal year 2004. State drinking water programs are hard pressed to understand a justification for the decreased funding since this is the year when they must begin critical phases of implementation of the LT 2/Stage 2 Rule cluster—two very sophisticated and complex initiatives as well as prepare to implement the recently promulgated Ground Water Rule and soon-to-be promulgated changes to the Lead and Copper Rule. States want to offer the flexibilities allowed under these and other rules; however, fewer dollars mean less opportunities to work one-on-one with water systems to meet their needs. Looking ahead, States expect that new rules for contaminants on EPA's Contaminant Candidate List will be forthcoming. Revisions to the Total Coliform Rule and possibly, a new distribution system rule are planned over the next few years. The number of regulations requiring State implementation and oversight as well as performance expectations

continue to grow while, at the same time, Federal funding support necessary to maintain compliance levels and meet expectations is in decline.

ASDWA, therefore, respectfully requests that the fiscal year 2008 funding for the PWSS program be appropriated at $112 million. This figure represents a baseline of $101.9 million as appropriated in fiscal year 2004 plus an additional 2.5 percent increase over the past three fiscal years and into fiscal year 2008 to adjust for inflation. (Note: ASDWA also calls the committee's attention to an alternative States' Budget for fiscal year 2008 developed by the Environmental Council of the States (ECOS). The level recommended in that budget for the PWSS program, $104,170,000, would represent a welcome increase in the appropriated amount of recent years. The PWSS appropriation should be at least that amount; however, as noted above, we believe a significantly greater appropriation is warranted.)

The DWSRF Program.—The fiscal year 2008 DWSRF program request in the President's budget is "flat-lined" at $842 million and reflects no change from the fiscal year 2007 request and continues the downward funding trend of the 3 previous years—an $8 million decrease. The primary purpose of the DWSRF is to improve public health protection by facilitating water system compliance with national primary drinking water regulations through the provision of loans to improve drinking water infrastructure. EPA's most recent National Drinking Water Infrastructure Needs Survey (2003) indicated that water system needs total $276.8 billion over the next 20 years to comply with SDWA mandates. Despite these documented needs, the maximum amount requested by the administration for the DWSRF has been $850 million and Congress has appropriated less than those requested levels. Without reasonable increases, the DWSRF will never be able to meet the SDWA compliance and public health protection goals for which it was designed.

ASDWA, therefore, respectfully requests that the fiscal year 2008 funding for the DWSRF program be appropriated at authorized level of $1 billion.

Security Responsibilities.—The administration's fiscal year 2008 budget request includes $4.9 million for State drinking water programs to continue to expand their security activities, particularly for small and medium systems and support utility-based mutual aid networks for all drinking water systems. While States are appreciative of the funding, once again it is difficult to understand why the request level is decreased from previous years. Given the realities exemplified by ongoing Homeland Security initiatives, the anticipation of metrics under the National Infrastructure Protection Plan, and the lessons learned from Hurricanes Katrina and Rita, State drinking water programs are working more closely than ever with their water utilities to evaluate, assist, and support drinking water systems' preparedness and response capabilities. Beyond the mandates of the Bioterrorism Act of 2002, States are being directed to expand their efforts to reflect an "all hazards" approach to water security and to focus their efforts toward smaller water systems not covered by the act. These systems are much less likely to have the organizational or financial wherewithal to better secure either their physical or cyber infrastructures and rely on the States to help them meet their needs and identify potential funding sources (DWSRF). There is no dedicated fund to support or assist these smaller systems.

ASDWA, therefore, respectfully requests that the fiscal year 2008 funding for the State security initiatives program be appropriated at $6 million. This figure represents a maintenance baseline consistent with previous year funding request levels adjusted for the eroding effects of inflation since the originally appropriated level of $5 million in fiscal year 2002.

CONCLUSION

In conclusion, ASDWA respectfully recommends that both State and Federal fiscal year 2008 budget needs for the provision of safe drinking water be adequately funded by Congress. The subcommittee can meet those needs through relatively modest increases in funding over the administration's requested fiscal year 2008 budget or by a "budget-neutral" reallocation of funding within the overall budget of the U.S. Environmental Protection Agency. ASDWA calls the subcommittee's attention to the afore-mentioned alternative State-recommended fiscal year 2008 budget developed by the Environmental Council of the States (ECOS) as a constructive starting point for these discussions.

A strong drinking water program supported by the Federal-State partnership will ensure that the quality of drinking water in this country will not deteriorate and, in fact, will continue to improve—so that the public can be assured that a glass of water is safe to drink no matter where they travel or live. States are willing and committed partners. Additional Federal financial assistance is needed, however, to meet ongoing and ever growing regulatory and security needs. In 1996, Congress

provided the authority to ensure that the burden would not go unsupported. In 2007, ASDWA asks that the promise of that support be realized.

ASDWA appreciates the opportunity to provide this testimony to the subcommittee for its consideration and stands ready to work with the subcommittee to ensure the continued protection of public health through provision of safe drinking water. Should questions or the need for additional information arise, please contact James D. Taft, ASDWA's Executive Director, at 703–812–9507.

PREPARED STATEMENT OF THE BIOMASS ENERGY RESEARCH ASSOCIATION

This testimony pertains to the Biomass Energy Research Association's (BERA) recommendations for fiscal year 2008 in support of appropriations for the U.S. Department of Agriculture (USDA) that are related to bioenergy. This includes support for the USDA Forest Service (USDAFS) for bioenergy-related R&D under the President's Healthy Forest Initiative and through the USDAFS Forest Products Laboratory. Both activities are conducted under the auspices of the Natural Resources and Environment program of the U.S.D.A. This testimony also supports the conduct of bioenergy-related research by the Agricultural Research Service (ARS) and the Cooperative State Research, Education, and Extension Service (CSREES) under Research, Education and Economics programs of the U.S.D.A. In total, BERA recommends that $106,500,000 be appropriated for these efforts in fiscal year 2008. A separate statement has been prepared for submission on other biomass energy RD&D performed by the Department of Energy's (DOE) Office of Energy Efficiency and Renewable Energy (EERE) under the Energy and Water Development Bill. Specific line items are as follows:

—$40,000,000 under the President's Healthy Forest Initiative for the reduction of hazardous fuels via removal of forest thinnings, waste and underbrush, including infrastructure development.

—$10,000,000 to continue the Biobased Products and Bioenergy Research (BPBR) program of the USDAFS Forest Products Laboratory.

—$30,000,000 to support renewable energy research by the Agricultural Research Service (ARS) to maximize production, harvesting and storage of plants for bioenergy purposes, including $10 million for collaborative efforts with the U.S. Department of Energy on harvesting and other production equipment research.

—$25,000,000 to support research under the National Research Initiative on energy crops and crop residues with the specific purpose of creating viable energy resources.

—$1,000,000 to support interagency coordination on planning and infrastructure development.

—$500,000 to help re-establish the Biomass Conference of the Americas (co-sponsored with DOE).

BACKGROUND

On behalf of BERA's members, we would like to thank you, Mr. Chairman, for the opportunity to present the recommendations of BERA's Board of Directors for the high-priority programs that we strongly urge be continued or started. BERA is a non-profit association based in the Washington, DC area. It was founded in 1982 by researchers and private organizations conducting biomass research. Our objectives are to promote education and research on the economic production of energy and fuels from freshly harvested and waste biomass, and to serve as a source of information on biomass RD&D policies and programs. BERA does not solicit or accept Federal funding for its efforts.

There is a growing realization in our country that we need to diversify our energy resources and reduce reliance on foreign oil. Economic growth is fueling increasing energy demand and placing considerable pressure on our already burdened energy supplies and environment. The import of oil and other fuels into the United States is growing steadily and shows no sign of abating. Industry and consumers both are being faced with rapidly rising costs for petroleum and natural gas, which are vital to our economy. A diversified energy supply will be critical to meeting the energy challenges of the future and maintaining a healthy economy with a competitive edge in global markets. The recently announced Biofuels Initiative at the DOE provides funding to support the use of cellulosic biomass as a feedstock for ethanol, including wood and forestry resources, with the potential to replace as much as 30 percent of domestic gasoline demand in 2030. We support this Initiative, as well as the administration's target for supplanting 20 percent of our gasoline consumption in 10 years (by 2017) through biofuels and efficiency gains.

Forest biomass energy plantations that provide feedstocks for forest biorefineries producing paper products as well as fuels and biopower could make an important contribution to our energy supply while providing a boost for rural economies and reducing wildland forest fires. Wood also can be used instead of petroleum and natural gas to produce many high-value products such as plastics and chemicals. However, targeted research is needed to make this a reality.

Other cellulosic feedstocks, such as agricultural residues and dedicated energy crops (short rotation poplar, switchgrass) are expected to be a primary resource for bioenergy in the future. However, research will be needed to overcome issues of recalcitrance, low yields, cost effective harvesting and storage, and other challenges to ensure these resources are viable as future bioenergy feedstocks. Some of this research is ongoing at the U.S. Department of Energy; however, there is a role for R&D in this area at USDA as well. Without additional targeted research with significant Federal investment, the ambitious goals set by this administration will not likely be met, nor will the real promise of a domestic bioindustry be realized.

BERA RECOMMENDATIONS FOR USDA BIOENERGY R&D

BERA's recommendations support key areas that will contribute to sustainable forestry as well as the creation of viable renewable resources as part of a diversified energy supply. Specific recommendations are:

Support the President's Healthy Forest Initiative: Reduction in Hazardous Fuels via Forest Waste Recovery for Fuel and Feedstocks.—Large, repetitive, wide-spread losses have occurred in the Nation's forests over the last several years because of wild fires. Such fires are supported by the accumulation of dense undergrowth and brush coupled with poor forest management practices, insect infestation and disease that increase the number of dead trees, and other factors. As a result, loss and injury to fire fighters and others, large property, financial, and esthetic losses, and environmental harm have occurred in commercial as well as private and Federally owned forests. BERA believes that this problem can be optimally addressed by conducting a targeted RD&D program to develop economic, practical methods for collection and removal of forest wastes, underbrush, and small-diameter tree thinnings, for the purpose of using them as energy resources. Forest wastes could be combined with large-scale forest biomass energy plantations to provide fuel and feedstocks for forest biorefineries producing fuels and high-valued products. Funding should be provided to start an RD&D program in this area as soon as possible. Potential R&D and technology development issues related to infrastructure should be explored in cooperation with DOE.

Continue to Conduct Wood-based Feedstock Research at the USDAFS Forest Products Laboratory.—Critical research to develop, plant, grow, and manage energy crops, particularly forest biomass, for conversion to cost-competitive energy and fuels, was once conducted by the DOE but has since been terminated. While DOE's feedstock production program has made significant research contributions over the last 25 years, BERA strongly endorses the idea that the USDA should assume responsibility for this program. The USDA has a long history in biomass production and is recognized worldwide for its accomplishments in developing advanced agricultural and forest biomass production methods. BERA strongly recommends that RD&D on woody biomass production for dedicated energy and feedstock uses be continued by the USDAFS Forest Products Laboratory Biobased Products and Bioenergy Program (BPBR) under the Interior and Related Agencies Bill. This program is developing new and more economical technologies for the production, management, harvest, and utilization of woody materials for energy and high-value products.

Support and Expand Renewable Energy Research by the Agricultural Research Service (ARS).—This important research is needed to maximize production, harvesting and storage of plants for bioenergy purposes. While the focus is on R&D to effectively use energy crops and residues and maximize their conversion to biofuels and bioenergy, there is also the need to develop the production equipment and practices needed to ensure a viable supply infrastructure at the large volumes necessary for an expanded bioindustry. In addition to existing program, we are recommending research be initiated, in collaboration with programs at the U.S. Department of Energy, on harvesting and other production equipment as well as storage and transportation. This research should include demonstration and validation of systems at the appropriate scale.

Support Bioenergy Research Under the National Research Initiative.—This includes considerable expansion of R&D to enhance the use of energy crops and crop residues as viable energy resources. In addition to current activities that cover genomics, crop yields, and other areas, we recommend activities with a specific focus

on the ecological and environmental sustainability of using energy crops and residues for bioenergy, including impacts to water, soil and the carbon balance. Definitive and long term research is needed, and should be initiated now, to understand the true impacts of removing agricultural residues from the soil, increased burdens on the water use and aquifers, and the potential environmental issues of increasing use of fertilizers, pesticides and other agricultural chemicals that may result from residue removal. This research should go beyond models and simulations to real world testing and monitoring of soil and water conditions under residue removal scenarios.

Interagency Coordination Activities.—BERA strongly urges close interagency coordination between USAD and DOE, EPA, DOT, DOC, NSF, DOD, and others in the areas of Basic Science, Feedstock Infrastructure and Distribution Infrastructure (pipelines, blending terminals, rail and other transport). This should include collaboration on RD&D as appropriate, planning, and clarification of agency roles to eliminate duplication, fine-tune pathways to program goals and maximize the return on the Federal investment.

Biomass Conference of the Americas.—BERA requests DOE/USDA to consider support to re-establish the biannual Biomass Conference of the Americas (or similar venue), which would be partly subsidized by industrial and other sponsors, and organized through BERA in coordination with USDOE/USDA.

CONCLUSIONS

Expansion of the USDA programs as recommended by BERA enables a considerably higher probability of significantly increasing the contribution of biomass to primary U.S. energy demand through use of forestry residues while eliminating a national fire hazard, encouraging sustainable energy crop production, improving the cost effectiveness and diversity of biomass resources for bioenergy, and providing opportunities for rural development.

BERA recommends that all aspects of the feedstock infrastructure—from sustainable production of high yield crops to cost-effective delivery of those crops to the bioenergy customer—be developed with support from USDA, as outlined above. While grain crops are a viable solution for the near term for bioenergy, they will not provide a sustainable solution at the volumes needed to really impact our energy use. Thus, BERA includes R&D recommendations to ensure the availability of a wide diversity of non-food cellulosic feedstocks for bioenergy, such as dedicated energy crops and agricultural residues, while considering the challenges of environmental and societal sustainability and maintaining the economic vitality of America's farmers.

PREPARED STATEMENT OF THE BIRD CONSERVATION FUNDING COALITION

The Bird Conservation Funding Coalition (BCFC) consists of national organizations who together advocate for Federal funding to advance bird conservation. This year we ask that you once again provide funding to programs we believe are crucial for maintaining healthy and abundant bird populations throughout the United States. These programs are:

The Neotropical Migratory Bird Conservation Act Grants Program supports partnership programs to conserve birds in the United States, Latin America, and the Caribbean, where approximately 5 billion birds representing over 500 species spend their winters, including some of the most endangered birds in North America. Projects include activities to benefit bird populations and their habitats such as research and monitoring, law enforcement, and outreach and education. The BCFC respectfully requests the committee prioritize fiscal year 2008 funding for the Neotropical Migratory Bird Conservation Act Grants Program at $5.5 million, the currently authorized level, an increase of $1.5 million from the appropriated amount in fiscal year 2007.

Joint Ventures are regionally based partnerships of public and private organizations dedicated to the delivery of bird conservation within their boundaries. Originally formed to support programs involving waterfowl and wetlands, the Migratory Bird Joint Ventures have recently adopted a 5-year growth strategy to embody an "all-bird approach," to provide additional capacity for partnership development and enhancement, and to expand monitoring and assessment efforts. The BCFC respectfully requests the committee allocate $15.1 million for fiscal year 2008, an increase of $4.3 million from the appropriated amount in fiscal year 2007.

USFWS Science and Science Support provides invaluable information on the status and trends of bird species necessary for sound management decisions. This scientific information helps to ensure that funds are allocated wisely within all other

BCFC priorities. The slight increase in funds requested by the BCFC will help to close a multimillion dollar shortfall which currently exists within the Office of Migratory Bird Management. Therefore, the BCFC respectfully requests the committee provide $29.52 million for this important program, an increase of $2.58 million in fiscal year 2007 and consistent with President Bush's fiscal year 2008 budget mark.

The North American Wetlands Conservation Act (NAWCA) provides funding for conservation projects for the benefit of wetland-associated migratory birds in the United States, Canada, and Mexico. More than half of the original wetlands in the United States. have been lost. This has contributed to the steady decline of migratory birds. NAWCA, in existence since 1989, has preserved over 20 million acres of wetlands by leveraging $573 million in Federal funds with more than $1.6 billion in partner contributions. The BCFC respectfully requests the committee prioritize fiscal year 2008 funding for NAWCA at $50 million, an increase of $10.6 million appropriated in fiscal year 2007.

State Wildlife Grants fund is the Nation's core program for preventing wildlife from becoming endangered, and supports a wide variety of wildlife-related projects by State fish and wildlife agencies throughout the United States. In order to receive Federal funds through the State Wildlife Grants Program, Congress charged each State and territory with developing an "action plan." Every State and territory submitted their wildlife action plan to the U.S. Fish and Wildlife Service for review (and approval) by the October 1, 2005 deadline. The State Wildlife Action Plans are the result of a collaborative effort by scientists, sportsmen, conservationists, and other members of the community. The BCFC respectfully requests the committee allocates $85 million for fiscal year 2008, an increase of $17.5 million appropriated in fiscal year 2007.

Wildlife Without Borders (WWB), within USFWS Division of International Conservation, is a mainstay of bird conservation in Mexico, Central America, and the Caribbean. Since the termination of the USAID funding to the National Fish and Wildlife Foundation for its Neotropical Migratory Bird Program, the WWB program is more critical than ever. These programs, which typically leverage $4 for every appropriated $1, are a foundation for long-term conservation efforts, because they focus on developing in-country capacity. At this time, there are four WWB programs, each covering an extensive area: Latin America and the Caribbean; Mexico; Russia and East Asia; the Near East, South Asia, and Africa. The BCFC respectfully requests the committee prioritize fiscal year 2008 funding for WWB at $4.8 million for fiscal year 2008, an increase of $500,000 over fiscal year 2007.

International Programs, within the USDA Forest Service, supports an array of extremely effective bird conservation projects with a relatively small budget. Among these are restoration of Kirtland's Warbler with programs in Michigan and the Bahamas, and conservation of breeding habitat in Canada's Boreal Forest. The BCFC supports an increase in funds which would expand and accelerate work on these projects, as well as projects benefiting the rapidly-declining Cerulean Warbler and the mangroves and wetlands of Mexico's Sonora Coast and San Pedro River watershed. The BCFC respectfully requests the committee provide $8 million for fiscal year 2008, an increase of $1.1 million over fiscal year 2007.

Again, we thank you for your steadfast support of these critically important programs.

PREPARED STATEMENT OF ROSEMARY S. BUNN

Thanks so much for considering our little perfect part of the world here in Mason Township, Maine. We have a 600+ acre parcel up here at Haystack Notch that is on your agenda for funding during the 2008 fiscal year. Although I do not know a lot about all the different agencies who do all this (and I know you have stacks of papers to read!), I do know that the White Mountains National Forest is seeking your help for funds for the U.S. Forest Service to purchase this. Although I am originally from Florida, I have a small little camp up there and it is absolutely part of my heart. I hope it gets funded.

I lost my husband, Denny, to cancer in 2003, but one of the last things he wanted was to come up to our camp in Mason Township. Denny was a triathlete and it was a place where he had often run, mountain biked, and just generally enjoyed. There are a few full-time residents and also some other summer people like us and all of us had become quite close. It was perfect and I am glad we got to make the trip.

I now live here full time and can tell you that on a year-round basis, Haystack Notch is a rare find in our country. The trees, wildlife, streams, and ecological setting are pristine and classic. It is possible to hear the wind marching down from the top of the Notch, watch the sun peek through the deep foliage, and nothing

beats the smell of balsam pines. You know, if you get the chance, I would love to have you come up for a visit. My camp is close to a stream and you could have a first-hand look at Mother Nature and her work! In a year which seems to be really gearing up for positive environmental work, this would be a great move.

OK, I ramble too much and you have a lot of work to do! Thanks again for considering the parcel of land and also for all the work you do for us.

PREPARED STATEMENT OF THE CALIFORNIA INDUSTRY AND GOVERNMENT CENTRAL CALIFORNIA OZONE STUDY COALITION

Madam Chairman and members of the subcommittee: On behalf of the California Industry and Government Central California Ozone Study (CCOS) Coalition, we are pleased to submit this statement for the record in support of our fiscal year 2008 funding request of $400,000 from the Environmental Protection Agency for CCOS. These funds are necessary for the State of California to address the very significant challenges it faces to comply with new national ambient air quality standards for ozone and fine particulate matter. The study design incorporates technical recommendations from the National Academy of Sciences (NAS) on how to most effectively comply with Federal Clean Air Act requirements.

First, we want to thank you for your past assistance in obtaining Federal funding for the Central California Ozone Study (CCOS) and California Regional $PM_{10}/PM_{2.5}$ Air Quality Study (CRPAQS). Your support of these studies has been instrumental in improving the scientific understanding of the nature and cause of ozone and particulate matter air pollution in Central California and the Nation. Information gained from these two studies is forming the basis for the 8-hour ozone, $PM_{2.5}$, and regional haze State Implementation Plans (SIPs) that are due in 2007 (ozone) and 2008 (particulate matter/haze). As with California's previous current SIPs, all future SIPs will need to be updated and refined due to the scientific complexity of our air pollution problem. Our request this year would fund the completion of CCOS to address important questions that won't be answered with results from previously funded research projects.

To date, our understanding of air pollution and the technical basis for SIPs has largely been founded on pollutant-specific studies, like CCOS. These studies are conducted over a single season or single year and have relied on modeling and analysis of selected days with high concentrations. SIPs are now more complex than they were in the past. The National Academy of Sciences (NAS) now recommends a weight-of-evidence approach that will involve utilizing more broad-based, integrated methods, such as data analysis in combination with seasonal and annual photochemical modeling, to assess compliance with Federal Clean Air Act requirements. This will involve the analysis of a larger number of days and possibly an entire season. In addition, because ozone and particulate matter are formed from some of the same emissions precursors, there is a need to address both pollutants in combination, which CCOS will do.

Consistent with the NAS recommendations, the CCOS study includes corroborative analyses with the extensive data provided by past studies, advances the state-of-science in air quality modeling, and addresses the integration of ozone and particulate pollution studies. In addition, the study will incorporate further refinements to emission inventories, address the development of observation-based analyses with sound theoretical bases, and includes the following four general components:

Performing SIP modeling analyses—2005–2011
Conducting weight-of-evidence data analyses—2006–2008
Making emission inventory improvements—2006–2010
Performing seasonal and annual modeling—2008–2011

CCOS is directed by Policy and Technical committees consisting of representatives from Federal, State, and local governments, as well as private industry. These committees, which managed the San Joaquin Valley Ozone Study and are currently managing the California Regional $PM_{10}/PM_{2.5}$ Air Quality Study, are landmark examples of collaborative environmental management. The proven methods and established teamwork provide a solid foundation for CCOS.

For fiscal year 2008, our Coalition is seeking funding of $400,000 from the EPA through Clean Air funds.—The requested funds would be used in conjunction with other funding to conduct weight-of-evidence data analyses, which will help address future SIP needs as well as the NAS recommendations. This funding will also allow for computational improvements and air quality modeling validation studies that are associated with multi-pollutant air pollution assessments for extended periods (e.g. seasonal or annual). These are necessary to ensure that models are representing the results for the right reasons. The U.S. EPA has a direct stake in, and

will benefit from, the CCOS program. This program will further the development of corroborative analysis methods and improve the fundamental science upon which to base future SIPs in California and nationwide.

California should not bear the entire cost of the study for several reasons. There is a national need to address issues regarding air quality modeling, especially for long-term multi-pollutant scenarios. The study itself is very cost-effective since it builds on other successful efforts including the 1990 San Joaquin Valley Ozone Study and the current California Regional $PM_{10}/PM_{2.5}$ Air Quality Study. Use of models for future ozone SIPs (and updating existing SIPs) is a national issue. The Federal Government should fund continuing efforts to improve the performance of models used in SIPs. Much of the information generated by CCOS will further the fundamental science of air quality modeling which makes it valuable from a national perspective.

Thank you very much for your consideration of our request.

PREPARED STATEMENT OF THE CALIFORNIA INDUSTRY AND GOVERNMENT COALITION

Mr. Chairman and members of the subcommittee: On behalf of the California Industry and Government Coalition for the Kern County Valley Floor Habitat Conservation Plan (KCVFHCP), we are pleased to submit this statement for the record in support of our funding request for the Interior Appropriations Bill for fiscal year 2008.

First, the Coalition supports the President's budget request for the Department of Interior's Cooperative Endangered Species Conservation Fund, especially funding for HCP land acquisition.

Second, the Coalition urges the subcommittee to appropriate additional funding for land acquisition above the funding requested by the President. The additional funding requested by the Coalition anticipates that $1 million will be needed by the Kern County program to be used for purposes of acquiring and maintaining habitat preserves.

The Coalition's request is supported by the timely need to implement the KCVFHCP. The County's local oil and gas production industry and Water Districts have contributed over $450,000 to the development of this program. In 1997, the U.S. Fish and Wildlife Service allocated $500,000 of Federal Endangered Species Act Section 6 funds to assist in program implementation. The California State Government has authorized $1 million to augment the Federal funds. In order to secure the $3 million total necessary to assist in the implementation of the plan, we will require $1 million for fiscal year 2008 and $500,000 for fiscal year 2009.

The Coalition requests that the subcommittee appropriate the maximum possible amount for this program, so that the funding pool can accommodate our request and need. We are confident that the plan's merits and urgency support this request.

Kern County's program is unique from other regions in the Nation in that it contains some of the highest concentrations of plant and animal species protected by the Endangered Species Act (ESA) within the continental United States. The region is occupied by 11 wildlife species and 14 plant species covered as threatened or endangered under the program. The potential for conflict with the Federal ESA is great in Kern County because of the extensive oil and gas production activities, water conveyance efforts and the urbanization that is occurring. Since Kern County is the top oil producing county in the Nation and experiencing rapid urban growth, potential conflicts with the ESA and their resolution through a proactive conservation program has significant national importance.

In recognition of the conflicts posed to economic growth by Federal and State endangered species laws, a joint agency Memorandum of Understanding was entered into by the U.S. Fish and Wildlife Service, Bureau of Land Management, California Energy Commission, California Division of Oil and Gas and Geothermal Resources, California Department of Fish and Game and Kern County. The participating agencies agreed to develop a unified conservation strategy with the goal of providing a streamlined and consistent process of complying with State and Federal endangered species laws, yet at the same time allow important industry activities such as oil and gas, water conveyance and other industry activities to continue.

Preparation of the KCVFHCP began in 1989 and involved a number of Federal, State, and local government agencies, as well as the oil and gas industry, agricultural interests, utilities and environmental groups.

Kern County's Valley Floor Habitat Conservation Plan is one of the largest and most diverse endangered species conservation programs under development in the Nation encompassing over 3,110 square miles. The program represents a departure from traditional endangered species conservation programs which utilize prohibitory

controls to assure conservation of species habitat. Instead, it is based on an incentive-based system of selling or trading habitat credits in an open market. This innovative approach, for the first time, provides landowners with real incentives and more importantly, the ability to choose how best to manage their own private property. The KCVFHCP is in the final stages of preparation. The HCP document is completed. An environmental impact statement is being prepared for public review in the near future. Final approval will occur in 2008.

Numerous agencies, in concert with the State of California and local government entities, as well as the private oil and gas industry have contributed funding, time and other resources toward developing the KCVFHCP. The KCVFHCP program will be completed in 2008, provided there is the necessary Federal funding for the acquisition of habitat to mitigate for oil and gas operations and development. Additional funding is critical to completing the HCP. This is one of the final steps necessary to implement the conservation strategy. Because of the extensive private, local, and State government financial support that went into the development of this program, Federal participation in program implementation will demonstrate that the burden of ESA compliance is not being placed exclusively on private property owners. Program funding will also contribute to eventual species recovery.

PROGRAM FUNDING NEEDS

In order for the KCVFHCP to be implemented, the program requires funding in the amount of $1.5 million (augments the $1.5 million in State and Federal funding received in 1997) that could be funded in increments over the first 2 years of the program. The purpose of this funding is described as follows:

Oil Development Issue

A mitigation strategy has been devised that is intended to acknowledge existing oil field activities within Kern County. The strategy proposes to acquire 3,000 acres of endangered species habitat to mitigate for species loss resulting from oil field development outside of established oil field production areas, but within proximity of those areas. This is to allow for reasonable expansion of oil field activities over the life of the HCP program. The program strategy allocates $3.0 million for acquisition and perpetual maintenance of species reserve areas. With this type of strategy, oil field expansion activities would be provided for in the program. This strategy would be of great benefit to the small independent oil and gas companies within the program area.

Urban Development/County Infrastructure Issue

The conservation program includes an Urban Development/County Infrastructure mitigation strategy that mitigates for species habitat loss through the use of an incentive-based system of selling or trading habitat credits in an open market. This innovative program will add market value to land that is needed by project proponents to comply with endangered species laws which will encourage the owners of such properties to offer lands for the benefit of species conservation. Protected species of plants and animals will benefit from a program that promotes private property owners to conserve permanent habitat preserves consistent with the objectives of the ESA.

Water District Activity Issue

A water district strategy is included un the program address Covered Species protection duet to the construction of new facilities and the operation and maintenance of existing water management and conveyance facilities. The Covered Species will benefit form reduced and less intrusive operation and maintenance measures than have been conducted historically due to concerns for conflicts with endangered species laws.

Federal Funding Support will Augment Local Government and Private Industry Efforts to Comply with the Endangered Species Act

The $1.5 million required for the oil field strategy would help contribute to satisfying the program's endangered species conservation goals, while also providing for continued economic growth of Kern County's oil and urban development activities. Protected species would benefit from a comprehensive long-term program that promotes the creation of permanent habitat preserves.

Numerous private businesses, in concert with the State of California and local government entities, are attempting to do their part, and we come to the appropriations process to request assistance in obtaining a fair Federal share of financial support for this important effort. This unique cooperative partnership involving State

and local government, as well as private industry, has contributed substantial funds to date, to assist in the development of this program.

The California Industry and Government Coalition appreciates the subcommittee's consideration of this request for a fiscal year 2008 appropriation to support implementation of this significant program.

PREPARED STATEMENT OF THE CALIFORNIA STATE COASTAL CONSERVANCY

PROJECT REQUESTS

Funding for the Don Edwards San Francisco Bay Wildlife Refuge (FWS, Partners for Fish and Wildlife)—$7,000,000

Monitoring of San Francisco Bay Salt Ponds (USGS, Biological Research and Monitoring)—$900,000

SUMMARY

The following testimony is in support of the California State Coastal Conservancy's fiscal year 2008 Interior and Environment Appropriations request. The Conservancy respectfully requests needed funding for the following critical projects: $7 million, U.S. Fish and Wildlife Service, Partners for Fish and Wildlife Program (Base Budget would be preferable; Partners for Fish and Wildlife Program is second choice) and $900,000, U.S. Geological Survey, Biological Research and Monitoring. Both of these requests are for the South Bay Salt Pond Restoration Project.

CONSERVANCY BACKGROUND

The California Coastal Conservancy, established in 1976, is a State agency that uses entrepreneurial techniques to purchase, protect, restore, and enhance coastal resources, and to provide access to the shore. We work in partnership with local governments, other public agencies, nonprofit organizations, and private landowners.

To date, the Conservancy has undertaken more than 950 projects along the 1,100 mile California coastline and around San Francisco Bay. Through such projects, the Conservancy: protects and improves coastal wetlands, streams, and watersheds; works with local communities to revitalize urban waterfronts; assists local communities in solving complex land-use problems and protects agricultural lands and supports coastal agriculture to list a few of our activities.

Since its establishment in 1976, the Coastal Conservancy has: helped build more than 300 access ways and trails, thus opening more than 80 miles of coastal and bay lands for public use, assisted in the completion of over 100 urban waterfront projects, joined in partnership endeavors with more than 100 local land trusts and other nonprofit groups, making local community involvement an integral part of the Coastal Conservancy's work and completed projects in every coastal county and all nine San Francisco Bay Area counties. In addition, we currently have over 300 active projects that are benefiting the citizens of California.

SOUTH SAN FRANCISCO BAY SALT POND RESTORATION PROJECT

This project is of national significance because in conjunction with the Napa River Salt Marsh Restoration project it will create the largest restored wetland on the west coast of the United States. In addition, the project will provide extensive habitat for Federally endangered species and migratory waterfowl and will also provide tidal and fluvial flood protection in South San Francisco Bay protecting approximately 42,800 acres, 7,400 homes and businesses, and significant urban infrastructure, to include major highways, hospitals and airport facilities. Finally, the project will also improve wildlife-oriented public access and recreational opportunities. The combination of these extensive benefits make the project of critical importance to the State of California and the region which is evidenced by the amount of support this project enjoys in local, State and Federal circles.

In order to continue to advance this important study it is imperative that local interests and the Federal Government work together to ensure a reliable funding stream for the project. In accordance substantial cost-sharing has already begun among the land management agencies. The U.S. Fish and Wildlife Service contributed $8 million toward the $100 million acquisition of the salt ponds. The State of California provided $72 million and the Hewlett Foundation, Packard Foundation, Moore Foundation, and Goldman Fund provided $20 million. The foundations are providing an additional $15 million for restoration planning and $9 million for land management. The State of California is providing over $8 million for planning and $6 million for land management.

FISH AND WILDLIFE FUNDING

For the upcoming fiscal year, we respectfully request the inclusion of $7,000,000 in funding for the Don Edwards San Francisco Bay National Wildlife Refuge for continued management and maintenance.

The Don Edwards San Francisco Bay National Wildlife Refuge is now managing 9,600 acres of the recently acquired South Bay Salt Ponds that were acquired from Cargill in 2003. In order to effectively manage these lands, including installation and management of water control structures, levee maintenance, and monitoring of salt ponds increased funding is needed through the Department of Fish and Wildlife. In 2004 $460,000 was added by the President to the Refuge's base budget in and $540,000 in appropriations in fiscal year 2005 and 2006 have allowed for the successful implementation of interim management of the site. The cost of maintenance has increased over what had originally been estimated by Cargill and an additional $1,000,000 is needed for levees maintenance to protect Silicon Valley from tidal flooding prior to implementation of the permanent flood control solution by the Corps, which will not commence until at least 2012 and will require years to complete.

USGS FUNDING

We respectfully request the inclusion of $900,000 in funding for the United States Geological Survey for the purpose of monitoring the San Francisco Bay.

The funds being requested for fiscal year 2007 would be used by the Geological Survey to conduct interdisciplinary monitoring, specifically USGS will be engaging in biological, hydrological, and water quality studies of Salt Ponds in San Pablo Bay and San Francisco Bay. This monitoring is essential to the health of the Bay Area and the future of the project as it will be critical in shaping the outcome of the feasibility study and future design and implementation of the project. Without the proposed monitoring activities, there will be little to no understanding of the benefits and impacts of the restoration activities that are being planned by the Army Corps of Engineers and local sponsors. The State of California is providing gap funding to USGS, but cannot continue to fund the monitoring without assistance from the Federal Government.

PREPARED STATEMENT OF THE CASCADE LAND CONSERVANCY

Cascade Land Conservancy is supporting four funding requests from the Land and Water Conservation Fund and one for the Forest Legacy Program in Washington State in fiscal year 2008. These will protect wildlife habitat, sustain forest management, and improve recreation opportunities. They will also help achieve the goals of The Cascade Agenda, a 100 year vision for the region developed by citizens. We urge you to fully fund these important projects.

LAND ACQUISITION—NATIONAL PARK SERVICE

Mount Rainier National Park—Carbon River—$3 million

These funds would allow the National Park Service to acquire approximately 200 acres within the 800-acre Mount Rainier National Park Expansion Area, which was established by the Mount Rainier National Park Boundary Adjustment Act of 2004 (Public Law 108–31). The area includes frontage on the wild and meandering Carbon River that flows from the glaciers of Mount Rainier. It provides habitat for salmon, steelhead and terrestrial species.

This scenic property will be the site for the new northwest entrance to the park, replacing facilities along a road frequently washed out by floodwaters from the Carbon River. Thus, along with providing park visitors improved access, the new entrance will reduce the cost of road repairs for taxpayers. A new campground is also planned to be built near the entrance above the floodplain. Conservation of these properties will help connect the surrounding wildlife corridors and protect the ecosystem health of the Carbon River Valley, linking the Fairfax Forest to the north, the National Park to the east, and the proposed pathway of the Foothills Rails-to-Trails corridor. Pierce County has invested in other properties along the Carbon River that complement this expansion of the Mount Rainier National Park.

LAND ACQUISITION—FOREST SERVICE

Central Cascade Ecosystem Land Acquisition—Big Creek—$1.3 million

This request would allow the Forest Service to acquire key inholdings in the central Cascade Mountains, enhancing the protection of a major wildlife corridor. Sig-

nificant sums from Federal, State, county, city and private sources have been invested to conserve lands in this area. Congress has appropriated nearly $60 million for land acquisition in the central Cascades over the past 6 years.

Among several parcels of land central to conservation in this ecosystem, one stands out as highest priority—the 640-acre Big Creek parcel on Manastash Ridge, which is surrounded by the Wenatchee National Forest. This parcel contains late successional forest habitat, including one mile of Big Creek, which supports elk, deer, spotted owl and other species of wildlife, some of which are listed under the Endangered Species Act by the U.S. Fish and Wildlife Service. The parcel also contains portions of a roadless area, which if acquired by the Forest Service, would link to other designated roadless areas in the Wenatchee National Forest. Big Creek is a tributary of the Yakima River.

Acquisition of the Big Creek parcel by the Forest Service would accomplish a number of conservation goals, some of which were identified in the original 1998 Plum Creek Land Exchange, which was never completed. These include:

—No new roads and no logging
—Preserving fish and wildlife habitat
—Allowing USFS to apply consistent land management practices in the area
—Returning more than 5,000 acres to the Roadless Area Inventory

Wild Sky Wilderness—Wallace River—$1.5 million

This funding would allow the Forest Service to acquire 470 acres located in the Mount Baker-Snoqualmie National Forest. The properties are identified as priority acquisitions in the Wild Sky Wilderness legislation (H.R. 886) which passed the House recently. The property is within 2 hours drive for over 2.5 million Washington residents, including those residents in Seattle, Everett, and Tacoma. Recreation in the area include fishing, hiking, mountain climbing and wildlife watching.

Wallace River is an important source of clean water for critical salmon habitat in the Skykomish River, one of the top three salmon producing rivers in Puget Sound. Public ownership will reduce impacts to water quality by logging and road building. The parcel supports a large grove of old growth forest and critical wetland habitat along Wallace River. Its remote location provides important security habitat for rare and threatened species such as gray wolf and wolverine. Public ownership of this inholding will improve protection from wildfires and thus reduce the hazard of wildfire to citizens and property. Additionally, blocking up ownership facilitates efforts to contain and eradicate invasive species.

Acquiring these properties will save taxpayers by eliminating approximately five miles of inholding boundaries within the National Forest.

Carbon River—Section 4—$115,000

This request is for the Forest Service to purchase a 5.3 acre parcel in section 4, known as the Crandall property, which is a short distance from Mount Rainier's Carbon River entrance. This property is a private inholding in the Mount Baker-Snoqualmie National Forest. It serves as a critical wildlife and recreation corridor. Public ownership would protect watershed, wildlife, fisheries and will provide for recreation opportunities such as hiking and camping. This property will then be managed under the Mount Baker-Snoqualmie National Forest Land and Resource Management Plan.

FOREST LEGACY PROGRAM

Tahuya Headwaters—Working Forest Initiative—$3.5 million

This appropriation would fund a grant under the Forest Service Forest Legacy Program, and would complete Phase 2 of the Tahuya Forest Conservation Project. The Headwaters portion would protect 1,705 acres in fiscal year 2008, in partnership with Pope Resources. A 25 percent dollar match would be provided by a combination of State and Kitsap County funds.

This area contains some of the most ecologically significant, productive, and at-risk commercial forests in the Puget Sound Lowlands. It is part of a regional forest conservation effort in Kitsap and Mason counties. The Hood Canal Alliance is a sponsor partner for the project, which includes Kitsap County, Great Peninsula Conservancy, Washington Department of Natural Resources, Washington Department of Fish and Wildlife, Port Gamble S'Klallam Tribe, Point No Point Treaty Council and Hood Canal Environmental Council. Ultimately, the Project seeks to remove development rights from 15,640 acres of private working forestland on the Kitsap Peninsula, creating a network of working forests linking State and private forest lands, including the watershed for Bremerton. The project also seeks to maintain the viability of commercial forestry in the county.

We appreciate your consideration of these requests. Please contact us if you have any questions.

PREPARED STATEMENT OF THE CEDAR CITY/BRIAN HEAD TOURISM & CONVENTION BUREAU

Madame Chairwoman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of the acquisition of the Ashdown Gorge property by the U.S. Forest Service. An appropriation of $5 million from the Land and Water Conservation Fund is needed to purchase the 320-acre inholding at the Dixie National Forest in southwestern Utah.

I would also like to take this opportunity to commend the Chairwoman and subcommittee members for supporting funding for land acquisition accounts such as the Land and Water Conservation Fund (LWCF). By acquiring lands within the boundaries of Federal land units, the LWCF is essential to protecting the natural, recreational, wildlife, and scenic resources that Americans cherish within their public lands. In the case of inholdings, acquisition improves land and resource management, ensures continued public access, consolidates land ownership, and prevents further fragmentation.

The mission of the Cedar City/Brian Head Tourism & Convention Bureau is to increase visitation in Iron County. Established in 1987, the Tourism Bureau is a division of Iron County Government, charged with three specific objectives: (1) to promote Iron County as a unique destination to visit; (2) to encourage longer stays and repeat visits; and (3) to enhance, quality visitor experiences through services provided by our Visitor Center and through co-operative partnerships. The Ashdown Gorge land acquisition will in no doubt help us in fulfilling our objectives.

The largest national forest in Utah, the 2 million-acre Dixie National Forest spans 170 miles across the southern part of the State. Known for its solitude, splendor, beauty, and recreational opportunities, the forest surrounds and links together Bryce, Capitol Reef, and Zion national parks, as well as Cedar Breaks and Grand Staircase-Escalante national monuments. The 7,000-acre Ashdown Gorge Wilderness. Area, within the forest, is characterized by forest and meadows and is located southeast of Cedar City, and just west of Cedar Breaks National Monument. Many of the red limestone formations of the park can be seen from areas within the wilderness area. Like the famous Cedar Breaks National Monument, which receives over 500,000 visitors a year, the Ashdown Gorge is known for its multicolored rock formations and plateau-top stands of 1,000 year old bristlecone pines. The gorge is named after the family of George Ashdown, who built a sawmill there in 1898.

In fiscal year 2008 there is an opportunity to protect the 320-acre Ashdown Gorge inholding properties. The two 160-acre properties are owned by descendants of George Ashdown and have been in family ownership for over 100 years. They are completely surrounded by the Ashdown Gorge Wilderness Area and have been historically used for grazing and timber harvesting. Now, however, the Ashdown Gorge is a popular destination for backpacking and hiking with three heavily used trails traversing the properties, connecting both the Cedar Breaks National Monument and the Ashdown Gorge Wilderness area to the canyons near Cedar City. Except for the remains of the historic sawmill and a makeshift cabin, the properties have been left in a natural state. Rattlesnake Creek runs through the property and is joined by several smaller tributaries in the narrow red-rock canyons below. Trails along the streambed are used to access Flannigan's Arch, just a couple of miles downstream.

The Ashdown Gorge inholdings are located just 20 miles from Cedar City putting them under considerable development pressure. The U.S. Census Bureau ranked the Cedar City MSA 11th in the nation for population growth between 1990 to 2000, with an increase of 62.5 percent. It continues to grow about 5 percent annually, and the surrounding mountains are also in great demand for recreational properties. The city's growing population will place greater demand on local hiking trails and water resources. Protecting the Ashdown Gorge inholdings from development and enhancing public access would benefit both residents and tourists, and sustain the area's economic vitality and quality of life.

This area has tremendous potential to attract tourists as a major destination in Utah. Assessing the popularity of neighboring Cedar Breaks alone, gives reason to believe that once Ashdown is protected as a national monument, it too could enjoy the same flow of people. Furthermore, the convenience of making a loop tour of Bryce, Capitol Reef, and Zion national parks, as well as Cedar Breaks and Grand Staircase Escalante National Monuments will help in enticing people to visit the Ashdown Gorge Wilderness Area and get a complete Utah wilderness experience.

Recognizing this uniqueness, the Forest Service has offered various parcels in exchange for the Ashdown Gorge inholdings over the last several decades. No land exchange agreement was reached, however, now that the current generation of landowners are interested in selling the properties outright, there is now a unique opportunity to bring these properties into public ownership. In fiscal year 2008, if the appropriation of $5 million could be obtained from the Land and Water Conservation Fund, then the Forest Service could finally acquire the Ashdown Gorge properties as part of the Dixie National Forest.

Thank you again, Madame Chairwoman, for the opportunity to present this testimony to the subcommittee in support of the acquisition of Ashdown Gorge and of the Land and Water Conservation Fund.

PREPARED STATEMENT OF THE CENTRAL ARIZONA WATER CONSERVATION DISTRICT

The Central Arizona Water Conservation District (CAWCD) is pleased to present written testimony regarding the fiscal year 2008 proposed budget for the Bureau of Reclamation (Reclamation).

CAWCD is a political subdivision of the State of Arizona, governed by an elected 15-member board of directors. CAWCD was created in 1971 for the purpose of contracting with the United States to repay the reimbursable construction costs of the Central Arizona Project (CAP) authorized by the Colorado River Basin Project Act of 1968. CAWCD subsequently assumed the responsibility for operating and maintaining the Project. CAWCD has and continues to meet its repayment responsibility. In addition to a $175 million upfront contribution from CAWCD, Reclamation has been paid about $710 million in principal and interest since repayment began in January 1994.

BUREAU OF RECLAMATION

CAWCD generally supports Reclamation's budget request. However, we believe that some of the priorities are misplaced. In early fiscal year 2008 Reclamation is scheduled to complete a scoping process to develop new guidelines for managing the Colorado River system and to adopt Lower Basin shortage sharing guidelines. CAWCD strongly supports Reclamation's process and encourages Reclamation to take several actions to preserve, enhance and more efficiently manage the Colorado River water supply. Reclamation's Lower Colorado River Operations budget request has funds identified to complete the scoping process, but does not have sufficient funds for structures and programs to improve operational efficiency or augment supplies.

We would urge the committee to reorder priorities in this budget to focus meaningfully on important strategies for the Lower Colorado River.

LOWER COLORADO RIVER WATER CONSERVATION

Specifically, we are concerned about the lack of concrete focus on preserving storage capacity in Lake Mead by undertaking activities that would augment water availability and improve system operational efficiency.

Congress is well aware of the huge impacts that a multi-year drought has imposed on this region, and of the significant drawdown of stored water in the river's reservoirs that has resulted from this drought. A significant amount of water has been released over these years from Hoover Dam that could have been retained if effective downstream strategies had been implemented.

The construction of an off stream regulatory storage reservoir near Drop 2 of the All-American Canal has been identified as capable of saving over 60,000 acre-feet per year. In order to ensure that this critical reservoir is constructed, the Seven Basin States have approved a program to make contributed funds available from Southern Nevada Water Authority (SNWA) to construct the reservoir. SNWA is prepared to contribute $84 million over 2 to 3 years of construction (the full estimated cost). Reclamation should be prepared with plans, administrative procedures and personnel to accept the money and continue construction in fiscal year 2008. The Lower Colorado River Front Work and Levee System budget request has $1,515,000 of the total of $3,318,000 designated to complete the cost sharing process and continue construction. CAWCD strongly supports this effort.

YUMA DESALTING PLANT

Reclamation's budget justification concerning the Yuma Desalting Plant (YDP) continues to be disingenuous. Reclamation continues to say that the plant is in "ready reserve" status, but States it would take 4 years and adequate funding to

have the YDP fully operational yet no such funding is identified or requested. Continuing the budget request to pay U.S. water delivery contractors to forebear use of water indicates the Reclamation preference for a forbearance program as opposed to salvaging the saline water by operating the YDP. A long-term program relying primarily on forbearance in the United States is not acceptable to CAWCD or any of the Lower Basin States. Decisions need to be made and resources need to be applied to bring the YDP into actual operation. Every year the YDP remains idle results in the loss of enough water to supply the annual water needs of half a million people. Lessons learned from the pilot operations in fiscal year 2007 should clearly identify what actions are needed to make the plant fully operational. This budget request contains no requests for funds or stated intention to operate the YDP in the future. We urge the committee to direct Reclamation to make the Yuma Desalting Plant operational at one-third capacity and initiate regular operations no later than September 30, 2008.

COLORADO RIVER AUGMENTATION

CAWCD would like to call the committee's attention to the provisions of sections 201, 202 and 203 of Title 1 of the Colorado River Basin Project Act of 1968 (Public Law 90–537). These provisions call for studies and actions to augment the supply of water available for distribution within the Colorado River Basin. These provisions specifically make satisfaction of the obligations of the 1944 Treaty with Mexico a national obligation and anticipate that such obligation will be met through augmentation of the Colorado River supply. The Seven Basin States have a program in process, led and funded primarily by the Southern Nevada Water Authority, to review previous augmentation studies and evaluate new concepts. Reclamation has participated in this process. A draft report will be completed before the end of fiscal year 2007. We intend to develop recommended augmentation programs to be undertaken by local, State, and Federal organizations. At the very least, Reclamation needs to commit sufficient funds to support implementation of some of the programs beginning in fiscal year 2008. CAWCD suggests that at least $500,000 be committed from Reclamation's overall appropriations for such activities as General Planning, Research and Development, or Water 2025. CAWCD urges the committee to direct Reclamation to take action and provide funding to fulfill the commitment Congress made 39 years ago to augment the water supply in the Colorado River Basin.

CAP INDIAN DISTRIBUTION SYSTEMS

We support Reclamation's request for $21,140,000 in funding for CAP Indian Distribution Systems. A key element of the negotiated settlement embodied in the Arizona Water Settlements Act is continued Indian distribution system funding through 2009.

TUCSON RELIABILITY

We note that Reclamation has increased its funding request for "Tucson Reliability" to $491,000, more than double the fiscal year 2007 level. We have testified before and we reiterate here that Reclamation is obligated to confer with CAWCD before proceeding with any reliability projects that would increase the CAWCD repayment obligation. That said, we believe the $491,000 requested will be sufficient for Reclamation's planned activities in fiscal year 2007.

LOWER COLORADO RIVER OPERATIONS PROGRAM

In its fiscal year 2007 budget request, Reclamation includes $7,982,000 in its Lower Colorado River Operations Program for the Lower Colorado River Multi-Species Conservation Program (MSCP).

The MSCP is a cost-shared program among Federal and non-Federal interests to conserve endangered species and their habitat along the Lower Colorado River from Lake Mead to Mexico. CAWCD is one of the cost-sharing partners. This program will provide habitat for threatened and endangered species and, at the same time, allow current water and power operations to continue. CAWCD supports Reclamation's budget request for the Lower Colorado River Operations Program. This funding level is necessary to support the MSCP effort as well as environmental measures necessary to fully implement the interim surplus criteria for the Lower Colorado River. These are critical programs upon which Lower Colorado River water and power users depend.

INCREASED SECURITY COSTS FOR RECLAMATION HYDRO POWER FACILITIES

We continue to oppose the funding of post-9/11 increased security costs for Reclamation facilities through hydropower rates. The increased costs are being incurred for national security reasons, not project maintenance or operation. Details of these costs must be kept secret and cannot be disclosed like other data in Power Marketing Administration rate cases, raising serious due process issues. Other project beneficiaries are not and, in some cases, cannot be charged a fair share of these costs. Congress should make these increased national security costs nonreimbursable.

CONCLUSION

We have worked for over three decades with the Congress and all the succeeding administrations to make the Central Arizona Project a reality as envisioned by Congress in the 1968 Act and to ensure its major contribution to the economic welfare of the State of Arizona. Improving the ability of the Lower Colorado River system to conserve and store precious Colorado River water supplies is central to our mission and, we believe, a core directive of the 1968 Act. The lengthy drought on the Colorado River has proven the correctness of that focus and the wisdom of Congress in passing the 1968 Act. It is time to move forward to aggressively accomplish the additional tasks that have been identified. We look forward to working with the Congress, the Bureau of Reclamation and the other Federal agencies and the Basin States to get this work done.

PREPARED STATEMENT OF THE CHUGACH REGIONAL RESOURCES COMMISSION

The Chugach Regional Resources Commission requests that the subcommittee restore $350,000 in recurring base funding in the BIA Trust-Natural Resources budget. The Commission also seeks an additional $150,000 to support the Alutiiq Pride Shellfish Hatchery.

The Chugach Regional Resources Commission (CRRC) is an Alaska Native nonprofit organization that was created by the villages of the Chugach Region to address environmental and natural resource issues and to develop culturally sensitive economic projects at the local level that support the sustainable development of the natural resources. The mission of CRRC is to work with our seven member villages to promote and develop sound economic resource-based projects and to work collectively to address any natural resource and environment-related issues that affect the Native people of the Chugach Region.

CRRC received annual funding from the Bureau of Indian Affairs for nearly 16 years. In fiscal year 2006, CRRC was funded at $300,000—a significant cut from our previous level of funding. After across-the-board reductions, we received approximately $270,000 in fiscal year 2006. This was the last year for which CRRC received funding. Although the BIA received that same amount of money in fiscal year 2007 under the Continuing Resolution, the Bureau elected not to provide CRRC with funding. After losing funding, we were forced to take out a bank loan in order to keep our doors open. We are working actively with the BIA to secure fiscal year 2007 funding in the amount necessary to pay back the loan, and also to be included in the BIA base budget going forward.

Employment.—CRRC employs 35 Native people in the Chugach Region, all of whom will lose their jobs if CRRC if forced to close. With the scarcity of employment opportunities in rural Alaska, the impact of approximately six families per village losing this income in a village with an average population of 100 strikes a devastating blow to the local community economy. In addition, these 20 families will create a much larger burden on State and Federal financial resources as they will be forced to depend upon State and Federal welfare programs for necessary living expenses.

Community Projects.—Over the past 16 years, CRRC funding has supported the development and operation of many programs that have assisted communities in providing meaningful employment opportunities as well as valuable services and products, including:

—*Alutiiq Pride Shellfish Hatchery*.—The Alutiiq Pride Shellfish Hatchery is the only shellfish hatchery in the State of Alaska. A 20,000 sq. ft. shellfish hatchery located in Seward, Alaska, the hatchery houses shellfish seed, brood stock, and algae production facilities. The hatchery employs 4 individuals and is operated by CRRC. Alutiiq Pride is undertaking hatchery, nursery and grow out operations research to adapt mariculture techniques for the Alaskan shellfish industry.

—*King Crab Research*.—Recently, CRRC staff have begun conducting scientific research on blue king crab and red king crab. This research is part of a larger Federally-sponsored program. Because Alutiiq Pride is the only hatchery in the State, CRRC is the only organization in Alaska that can carry out this research.

—*Natural Resource Curriculum Development*.—Partnering with the University of Alaska, Fairbanks and the National Oceanic and Atmospheric Administration, CRRC is developing a model curriculum for Alaska Native students, integrating traditional knowledge and Western science. The goal of the program is encourage more Native students to pursue careers in science. So far, there are 10 students enrolled in the program who have earned a total of six university credits each that can be applied toward a certificate or degree.

—*Avian Flu Monitoring*.—CRRC is the entity responsible for monitoring avian flu in Southcentral Alaska villages and would carry out the initial warning and response to the villages in case of an outbreak.

—*Alaska Migratory Bird Co-Management Council*.—CRRC is a member of the Council responsible for setting regulations governing the spring harvest of migratory birds for Alaska Natives.

Budget.—CRRC's base operating funding supports the continued operation of the various community projects. The total operating budget for CRRC, Alutiiq Pride, and the community projects is close to $2 million. Specific projects receive independent funding from sources such as ANA grants, the EVOS Trustee Council, the State of Alaska and the Forest Service. However, base operating funding is essential to continue work on these projects. Building on its base funding, CRRC has been able to build several community programs and partnerships, as described above. See next page for a detailed budget breakdown by project.

For further information, please contact Addie Rolnick arolnick@sonosky.com or Mary Pavel mpavel@sonosky.com at Sonosky, Chambers, Sachse, Endreson & Perry, LLP, at (202) 682–0240.

BUDGET DETAIL

Projected	Cost
Chugach Region Shellfish Mariculture Development:	
Oyster grow-out operations in Tatitlek	$50,000
Oyster marketing	
Alutiiq Pride Shellfish Hatchery	
Nanwalek Sockeye Salmon Development Project:	
Seek funds for disease free water engineering study	20,000
Operate smolt out-migration weir	
Port Graham Pink Salmon Hatchery:	
Broodstock development	
Sockeye and pink salmon fry production	50,000
Training and education for hatchery crew	
Program Development/Regional Office Operations:	
1 staff person/supplies/quarterly board meetings	
Biological Professional Assistance	180,000
Project development and Planning	
GIS Mapping	
Resource Evaluation and Management	
Total Direct Costs	300,000
Indirect Cost (28.6 percent)	85,800
Total projected base budget	385,800

PREPARED STATEMENT OF THE CITY OF HEALDSBURG, CA

PROJECT REQUEST

Wastewater Treatment/Effluent Recycling Project.—$2,000,000
(U.S. Environmental Protection Agency: State and Tribal Assistance Grants)

We are requesting $2,000,000 from the Environmental Protection Agency's State and Tribal Assistance Grant (STAG) Program in the fiscal year 2008 Interior and Environment Appropriations bill for the City of Healdsburg's Wastewater Treatment/Effluent Recycling Project. Total funding for development of the wastewater

reclamation and reuse facility is estimated to be $8,000,000; however, we are only requesting $2,000,000 in Federal funding this year to commence the project.

The City of Healdsburg is a municipality located within Sonoma County, California, which blends the best qualities of turn-of-the-century America with the ambiance of a European countryside. Nearly 11,000 people live within a 3.68 square mile radius approximately 65 miles north of San Francisco; with a number of agricultural producers owning property just outside the city's incorporated limits. Our government provides a full range of services typical of any local government, including but not limited to maintenance of local roads, highways and bridges, as well as water resource utilities and infrastructure.

I appear before the subcommittee to discuss a single project, but a project of great importance to the City of Healdsburg. Like many municipalities throughout California and other parts of the western half of the United States, we regularly confront water issues, and are consistently in search of how best to plan for and manage the use of this renewable, though sometimes rare and increasingly demanded, resource. The City of Healdsburg also has the added geographic challenge of how to dispose of its wastewater effluent in accordance with new environmental requirements. To that end, we are seeking your support in fiscal year 2008 of Healdsburg's efforts to develop a storage disposal and reclamation component to its new wastewater treatment plant.

The city's wastewater treatment plant is located just west of the Russian River and south of the Dry Creek-Russian River confluence, approximately one mile southwest of the main city limits. In 1973, the city annexed the parcels on which the plant is located, and today the city's 36-acre treatment plant site is located on Foreman Lane on two adjoining parcels, with the existing treatment plant occupying approximately 17.4 acres of this area.

HEALDSBURG'S WASTEWATER TREATMENT/EFFLUENT RECYCLING PROJECT

In an effort to effectively dispose of its wastewater effluent in accordance with new requirements, the city is including a storage disposal/reclamation component as part of its new wastewater treatment plant (WWTP), which is planned to be online by May 2010.

This fiscal year 2008 STAG request is needed to develop the reclamation facility, create storage capacity at the WWTP, and build operational storage and provide for urban reuse within the City of Healdsburg. To accommodate limited storage capacity, the city will be disposing of its effluent though urban irrigation. This project will also support the construction of distribution lines measuring several miles that will carry recycled water to 85 acres of parks, school grounds and other turf areas within the city. A reliable means for disposing of our wastewater effluent by 2010 is especially important to the city because we must comply with a Ninth Circuit Court of Appeals' decision in *Northern California River Watch* v. *City of Healdsburg*, 457 F.3d 1023 (9th Cir. 2006), which required us to redirect our summertime wastewater effluent away from the Russian River by a date certain. This court-enforced agreement and the city's inability to dispose of the effluent in any other manner due to our geographical location makes the upgrading of the wastewater treatment plant and the inclusion of a recycling component a critical priority for the city and region at this time.

By beneficially reusing our summertime effluent for urban irrigation, we will then be able to better manage the use of our water resources and reduce environmental concerns. As a result, we expect that the recycled water project will substantially address the region's water needs and reduce current environmental concerns. Without development of this facility, the City of Healdsburg simply will not have the means to legally dispose of our effluent given our geographical location and the ecological significance of the Russian River.

This project represents a sound and important investment in the city's infrastructure, as the city has no choice but to find innovative ways to dispose of its effluent. I believe this treatment plant upgrade and advanced recycling component not only allows us to accomplish this, but also provides us an opportunity to responsibly manage and conserve scarce water resources. Thank you.

PREPARED STATEMENT OF THE COACHELLA VALLEY WATER DISTRICT

COLORADO RIVER BASIN SALINITY CONTROL PROGRAM, TITLE II

Support for fiscal year 2008 Federal Funding of $5.9 Million for the Department of the Interior—Bureau of Land Management (BLM) to assist in the Colorado River

Basin Salinity Control Program, with $1,500,000 to be designated specifically to identified salinity control efforts

This testimony supports fiscal year 2008 funding for BLM for the subactivity that assists Title II of the Colorado River Basin Salinity Control Act. This successful and cost-effective program is carried out pursuant to the Colorado River Basin Salinity Control Act and the Clean Water Act. Such an investment by Congress for the upcoming fiscal year will enable this Federal/State program to help alleviate hundreds of millions of dollars in economic losses caused annually by salinity.

Coachella Valley Water District (CVWD) is a public agency that provides agricultural irrigation and drainage, domestic water and sanitation services, recycled water, groundwater recharge and management, regional flood control, conservation and other water-related services and programs across an area of 1,000 square miles in an arid desert region of Southern California. CVWD has several hundred thousand residential and agricultural constituents, and is fortunate in that it can rely on several sources of water. Colorado River water, however, is the predominant source for agricultural irrigation and the sole source for groundwater recharge.

While disputes among States that rely on the Colorado River for at least a portion of their water are well publicized, the presence of salt represents the biggest threat to the freshwater of this vital waterway. In California, this river is responsible for meeting drinking and other domestic water needs of 18 million residents. This waterway also is a lifeline for a multibillion-dollar agricultural industry in the southernmost areas of the State. In some areas Colorado River water is the only source for irrigation. Without it, some large farming areas would disappear.

Coachella Valley's agricultural industry annually harvests more than $575 million in produce—a remarkable gross return in excess of $11,500 an acre—and gets at least two-thirds of its irrigation water from the Colorado River. Without imported water the area's vast aquifer would have been mined into extinction decades ago. With Colorado River water the region is economically vibrant, but removing salt-laden drainage from farmland to ensure continued fertility requires an elaborate, costly removal system, featuring nearly 2,500 miles of underground tiles and other pipeline.

Our region's rapidly expanding residential population does not (yet) use Colorado River water in its homes directly, but this will occur in the very near future; and this water is used extensively to recharge the aquifer—more than two million acre-feet since 1973. The loss of Colorado River water as a viable source of freshwater would devastate Coachella Valley's economy and threaten the livelihood and lifestyle of virtually every resident.

For more than three decades several Federal agencies have been seeking effective ways to combat Colorado River water salinity. BLM's role is crucial since it is the largest land manager within the river's basin. Much of its property is salt laden; and it is essential to prevent soil and rocks from being deposited in streambeds and flood plains. Significant results are possible through effective rangeland improvements. This is a team effort, with the Bureau of Reclamation's emphasis on irrigation delivery systems and the Department of Agriculture emphasizing on-farm programs.

Some of these programs' success has been offset by recent drought conditions, which are expected to continue and have contributed to increased salinity levels in the Colorado River. Every increase of 30 mg/l in salinity concentrations adds an estimated $75 million in economic losses. This is in addition to the $330 million in quantified damages in the United States, and significant unquantified losses.

These losses include reduced yields of salt-sensitive crops and greater use of water for salt leeching; reduced service life for domestic and commercial water delivery systems and appliances; greater consumption of water than normal for a wide variety of purposes and difficulty in meeting wastewater discharge requirements.

The Colorado River Basin Salinity Control Forum presented Congress with compelling testimony that the rate with which salinity control projects are implemented needs to be accelerated. Funding of $5.9 million for BLM's Colorado River Basin Salinity Control Program will ensure one of the most valuable resources in the Southwest is not jeopardized by excessive salt.

PREPARED STATEMENT OF COCHISE TRAILS ASSOCIATION

Madame Chairwoman and honorable members of the committee: I appreciate the opportunity to provide testimony in support of a $500,000 request from the Land and Water Conservation Fund to protect the 38.5-mile San Pedro Rail-Trail property (containing approximately 470 acres of fee land) at the Bureau of Land Management's San Pedro Riparian National Conservation Area in Arizona.

I would also like to urge your support for increased overall funding for the Land and Water Conservation Fund, which has been so vital in protecting our most prized conservation and recreation lands throughout our Federal parks and forests for over 40 years.

The San Pedro Riparian National Conservation Area, containing about 40 miles of the upper San Pedro River, was designated by Congress as a National Conservation Area (NCA) on November 18, 1988. The primary purpose of the designation was to protect and enhance the desert riparian ecosystem, a rare remnant of what was once an extensive network of similar riparian systems throughout the Southwest, and the unique resources of this public land. Managed by the Bureau of Land Management, it contains over 58,000 acres of public land in Cochise County, Arizona, between the Mexican border and St. David, Arizona. This riparian habitat is rare in the desert Southwest. The river can be spotted from far off because of the band of cottonwood trees that grow densely along its shores, drawing migrating birds and other wildlife. The San Pedro Riparian NCA is a key component of the BLM's National Landscape Conservation System, and in 1995 the American Bird Conservancy, in partnership with the National Audubon Society, named it a "globally important bird area," the first designation of this kind in the Western Hemisphere.

The river has long had an attraction for humans as well. Evidence of prehistoric hunters of 11,000 years ago has been found in the area, and in 1776 the Spanish attempted to establish the presidio of Santa Cruz de Terrenate on a hill overlooking the river. It was the discovery of silver, however, at Tombstone that caused the most activity along the formerly peaceful San Pedro. The railroad tracks along the San Pedro River connected the mining areas to the Southern Pacific Railroad's east-west main line at Benson. Tracks were later extended to the Mexican border. Today, the riparian conservation area offers bird-watchers, hikers and other nature lovers a chance to enjoy the beauty of the river and ponder its eventful past.

Located in the San Pedro Riparian National Conservation Area, and available for acquisition by BLM in fiscal year 2008, are 38.5 miles of a recently abandoned rail corridor. The mission of the San Pedro Rail-Trail Task Force (a partnership including BLM, Cochise County, municipalities, and conservation organizations including Cochise Trails Association) is to coordinate and achieve the acquisition and conversion of this railroad corridor, currently owned by the San Pedro Railroad Operating Company and Union Pacific Railroad, into a rail-trail. Beginning in 1975, the industrial use of the railroad line steadily declined, and in 2005 the operators of the railroad line filed for abandonment of the railroad corridor with the Surface Transportation Board (STB). STB has approved abandonment, and the rails and ties are currently being removed. The goal of the task force is to have a rail-trail corridor secured in 2008, and to begin the conversion of the corridor to trail use under BLM management. This rail-trail will provide unparalleled access for a world-class non-motorized outdoor recreation experience that will foster widespread appreciation for the San Pedro Riparian National Conservation Area. The rail-trail will connect the outstanding local features that showcase Cochise County's reputation as the "Land of Legends."

As background, the Cochise Trails Association is a not-for-profit advocacy group benefiting Cochise County residents and visitors through development of partnerships to establish, protect, and preserve trails for recreational use such as hiking, mountain biking, and horseback riding. One of our primary goals is to establish a regionally integrated, non-motorized, shared-use trail system. The proposed San Pedro rail-trail is strategically located near the heart of the county's thriving communities of Sierra Vista, Benson, Tombstone, and Bisbee. It is positioned to provide the hub of a future regional trail network that connects communities, historical sites, State Parks, National Forests, and other points of interest throughout the county. We believe the San Pedro rail-trail will create a successful transition from railroad-related economic activities to increased recreation and tourism opportunities for county residents and visitors. It has potential to be a world-class trail opportunity thru and beyond the San Pedro Riparian National Conservation Area, providing a unique recreational destination as well as opportunities for nature-oriented tourism.

Nature-based and cultural tourism can play an important role in the county's future economic growth, and the rail-trail can provide an important draw for visitors. It will connect the communities in the region, increase access to high-quality outdoor recreational opportunities, and raise awareness of the importance of the San Pedro River as a unique natural resource.

An fiscal year 2008 appropriation of $500,000 from the Land and Water Conservation Fund would assist the Bureau of Land Management in acquiring and protecting this corridor and all of its natural resources for public use and enjoyment for generations to come.

Madame Chairwoman, thank you for this opportunity to submit testimony.

PREPARED STATEMENT OF THE COLORADO RIVER BASIN SALINITY CONTROL FORUM

BUREAU OF LAND MANAGEMENT—FISCAL YEAR 2008 APPROPRIATION

In support of $5,900,000 to assist in Colorado River Salinity Control, Title II from the Soil, Water and Air Management effort, and with support for the President's request for that activity. Also a request that $1,500,000 be spent on identified salinity control related projects and studies.

This testimony is in support of funding for the Bureau of Land Management (BLM) for the subactivity that assists the Colorado River Basin Salinity Control Program authorized by the Congress. The BLM budget, as proposed by the administration in the BLM budget justification document, calls for five principal program priorities within the Soil, Water, and Air Management Program. One of these priorities is reducing saline runoff to meet the interstate, Federal, and international agreements to control salinity of the Colorado River.

The BLM's 2008 Budget Justification document states, with respect to 2005 Planned Program Performance, that the BLM continues to implement on-the-ground projects, evaluate progress in cooperation with the U.S. Bureau of Reclamation (USBR) and the U.S. Department of Agriculture (USDA), and report salt-retaining measures in order to further the Plan of Implementation of the Federal Salinity Control Program in the Colorado River Basin. The Colorado River Basin Salinity Control Forum (Forum) believes that fiscal year 2008 funds appropriated by the Congress for the Soil, Water, and Air Management Program should be used, in part, for reducing saline runoff in the Colorado River Basin.

The seven Colorado River Basin States, through the Forum, have engaged the BLM in a partnership with the Basin States as has been done previously with the two other Federal agencies implementing salinity control in the Basin. The Forum has requested and the BLM has selected a salinity control coordinator for this basinwide effort. This person now serves with the two full-time coordinators in place for the USBR and the USDA efforts. This enhanced working relationship has taken advantage of the availability of Basin States' cost-sharing monies to leverage Federal funds. The Forum is encouraged by the words in the BLM budget document. The Forum supports the funding request of $32,053,000 for the Soil, Water, and Air Management Subactivity. As one of the five principal Soil, Water, and Air Program priorities, the Forum believes that the BLM needs to specifically target $5,900,000 to activities that help control salt contributions from BLM managed lands in the Colorado River Basin. In the past, the BLM has used $800,000 of the Soil, Water and Air Program funding for proposals submitted by BLM staff to the BLM's salinity control coordinator for projects that focus on salinity control. The Colorado River Basin Salinity Control Advisory Council report States that the BLM has now identified projects that in fiscal year 2007 could use $1.5 million. For years, Congress has dedicated $800,000 on the effort and now the Forum believes $1.5 million should be so designated.

The success of the BLM in controlling erosion and, hence, salt contributions to the Colorado River and its tributaries is essential to the success of the Colorado River Basin Salinity Control Program, including adherence to the water quality standards adopted by the seven Colorado River Basin States and approved by the U.S. Environmental Protection Agency (USEPA). Inadequate BLM salinity control efforts will result in very significant additional economic damages to water users downstream. The Forum submits this testimony in support of adequate funding so that the BLM program can move ahead at a pace that is needed to sustain these water quality standards.

OVERVIEW

This testimony is in support of funding for a portion of the Title II program. The Colorado River Basin Salinity Control Program was authorized by the Congress in 1974. The Title I portion of the Colorado River Basin Salinity Control Act responded to commitments that the United States made, through a minute of the International Boundary & Water Commission, to Mexico specific to the quality of water being delivered to Mexico at the international boundary. Title II of the act established a program to respond to salinity control needs of Colorado River water users in the United States and to comply with the mandates of the then newly enacted Clean Water Act. Initially, the Secretary of the Interior and the USBR were given the lead Federal role by the Congress.

After a decade of investigative and implementation efforts, the Basin States concluded that the Salinity Control Act needed to be amended. In response to the Basin States' requests, the Congress revised the act in 1984 to give new salinity control responsibilities to the USDA and to the BLM. That revision, while leaving implementation of the salinity control policy with the Secretary of the Interior, gave new salinity control responsibilities to the USDA and to the BLM. The Congress has charged the administration with implementing the most cost-effective program practicable (measured in dollars per ton of salt removed). The Basin States are strongly supportive of that concept and have proceeded to implement salinity control activities for which they are responsible in the Colorado River Basin.

Since the congressional mandates of over two decades ago, much has been learned about the impact of salts in the Colorado River system. The USBR estimates that the quantified economic impacts and damages to United States' water users alone is about $330 million per year and there are very significant additional damages yet to be quantified. Damages occur from:

—a reduction in the yield of salt sensitive crops and increased water use for leaching in the agricultural sector,

—a reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector,

—an increase in the use of water for cooling, and the cost of water softening, and a decrease in equipment service life in the commercial sector,

—an increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector,

—a decrease in the life of treatment facilities and pipelines in the utility sector,

—difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins, and fewer opportunities for recycling due to groundwater quality deterioration,

—increased use of imported water for leaching and the cost of desalination and brine disposal for recycled water.

For every 30 mg/l increase in salinity concentrations, there is $75 million in additional damages in the United States.

The Forum is composed of gubernatorial appointees from Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming. The Forum has become the seven-state coordinating body for interfacing with Federal agencies and the Congress in support of the implementation of the Salinity Control Program. In close cooperation with the USEPA and pursuant to requirements of the Clean Water Act, every 3 years the Forum prepares a formal report analyzing the salinity of the Colorado River, anticipated future salinity, and the program elements necessary to keep the salinities at or below the concentrations in the river system in 1972 at Imperial Dam, and below Parker and Hoover Dams.

In setting water quality standards for the Colorado River system, the salinity concentrations at these three locations have been identified as the numeric criteria. The plan necessary for controlling salinity and reducing downstream damages has been captioned the "Plan of Implementation." The 2005 Review of water quality standards includes an updated Plan of Implementation. The level of appropriation requested in this testimony is in keeping with the agreed upon plan. If adequate funds are not appropriated, significant damages from the higher salt concentrations in the water will be more widespread in the United States and Mexico.

JUSTIFICATION

The BLM is, by far and away, the largest land manager in the Colorado River Basin. Much of the land that is controlled and managed by the BLM is heavily laden with salt. Past management practices, which include the use of lands for recreation; for road building and transportation; and for oil, gas, and mineral exploration have led to man-induced and accelerated erosional processes. When soil and rocks heavily laden with salt erode, the silt is carried along for some distance and ultimately settles in the streambed or flood plain. The salts, however, are dissolved and remain in the river system causing water quality problems downstream.

The Forum believes that the Federal Government has a major and important responsibility with respect to controlling salt contributions from public lands. The Congress has explicitly directed specific Federal agencies, including the BLM, to proceed with measures to control the salinity of the Colorado River, with a strong mandate to seek out the most cost-effective options. It has been determined that rangeland improvements can lead to some of the most cost-effective salinity control

measures available. These salinity control measures may be more cost-effective than some now being considered for implementation by the USBR and by the USDA. They are very environmentally acceptable as they will prevent erosion, enhance wildlife habitat, increase dependable stream flows and increase grazing opportunities.

Through studying hundreds of watersheds in the States of Utah, Colorado, and Wyoming, consortiums of Federal and State agencies, including the BLM, have selected several watersheds where very cost-effective salinity control efforts could be implemented immediately. In keeping with the congressional mandate to maximize the cost-effectiveness of salinity control, the Forum is requesting that the Congress appropriate and the administration allocate adequate funds to support the BLM's portion of the Colorado River Salinity Control Program as set forth in the Forum's adopted Plan of Implementation.

PREPARED STATEMENT OF THE COLORADO RIVER BOARD OF CALIFORNIA

Support for fiscal year 2008 Federal Funding of $5.9 Million for the Department of the Interior—Bureau of Land Management (BLM) to assist in the Colorado River Basin Salinity Control Program, with $1,500,000 to be designated specifically to identified salinity control efforts

This testimony is in support of fiscal year 2008 funding for BLM for the subactivity that assists Title II of the Colorado River Basin Salinity Control Act (Public Law 92–500). This successful and cost-effective program is carried out pursuant to the Colorado River Basin Salinity Control Act and the Clean Water Act (Public Law 92–500).

The Colorado River Board of California (Colorado River Board) is the State agency charged with protecting California's interests and rights in the water and power resources of the Colorado River system. In this capacity, California and the other six Basin States through the Colorado River Basin Salinity Control Forum (Forum), the interstate organization responsible for coordinating the Basin States' salinity control efforts, established numeric criteria in June 1975, for salinity concentrations in the River. These criteria were established to lessen the future damages in the Lower Basin States, as well as, assist the United States in delivering water of adequate quality to Mexico in accordance with Minute 242 of the International Boundary and Water Commission. California's Colorado River water users are presently suffering economic damages in the hundreds of million of dollars per year due to the River's salinity.

The BLM budget, as proposed by the administration in the BLM budget justification document, calls for five principal program priorities within the Soil, Water, and Air Management Program. One of these priorities is reducing saline runoff to meet the interstate, Federal, and international agreements to control salinity of the Colorado River.

As you are aware, BLM is the largest landowner in the Colorado River Basin. Due to geological conditions, much of the lands that are controlled and managed by the BLM are heavily laden with salt. Past management practices have led to human-induced and accelerated erosional processes from which soil and rocks, heavily laden with salt have been deposited in various stream beds or flood plains. As a result, salts are dissolved into the Colorado River system causing water quality problems downstream.

Congress has charged Federal agencies, including the BLM, to proceed with programs to control the salinity of the Colorado River. BLM's rangeland improvement programs can lead to some of the most cost-effective salinity control measures available. These measures significantly complement programs and activities being considered for implementation by the Bureau of Reclamation (Reclamation) through its Basin-wide Program and by the U.S. Department of Agriculture through its on-farm Environmental Quality Incentives Program.

In keeping with the congressional mandate to maximize the cost-effectiveness of the salinity control program, the Colorado River Board requests that Congress appropriate $5,900,000 to BLM in fiscal year 2008 for activities that help control salt contributions from BLM managed lands in the Colorado River Basin. In the past, BLM has used $800,000 of this funding for proposals submitted by BLM staff to the BLM's salinity control coordinator for projects that focus on salinity control. The Colorado River Basin Salinity Control Advisory Council report States that the BLM has now identified projects that in fiscal year 2008 could use $1.5 million. The Colorado River Board urges the subcommittee to specifically designate $1,500,000 for the Colorado River Basin Salinity Control Program as has been the direction to BLM from the subcommittee in past years.

Since the congressional mandates of over two decades ago, much has been learned about the impact of salts in the Colorado River system. Reclamation estimates that the quantified economic impacts and damages to water users in the United States alone is about $330 million per year. However significant unquantified damages also occur. For example, damages can be incurred related to the following activities:

—A reduction in the yield of salt-sensitive crops and increased water use for leaching in the agricultural sector;

—A reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector;

—An increase in the use of water for cooling, and the cost of water softening, and a decrease in equipment service life in the commercial sector;

—An increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;

—A decrease in the life of treatment facilities and pipelines in the utility sector;

—Difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins, and fewer opportunities for recycling and reuse of the water due to groundwater quality deterioration;

—Increased use of imported water for leaching and the cost of desalination and brine disposal for recycled water.

For every 30 milligram per liter increase in salinity concentrations, there are an additional $75 million damages within the United States. In addition, the Federal Government has made significant commitments to the Republic of Mexico and to the seven Colorado River Basin States with regard to the delivery of quality water to Mexico. In order for those commitments to be honored, it is essential that in fiscal year 2008, and in future fiscal years, that the Congress provides adequate funds to BLM for its activities related to salinity control in the Colorado River Basin.

The Colorado River is, and will continue to be, a major and vital water resource to the 18 million residents of southern California, including municipal, industrial, and agricultural water users in Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties. Preservation and improvement of Colorado River water quality through an effective salinity control program will avoid the additional economic damages to users in California and the other States that rely on Colorado River water resources.

PREPARED STATEMENT OF THE COLORADO RIVER COMMISSION OF NEVADA

As a Nevada representative of the Colorado River Basin Salinity Control Forum, the Colorado River Commission of Nevada (CRC) supports funding for the Bureau of Land Management (BLM) for the subactivity that assists the Colorado River Basin Salinity Control Program. The CRC supports the fiscal year 2008 funding request of $32,053,000 for the Soil, Water, and Air Management Subactivity. As one of the five principal Soil, Water, and Air Program priorities, the CRC believes the BLM needs to specifically target $5,900,000 to activities that help control salt contributions from BLM managed lands in the Colorado River Basin.

Salinity remains one of the major problems in the Colorado River. Congress has recognized the need to confront this problem with its passage of Public Law 93–320 and Public Law 98–569. Your support of the current funding recommendations that support the Colorado River Basin Salinity Control Program is essential to move the program forward so that the congressionally directed salinity objectives are achieved.

PREPARED STATEMENT OF THE COLORADO SPRINGS UTILITIES

I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.

3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF THE COLORADO WATER CONGRESS

I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.

3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF THE CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION (CTUIR)

Thank you for the opportunity to provide testimony on the fiscal year 2008 proposed budget for Native American programs in the Department of Interior budget.

Once again the proposed budget for Indian Affairs does not support strong tribal self-government and self-determination. The fiscal year 2008 proposed budget is essentially flat funding the Indian Affairs budget but an increasing amount is being used for Indian Affairs headquarters operations and not out in the field where it is most needed. In the newly created Bureau of Indian Education the Management costs have gone from $8.8 million in fiscal year 2006 to $23.7 million in the fiscal year 2008 proposal. According to a NCAI historical budget analysis, the total OIP budget is still below the fiscal year 1994 enacted level, without adjusting for inflation. This proposed budget does not live up to meeting the trust responsibilities the Federal Government has to tribes.

Tribal governments are like State governments in many ways—providing critical services, shaping values, and promoting jobs and growth. Though Federal spending for Indians has lost ground compared to spending for the U.S. population at large, tribal self-government has proven that the Federal investment in tribes pays off, as documented in the 2006 Harvard Project report. Unfortunately, tribal governments are treated much differently than States by being forced to compete for funds (when even eligible) to address local needs rather than directly receiving those funds.

Even with the gains, substantial gaps remain—real per capita income of Indians living on reservations is still less than half of the national average. Indian unemployment is nearly quadruple the rest of the country and the poverty rate is three times the national average. Thus, while the work of tribal self-determination is well under way, much work is left to be done. These long enduring socio-economic disparities, and the success of tribes in addressing them, warrant continued Federal investment in tribal self-determination.

With respect to the Indian Affairs budget, the CTUIR would like to address several issues beyond the total amount of funds that are being proposed. These include:

—Proposed reductions to specific line items in the TPA will have disproportionate impacts on different tribes.

—The CTUIR is adamantly opposed to any redistribution of TPA funds based upon a needs analysis and asks that Congress prohibit the Department from pursuing any such plan.

—The CTUIR would like to point out that the review of the budget justifications was very difficult as the comparisons to fiscal year 2007 were essentially comparisons with the President's proposal, not the amounts actually funded.

The CTUIR has several specific areas of the actual budget being proposed for Indian Affairs that we would like to comment on.

—The CTUIR requests that the Water Management program be restored to at least the fiscal year 2004 budget levels. Apparently this administration does not consider water to be an important resource or a trust asset of tribes. The proposed budget reduces the Water Management, Planning and Pre-Development program by $1.4 million from the fiscal year 2007 Operating Plan level (not the level funding as shown in the budget justifications) and $1.8 million from the fiscal year 2006 level. This is on top of a more than 30 percent decrease in these funds since fiscal year 2004. At the CTUIR these funds play an important role in our water management program, in determining the amount of water available on the Reservation and the amount of water required for various purposes such as municipal service, agricultural irrigation, fish passage and setting water quality standards.

—The CTUIR requests that the Water Rights Negotiation/Litigation and Litigation Support/Attorney Fees programs be restored to at least to the fiscal year 2004 budget levels. These programs have received reductions for the past several years and the fiscal year 2008 budget calls for another $2 million reduction or 17 percent. A Federal water rights team has just been appointed to address CTUIR water rights in the Umatilla Basin that have been ignored for the last 100 years. The lack of available resources for this activity will result in protracted, expensive and divisive litigation. The success the CTUIR has had in the Umatilla and Walla Walla basins is recognized as a national model for bringing together the diverse interests to cooperatively solve the multi-dimensional problems around use of water.

—The CTUIR strongly objects to the continuing decline in resources for Trust—Natural resources Management. The budget justifications indicate that these programs support the goal of fulfilling Indian fiduciary trust responsibilities and assisting tribes in the management, development and protection of Indian trust land and natural resource assets. The justification goes on to State that a significant portion of these activities are carried out by tribes under contracts/compacts—in other words are having positive impacts at the reservation level. In the fiscal year 2007 Operating Plan the BIA reduced funding for these activities by $7.5 million or 5 percent. In the proposed budget the category is reduced by another $4 million from the fiscal year 2007 levels. The CTUIR has chosen to leave the operation of the Agriculture, Range and Forestry programs under the direction of the BIA. The Umatilla Agency Superintendent has identified a need for an increase of $310,000 for 6.5 additional FTE's to the agency's budget. These funds are required to implement the Forestry, Agriculture and Range Management Plans that will be adopted this year. Additionally the CTUIR is seriously considering compacting for these functions over the next 2 years but is extremely concerned that there are not sufficient resources available to adequately manage these resources. What good is it to build up a system to track funds when the natural resources cannot be managed in a way will generate funds?

—The CTUIR requests that under the Trust—Real Estate Services budget category the TPA Trust Services be increased by at least $5 million and the $3 million requested for Probate Backlog (over the fiscal year 2007 Operating Plan) be added to the TPA Probate line item. Increases to the TPA base directly increase services to individuals and tribes at the local level where the needs are most acute and the greatest benefits are achieved. The CTUIR elected to leave these services under the management of the BIA, but as with the natural resources, the Tribe is seriously considering compacting them. The concern is having adequate resources to meet the requirements. In fiscal year 2006 the BIA conducted a review of the Umatilla Agency's services and recommended that two (2) additional real estate staff be added to meet the work load. More recently the Agency Superintendent conducted a review of his staffing needs and found that three (3) additional real estate staff and one (1) additional probate staff were needed to meet the increasing work load demands being created by the implementation of the To Be Trust Model and to reduce the current probate and realty backlogs.

—The CTUIR fully supports the requested $6 million increase to contract support costs along with the additional $11 million provided for in the fiscal year 2007 Operating Plan. It is anticipated that the requested amount will meet the full indirect contract support cost needs of tribes, something that has not happened since the late 1980's.

—The CTUIR supports the proposed increase to the Law Enforcement Budget. Another bright spot in the proposed budget is the continuing commitment to increase law enforcement funding. The CTUIR has been very supportive of this

initiative because of the disparity of law enforcement recourses in Indian Country as compared to the rest of rural America.

—The CTUIR requests that $5.3 million be added to the Tribal Court TPA line item to increase resources at the local level. The increases to law enforcement have not been accompanied by increases to the tribal court budget even though it has resulted in increasing the court's work load. Additionally, as the Tribe has grown its economy, the demands on the court system have increased. The Tribe has adopted a number of codes, all of which call for final dispute resolution to be heard by the Tribal Court. In fiscal year 2006 an independent review of our Tribal Court system showed it is working, but additional resources to support the basic infrastructure that allows for the timely adjudication of criminal cases as well as for the expanded role in civil matters needs to be provided. Last year the BIA and Congress had a prefect opportunity of increasing Tribal Court basic funding by moving the $5.3 million Court IIM initiative funding, which was not successful because it was impossible to implement at the local level, to the Court TPA line item.

—The CTUIR requests that Welfare Assistance funding be restored to at least the fiscal year 2005 enacted level. While not described in the budget justifications a $6 million reduction is being proposed which is on top of the $5 million reduction imposed in fiscal year 2007, a 13 percent reduction over the fiscal year 2006 enacted level. As pointed out above, Indian Country remains the poorest of the poor in this country. This program is not duplicative of other Federal and State programs as claimed because clients must apply for services from all other sources that they are eligible for before receiving assistance. Due to the already extremely constrained resources, the CTUIR can serve less than 50 percent of the eligible clients per month.

—The CTUIR requests that the JOM and Scholarships/Adult Education programs be restored at least to the fiscal year 2004 budget levels and that these programs be moved back to the BIA structure. The budget justifications for the newly created Bureau of Indian Education (BIE) make it very clear that the entire focus of the new Bureau will be on BIE operated and funded schools. While such improvements are clearly needed, the BIE is completely leaving out the 93 percent of Indian children that receive their education from public schools. If the BIE does not want to contend with tribally controlled TPA funding, then the programs need to be moved to an environment that supports tribal self-determination. While not outlined in the budget justifications, the Johnson O'Malley (JOM) program is again being proposed to be completely eliminated (the fiscal year 2007 Operating Plan continued JOM at $12 million, a 25 percent reduction). The assertion that these funds are duplicative of the Title VII program is simply not true. These funds go to tribal governments to provide support and services to Indian children, while Title VII funds generally go to school districts and tribes have little or no say over how they are used. Recent data shows that of the 552 tribal students from our reservation that attend local schools, 40 percent are not meeting the statewide standards in English/Language or in Math and are in need of the types of additional services provided by the JOM program. The fiscal year 2008 proposed budget also calls for a $4.6 million or 16 percent reduction to the TPA scholarship/adult education line item. As tribes build their local economies, these programs are essential to having a well educated work force and to provide basic skills and opportunities to adults to participate in those economies.

—The CTUIR requests the restoration of Community Fire Protection to at least the fiscal year 2005 level. This line item within the TPA has been eliminated in the proposed budget. The BIA's assertion that since this is a small amount of funds, $1.14 million, it would have limited impact again shows the inadequate understanding of Indian Country by the Washington bureaucrats. While the CTUIR receives limited funding under this program it has provided the core from which the Tribe has developed a full service fire department, including emergency medical and ambulance services to serve all reservation residents and visitors.

—The CTUIR requests the restoration of the Housing Improvement Program. The budget justification States that this program is being eliminated to meet higher priority items in the budget. What could be a higher priority than providing safe housing to the least well off individuals on the reservation? The assertion that these needs can be met through the HUD program demonstrates a lack of understanding by Washington bureaucrats of how programs operate in the field.

With respect to non Indian Affairs components of the bill the CTUIR would like to offer the following comments:

—The CTUIR recommends that IHS funding for Contract Health Care Services be increased by $36 million over the requested amount and that the total IHS budget be increased by $200 million over the request. These numbers are based on an early analysis of the fiscal year 2008 budget request done by the Northwest Portland Area Indian Health Board and are less than half the amount that more recent analysis have shown as needed. The CHC budget is of critical importance to the CTUIR as there are no IHS hospitals or specialty clinics in the region so all referral work must be performed by the private health care community. In the first 6 months of fiscal year 2007 the CTUIR has used 85 percent of its CHC budget. It has been well documented that Native Americans health status is well below that of the overall U.S. population which is all too evident on the Umatilla Reservation. A 2003 study showed that on a per capita basis, Native American health care funding was 50 percent of the amount the government spent on Federal prisoners.

—The CTUIR opposes the proposed decrease for the Land Consolidation Program in the Office of Special Trustee. This program is recognized as being highly successful in reducing the fractionation of Indian allotments, thereby reducing the accounting nightmare and saving the government substantial sums of money by not having to track very tiny interests. A $50 million reduction to this program does not meet the needs of the United States or tribes.

—The CTUIR supports an increase to the National Park Service's NAGPRA activities. These funds have remained constant over the past several years while the number of tribes trying to access the funds has continued to grow. There has been a large increase in the number of NAGPRA activities with the return of many museum collections and the increased awareness. The Tribe would also like to point out that it is ironic funding for these activities comes through the NPS and there are no funds within Indian Affairs for such work or to support tribal efforts.

PREPARED STATEMENT OF THE CONFEDERATED TRIBES OF THE WARM SPRINGS RESERVATION OF OREGON

SUMMARY

Mr. Chairman, I am Ron Suppah, Chairman of the Confederated Tribes of the Warm Springs Reservation of Oregon. I hereby submit the following requests for the fiscal year 2008 BIA and IHS appropriations.

(1) In BIA, restore the $1 million cut to the Timber Harvest Initiative in BIA Forestry Projects.

(2) In BIA, significantly increase the BIA basic Forestry budget, starting with a $5 million increase to Forest Development.

(3) In BIA, add $2.2 million to Endangered Species funding for required Northern Spotted Own and marbled murrelet surveys, and provide a national BIA total of $5 million for ESA.

(4) In BIA, double the $16 million increase for Law Enforcement.

(5) In BIA, fully fund Johnson O'Malley and the Housing Improvement Program.

(6) In IHS, increase Contract Health Care funding by $142.4 million.

(7) In IHS, require that Contract Support Cost appropriations for new contracts be used for those purposes, and that Contract Support Costs be increased by $27.2 million for fiscal year 2008.

(1) Restore the $1 million cut to the Timber Harvest Initiative in BIA Forestry Programs

Mr. Chairman, Warm Springs' foremost priority for the BIA fiscal year 2008 budget is the restoration of $1 million to the Timber Harvest Initiative in Forestry Projects. Our base BIA Forestry budget is significantly below what is needed to adequately manage our forest. Currently, five of the BIA's 20 Forestry positions at Warm Springs are unfunded. The BIA's Timber Harvest Initiative is designed to help alleviate at least some of this problem on our Reservation and other reservations in the BIA's Northwest and Pacific Regions. At Warm Springs, the Timber Harvest Initiative provides funds for two additional Forestry personnel whose 2.3 million board feet harvest increase brings us close to our sustainable annual allowable cut. This additional harvest means logging and mill jobs in our community and critically needed revenues for our Tribal government. Given the chronic underfunding of the BIA's base Forestry budget, maintaining the Timber Harvest Initiative is particularly essential because it is directed at improving our harvest, which is a key element in our commercial forestry activities.

(2) Significantly increase the BIA basic Forestry budget, starting with a $5 million increase to Forest Development

As I discussed above, the necessity for a Timber Harvest Initiative is an indicator of a serious deficiency of funding for the basic BIA Forestry program. Even with the Initiative, one quarter of BIA's Forestry positions at Warm Springs are vacant, and BIA is unable to fulfill the Tribe's desired level of management for our forest. For instance, to provide a measure of economic certainty for our Tribe and to give our sawmill the flexibility to meet strong timber markets, we ask that, at any given time, BIA Forestry have 3 years of timber harvests sold and available. But manpower shortages prevent BIA from meeting that goal, and as a result, our forest is not managed to our best advantage.

Inadequate BIA Forestry funding causes management deficiencies in many aspects of our forest. In addition to not meeting the Tribe's expressed management goals, the BIA Forestry program at Warm Springs does not have any funding for Federally mandated archeological surveys and endangered species assessments. Funds to provide bare coverage of those requirements must come out of other program funds, diminishing the Forestry program capacity. Additionally, BIA has not been able to reduce our Forest Development backlogs of 32,000 reforestation acres and 57,000 thinning acres due to flat funding over the past 8 years. On a national basis, this BIA Forestry funding shortage has been thoroughly documented over the past 14 years in the independent IFMAT reviews. So today we ask this subcommittee to undertake correcting this problem. IFMAT recommends that the BIA Forestry budget be doubled to be brought to parity with the Forest Service. But recognizing today's budget realities, Warm Springs supports the Intertribal Timber Council suggestion that an additional $5 million be provided for Forest Development. In addition to starting to ease the strain on the overall BIA Forestry program, this addition will help improve the future value of the Warm Springs forest. We also note that increased forest thinning improves forest health and, in our case, will help provide woody biomass to the 15 megawatt biomass electric generation facility we are developing at our sawmill.

(3) In BIA, add $2.2 million to Endangered Species funding for required Northern Spotted Owl and marbled murrelet surveys, and provide a national BIA total of $5 million for ESA

The Endangered Species budget item is the only BIA funding for tribal Endangered Species Act compliance for the Northern Spotted Owl and marbled murrelet in our forests. Funding for this mandate was initiated in fiscal year 1993 by this subcommittee. Thirteen years ago in fiscal year 1995, Congress provided $1.83 million for tribes affected by the Northern Spotted Owl and the marbled murrelet. In fiscal year 2002, Congress provided a total of $3 million for the BIA's national Endangered Species program. Since then, the administration has succeeded in driving the appropriation down so that today, the program is funded at just $230,000, which provides no funds to conduct required ESA activities actually on the ground—the funds just cover Central Office administration. The proposed fiscal year 2008 budget now before you essentially continues this level, requesting just $247,000.

Warm Springs requests that the subcommittee increase the BIA Endangered Species budget by at least $2.2 million designated for Northern Spotted Owl and marbled murrelet surveys on affected reservations. These species are still listed and ESA compliance is required for our forest management and our timber harvest. I must also note that our Reservation is affected by listed spring Chinook and summer steelhead. Currently on our Reservation, these are pure unfunded mandates, and compliance either goes lacking or other desperately needed services for our community must be reduced. To correct this on a nationwide basis, we roughly estimate that Indian Country easily needs a total of $5 million in fiscal year 2008 for ESA activities, of which $2.2 alone is needed for the Northern Spotted Owl and the marbled murrelet.

(4) In BIA, double the $16 million increase for Law Enforcement

Beginning in the early 1960s, as our Tribe began to assert more jurisdiction and authority over Reservation law enforcement, the BIA responded by gradually transferring Federal funding elsewhere. Unfortunately, today our diminishing tribal budget is sharply reducing our ability to meet our Reservation law enforcement requirements, and we desperately need assistance from BIA. But we have seen scant relief from the BIA despite appropriations increases.

Warm Springs law enforcement needs are severe. Our tribal police force is overextended. Major crime is increasing on our reservation, and the insufficient law enforcement has attracted meth labs, compounding our difficulties. Warm Springs appreciates the administration's proposed $16 million increase in Law Enforcement,

but our Tribe has not received much assistance from previous law enforcement increases. BIA must meet its responsibilities for the public safety of the Warm Springs Reservation, so we accordingly request that Congress double the administration's proposed increase, adding $32 million to law enforcement—without stripping it from other BIA programs—so that the BIA can provide needed Law Enforcement Services for Warm Springs and other Tribes.

(5) In BIA, fully fund Johnson-O'Malley and the Housing Improvement Program

Mr. Chairman, the Federal Government's obligation to provide our Tribe with educational assistance is no different than that for any other tribe. Yet over the years, a massive disparity has developed in the BIA's distribution of education funding so that nearly a third of the total BIA Operation of Indian Programs budget is now directed to a few States with perhaps 15 percent of all Indian students. What is left for most other tribes is Johnson-O'Malley, and it is a shame that, for fiscal year 2008, the administration is proposing to strip us of even those funds, so that they can shift those funds to BIA schools and boast how they are improving Indian education. Not at Warm Springs, they're not! They are proposing to destroy JOM, which is a last critical link for our Tribe and our children to off-reservation public schools. JOM funds the special programs that help our children's adjustment and unique needs in these off-reservation schools, and JOM is the only K–12 educational assistance that is subject to tribal direction. JOM is the BIA's sole remaining contribution to our children's educational needs. It is already extremely modest, and it is the only tool available to our Tribe to directly participate in the K–12 education of our children. We ask that it be restored to $17 million in the Bureau of Indian Education, as well as in TPA.

Warm Springs also objects to the administration's proposed elimination of the Housing Improvement Program (HIP). HIP is essential to providing housing repairs and, in limited cases, modest housing for very needy tribal members who have difficulty qualifying for HUD housing. If HIP is eliminated, it becomes a gaping hole in an already badly frayed safety net for our neediest citizens. We ask that it be restored to $19 million in BIA Human Services.

(6) In IHS, increase Contract Health Care funding by $142.4 million

The Confederated Tribes of Warm Springs, as are all Northwest Tribes, and almost all Tribes throughout the country, are significantly dependent upon Contract Heath Care funding to assure minimum health care for our enrolled membership. These funds provide for the delivery of our young children, specialty care, hospitalization and the treatment of life long, chronic diseases. The current request of an increase of $28.7 million in fiscal year 2008 is significantly inadequate and we would recommend an increase of $142.4 million would be more appropriate to address the minimal current needs. This is a 25 percent increase over the administration's fiscal year 2008 proposal, and represents the roughly one quarter of the year that the Contract Health Care program runs out of money, forcing those needing care to either postpone it or, in our case at Warm Springs, seek care paid for directly by our Tribe.

(7) In IHS, require that Contract Support Cost appropriations for new contracts be used for those purposes, and that Contract Support Costs be increased by $27.2 million for fiscal year 2008.

For the past 2 years, we have had before the IHS a 638 proposal to assume the Public Health function, which our local IHS Service Unit provides on our Reservation. However, we have been unable to complete the contract due to the refusal of the IHS to provide Contract Support Costs as required by the Public Law 93–638 and its regulations. While the Congress has appropriated increases for new assumptions, the IHS has refused to allow those funds to be used for those purposes, citing ambiguous language in the appropriations bill. We are requesting two things. First, that the IHS language in the appropriations bill be changed to mandate that appropriations for new or expanded contract support costs "shall"—not "may"—be used for new or expanded contracts. Secondly, that fiscal year 2008 IHS Contract Support Costs be increased from $5.5million to $27.2 million to allow ourselves and other tribes to participate in the benefits of the Public Law 93–638.

That concludes my testimony. Thank you.

PREPARED STATEMENT OF THE CONNECTICUT CHAPTER OF THE SIERRA CLUB

Madame Chairwoman and honorable members of the committee: I submit this testimony on behalf of the 11,000 members of the Connecticut Sierra Club who support the protection of important natural habitats and wildlife areas in our State. This

property is of particular interest because of its unique location contiguous to the Stewart B. McKinney Wildlife Refuge, the only Federal refuge in Connecticut.

We urge you to approve the $710,000 appropriation from the Land and Water Conservation Fund for the Menunketesuck Salt Meadow Marsh project in Westbrook, CT.

Unique characteristics of this salt meadow marsh underscore its importance for protection:

—A rock outcropping that towers above 1,000 of frontage along the gentle Menunketesuck River as it winds its way to Long Island Sound,

—Spectacular bird habitat designated by the National Audubon Society as an "Important Bird Area" critical to the wildlife species listed as special concern by the State,

—Important aquatic habitat for recreational fish and species of special concern such as Tom Cod which may soon be listed as threatened or endangered.

Since the McKinney Refuge was originally established to protect migratory bird habitat and the Menunketesuck Salt Meadow Marsh would add a critical piece to expand this habitat, the Sierra Club designates this acquisition as a top priority.

As our founder John Muir said, "When we try to pick out anything by itself, we find it hitched to everything else in the universe."

Thank you for the opportunity to express our views to you.

PREPARED STATEMENT OF THE CONNECTICUT ORNITHOLOGICAL ASSOCIATION

Madame Chairwoman and honorable members of the committee: The Connecticut Ornithological Association (COA) appreciates the opportunity to present this testimony in support of a $710,000 appropriation from the Land and Water Conservation Fund for the Menunketesuck Salt Meadow Marsh project in Westbrook, CT. The COA is a not-for-profit organization and is the only organization specifically dedicated to birds and birding in Connecticut.

The Stewart B. McKinney National Wildlife Refuge—the only Federal Refuge in Connecticut—was created to protect migratory bird habitat along 60 miles of Connecticut's Long Island shoreline. The 20-acre Menunketesuck Salt Meadow Marsh includes undeveloped and pristine coastal tidal marsh, forested upland, and scrubland, which provides prime habitat for neotropical migratory birds, wading birds, shorebirds, songbirds and terns (including the endangered roseate tern). As a result, this property is the top property for acquisition for the Refuge.

The Refuge—used by over 280 species of migrating neotropical birds—is also designated as an "Important Bird Area" by the National Audubon Society. Notably, a nesting population of Salt Marsh Sharp-tailed Sparrows, listed by the State of Connecticut as a Species of Special Concern, has been documented at the Stewart B. McKinney NWR. In addition to the conservation value, the acquisition will also enhance opportunities for scientific research, environmental education, and fish and wildlife oriented recreation.

The acquisition of this parcel by the Refuge will continue efforts to protect bird habitat along Connecticut's highly developed coastline. If funding is not made available in fiscal year 2008, there is a strong possibility that the parcel could be developed and Connecticut would lose more of the already-rare salt marsh habitat found on the subject property. On behalf of the COA, I hope you will provide the $710,000 in the fiscal year 2008 Interior Appropriations bill to ensure the success of this important conservation project.

Thank you for the opportunity to present this request.

PREPARED STATEMENT OF THE CONSERVATION SYSTEM ALLIANCE

The Conservation System Alliance is a coalition of more than 50 conservation, historic preservation, recreation, and other groups working to protect and restore the Bureau of Land Management's National Landscape Conservation System. This testimony is submitted by John Garder, Public Lands Associate at The Wilderness Society, on behalf of the coalition.

Ms. Chairman, the Conservation System Alliance would like to thank you for the opportunity to provide recommendations and comments on the fiscal year 2008 Department of the Interior and Related Agencies Appropriations bill. On behalf of our millions of members, we provide below our fiscal year 2008 funding recommendation for $69 million, and increased budget clarity and accountability, for the Bureau of Land Management's National Landscape Conservation System.

The Conservation System is comprised of the most spectacular lands and waters under the stewardship of the Bureau of Land Management (BLM), like National

Monuments, Wild and Scenic Rivers, and National Scenic and Historic Trails, that have been designated for protection by Congress or the President. Created in 2000, the System provides economic benefits to neighboring communities across the West through unparalleled opportunities for solitude, adventure and recreation such as hunting, fishing, and wildlife watching. These lands and waters offer opportunities for science, education, economic growth and recreation, and uses as diverse as grazing and archaeological research. Yet with bare-bones funding for management and land stewardship, the BLM is unable to keep its most extraordinary 26 million acres healthy, wild, and open.

Adequate funding for the Conservation System is vital to protect America's most pristine BLM landscapes, which are vital components of our natural and cultural heritage. These lands and waters are a network of the last places where visitors can still experience the history and wild beauty of the American West. These special areas provide a uniquely American visitor experience; they are places where people can bring their families to escape the crowds and create their own adventure. Furthermore, they are a living classroom for academic researchers and outdoor educators. Congress can ensure that Conservation System lands and waters will remain valuable resources for present and future generations of recreators, ecologists, archaeologists, educators, and others by protecting these intact landscapes for public enjoyment, scientific research and outdoor education.

However, Conservation System lands will not remain resource-rich without active stewardship. These extraordinary places are being ruined by vandalism, reckless off-road vehicle use, irresponsible resource extraction, and neglect. With an average of less than one ranger for every 200,000 acres, BLM lacks sufficient staff to adequately protect these lands. As a result, the agency spends more to repair damage than it would to provide the necessary staff and other resources to protect and restore invaluable cultural sites, riparian habitat, and other culturally and naturally significant places. Continuing damage to Conservation System lands and waters poses considerable threats to the integrity of these historically and biologically extraordinary landscapes.

FISCAL YEAR 2008 OPERATIONS, MAINTENANCE, AND PLANNING BUDGET NEEDS FOR THE SYSTEM

The President's fiscal year 2008 budget is the lowest level of funding ever proposed for the National Landscape Conservation System: $49.2 million, or less than $2 an acre. This constitutes a destructive cut of almost $3 million from the already inadequate fiscal year 2007 enacted budget, and nearly $10 million, or more than 16 percent, from the insufficient fiscal year 2006 enacted level of $59 million. When accounting for inflation alone, and not even normal uncontrollable operating increases, the President's proposal is over 20 percent below average funding over the last 5 years. The administration's total proposed budget of just $49.2 million would leave critical BLM responsibilities and needs unmet, including law enforcement, management of illegal off-road vehicle traffic, archaeological site protection, control of invasive species, and the implementation of new Resource Management Plans.

We respectfully request that the committee provide $69 million as permanent base funding for operations and management of the Conservation System, a modest increase over historic funding levels when adjusting for inflation. Priority needs include additional rangers and field staff, investments in monitoring and restoration to sustain the system's unique resources, cultural and historical site protection, and volunteer program support.

This funding level would enable the BLM to restore needed services lost to recent funding cuts, while providing additional capacity to address areas of acute need, including:

—*Law enforcement and visitor management*.—A 2005 survey of 15 Monuments and Conservation Areas in the System found that only one-third has more than one full-time law enforcement ranger. On average, one ranger patrols 200,000 acres. Enforcement staff capacity needs to keep pace with growth in use; in some areas, visitor numbers have quadrupled in the past 5 years.

—*Science and natural resource monitoring*.—The BLM cannot meet its responsibility to obtain adequate information on the health of flora and fauna, riparian condition, water quality, and other resources—a problem recently highlighted by the Heinz Center and the Government Accountability Office.

—*Cultural Resource Management*.—BLM does not have the personnel to meet its congressionally mandated responsibility to identify, evaluate, and nominate historic properties to the National Register of Historic Places, and to protect cultural sites. The Conservation System contains hundreds of thousands of significant cultural and historic resources, yet the agency has comprehensively inven-

toried just 6–7 percent of the area encompassed by Conservation System Monuments and Conservation Areas.

—*Support for Volunteer Programs and Conservation Partnerships*.—The Conservation System relies heavily on volunteers to help educate visitors, restore areas damaged by illegal off-road vehicle use, monitor cultural sites, and more. While volunteers provide free work, BLM still needs at least modest resources to create, run, and expand volunteer programs; "partner" groups need support for their work as well. Few areas have adequate resources to capitalize on the good will and free labor that volunteers supply.

The System offers innumerable examples where currently bare-bones funding is leading to irreparable resource damage. Colorado's Canyons of the Ancients National Monument, which has the highest density of cultural sites in America, has faced budget cuts of hundreds of thousands of dollars. The Monument has cut education and interpretive positions while existing staff contend with vandalism and theft of cultural resources. Another unmet BLM need, in Oregon's Cascade-Siskiyou National Monument—an ecological wonder with a mandate to protect and retain its biological diversity—is to monitor the impacts of grazing and rangeland health on biological objects the Monument was created to protect.

We also ask the committee to give serious consideration to any member requests for increasing programmatic funding or land acquisition funding for Conservation System units in the fiscal year 2008 appropriations bill. These increases should be allocated in addition to, not in lieu of, funding already budgeted for each System unit in the BLM's fiscal year 2008 budget.

CONSERVATION SYSTEM LAND AND WATER CONSERVATION FUND PRIORITIES

The President's fiscal year 2008 budget would provide just $4.1 million for BLM land acquisition via LWCF—the lowest level ever and far below historic levels. We do support the projects proposed for funding from the Land and Water Conservation Fund in the President's request, but strongly recommend at least an additional $20 million for projects in Santa Rosa and San Jacinto Mountains National Monument (CA), Canyons of the Ancients National Monument (CO), Lewis & Clark National Historic Trail (MT), Cascade Siskiyou National Monument (OR), Steens Mountain Cooperative Management and Protection Area (OR), Rogue National Wild and Scenic River (OR), and the Oregon National Historic Trail (OR). These projects offer willing sellers, local support, and opportunities to resolve inholder/access issues and protect recreational opportunities and biological integrity.

EXTEND THE PRESIDENT'S FISCAL YEAR 2007 CULTURAL RESOURCE FUNDING INCREASE TO FISCAL YEAR 2008

We supported the President's proposed $3 million program increase for cultural resource enhancement on BLM lands in fiscal year 2007 and are puzzled by the administration's failure to propose the increase again this year. We encourage the Interior Appropriations Subcommittee to increase funding for the BLM's cultural resource program by at least $8 million and direct the BLM to devote $5 million of this increase to inventory and protect the Conservation System's hundreds of thousands of significant archaeological and historic sites (both known and unknown), and the wild lands surrounding these sites. The subcommittee should also restrict the use of these funds to proactive management of cultural resources (surveys, necessary maintenance and stabilization of historic sites), and provide adequate funding to comply with Section 106 of the National Historic Preservation Act, which should be funded by that account only.

RESTORE NEEDED FUNDING FOR THE NATIONAL TRAILS SYSTEM

The BLM has prepared a 10 Year Strategy and Plan to bring its 13 National Scenic and Historic Trails into full operation for public appreciation and enjoyment. Funding is needed to implement this Plan, including actions to preserve historic and cultural resources along national historic trails, to administer the Iditarod and Old Spanish National Historic Trails, to continue progress toward completing the Continental Divide National Scenic Trail in Wyoming and New Mexico, and to protect the Pacific Crest National Scenic Trail in southern California.

CONSERVATION SYSTEM MANAGEMENT ACCOUNTABILITY AND TRANSPARENCY

BLM's budget structure for the Conservation System discourages program integration and limits accountability. For example, the System receives funding from 47 budget categories and subcategories, obscuring the total funding devoted to the System and how it is used within its different lands and waters. The BLM cannot effec-

tively track Conservation System funding, so the President's budget does not provide a clear depiction of System expenditures. In order to ensure the efficient use of scarce conservation dollars, we urge the subcommittee to direct the Interior Department provide annual reports on System revenues, expenditures, and accomplishments, starting with budget documents for fiscal year 2007 and fiscal year 2008.

Directing the DOI and the BLM to provide budget information on the System at the unit level (for example, accomplishments and financial information for each Monument, National Scenic and Historic Trail and Conservation Area)—akin to the level of detail DOI can provide on oil and gas leasing, and minerals management—would promote good government and accountability and help clarify the goals and needs of BLM's National Landscape Conservation System. We request that in future budget requests, the committee direct BLM to include unit-level allocations by major sub-activities for all non-wilderness and Wilderness Study Area (WSA) units. These unit-level allocations should be combined with Wilderness and WSAs under a new activity account for the entire National Landscape Conservation System.

PREPARED STATEMENT OF THE CONSERVATION COMMISSION OF WESTBROOK, CONNECTICUT

On behalf of the Conservation Commission of Westbrook, Connecticut, I appreciate the opportunity to present this testimony in support of a $710,000 appropriation from the Land and Water Conservation Fund for land acquisition within the Stewart B. McKinney National Wildlife Refuge. The Conservation Commission has, by Town ordinance, the responsibility for developing criteria for prioritizing open space protection and acquisition. The 20-acre Menunketesuck Salt Meadow Marsh meets the four top criteria: (1) protection of water resources including coastal zone resources; (2) protection of unique and sensitive habitats; (3) significantly contributes to the viability of adjacent protected open space; and (4) is under threat of development. The Commission has also has the responsibility for recommending acquisition of priority lands to the Town of Westbrook, or to private, State or Federal agencies, when appropriate. Acquisition of the 20-acre Menunketesuck Salt Meadow Marsh within the Stewart B. McKinney National Wildlife Refuge will add significant protection to the Refuge, to the Menunketesuck River estuarine habitat (one of Westbrook's most valuable natural resources), and a coastal resource of State and national significance.

Named to honor the late U.S. Congressman who was instrumental in its creation, the Stewart B. McKinney National Wildlife Refuge was established to protect migratory bird habitat considered important to wading and shorebird species including heron, egrets, terns, plovers and oystercatchers among others. Stewart B. McKinney NWR is currently comprised of eight units stretching along 60 miles of Connecticut's coastline. In addition to the increase in habitat protection over the years, the refuge now provides opportunities for scientific research, environmental education, and fish and wildlife-oriented recreation. Located in the Atlantic Flyway, the refuge provides important resting, feeding, and nesting habitat for many species of wading birds, shorebirds, songbirds and terns, including the endangered roseate tern. Adjacent waters serve as wintering habitat for brant, scoters, American black duck and other waterfowl. Overall, the refuge encompasses over 800 acres of barrier beach, tidal wetland and fragile island habitats.

Available for refuge acquisition in fiscal year 2008 is the 20-acre Menunketesuck Salt Meadow Marsh in Westbrook, Connecticut. The property is comprised of pristine coastal tidal marsh, a forested upland, scrubland, and a rock outcropping that towers above 1,000 feet of frontage along the gentle Menunketesuck River as it winds its way to Long Island Sound. As a migratory stopover for neotropical migrant land birds, this riparian area is the top priority for acquisition for the refuge. The marsh property will enhance the resources of the current Salt Meadow Unit of the refuge, as it contains part of the least developed upland borders of any remaining tidal marsh in all of Connecticut. As much of the State's coastline has been built upon, it is rare to find such a large undeveloped marsh area in Connecticut. Under imminent threat of development into condominiums, this parcel must be acquired by the Refuge if it is to continue to serve as an island of forested habitat land on an otherwise highly developed coastline. In order to acquire the Menunketesuck Salt Meadow Marsh property, an appropriation of $710,000 is needed from the Land and Water Conservation Fund in fiscal year 2008. This priority acquisition will increase wildlife habitat protection at the Stewart B. McKinney NWR and ensure the public continued opportunities for recreation and environmental education along Connecticut's coastline.

I respectfully request that you include an appropriation of $710,000 for the Stewart B. McKinney NWR in the fiscal year 2008 Interior and Related Agencies Appropriations bill.

Thank you for the opportunity to present this request.

PREPARED STATEMENT OF THE COQUILLE INDIAN TRIBE

INTRODUCTION

Mr. Chairman, my name is Tom Younker and I am the Vice Chairman of the Coquille Indian Tribe. Our Tribe is located on the southwest coast of Oregon. I appreciate the opportunity to submit testimony to you concerning the fiscal year 2008 budget requests for the Bureau of Indian Affairs and the Indian Health Service.

FISCAL YEAR 2008 BUDGET REQUESTS

In our efforts to provide quality government services to our tribal members and be responsible stewards in the management of our tribal lands, I bring to the attention of the subcommittee serious concerns that our Tribe has relating to the following Federal programs and proposed fiscal year 2008 funding levels for tribes:

Bureau of Indian Affairs (BIA)—$10 million

Endangered Species Act—$4 million
Road Maintenance—$5 million
Development of Renewable Energy Resources—$1 million

Indian Health Service (IHS)—$210.1 million

Contact Health Services—$47.1 million
Behavioral Health (Alcohol and Substance Abuse)—$13 million
Contract Support Costs—$150 million

Total Fiscal Year 2008 Budget Requests (BIA & IHS)—$220.1 million

In addition to these specific budget matters, I also want to bring your attention to an issue that is also very important not only to my Tribe, but all of Indian country:

—Reauthorization of the Indian Healthcare Improvement Act

Endangered Species Act Funding—$4 million

The BIA has a trust responsibility to provide comprehensive management of Indian forest lands. This responsibility includes surveys and other on-the-ground activities mandated by the Endangered Species Act (ESA) of 1973, as amended. Despite this mandate, funds appropriated to the BIA for ESA compliance have been limited and have declined substantially since Congress first appropriated funds to the BIA for ESA compliance. The President's fiscal year 2008 budget request will fund just two central office personnel, failing to comply with ESA mandates that must be carried out in the field.

For the Coquille Indian Tribe, which is harvesting timber within the range of endangered species such as the Northern Spotted Owl and Marbled Murrelet, surveys are essential to comply with ESA mandates. The current support provided by the BIA is limited to $5,000 to $7,000 annually (if available). This amount of funding satisfies only 6–10 percent of the Tribe's annual need ($75,000). Without this funding, the Coquille Forest Tribal Timber Harvest program is in danger of failing to meet the ESA compliance mandates. In addition, general Tribal funds which can be applied to other Tribal programs must be reallocated to cover the funding shortfall. The Coquille Indian Tribe recommends that a minimum of $4 million be appropriated to the BIA to meet ESA compliance requirements.

Road Maintenance—$5 million

The BIA Road Maintenance program provides maintenance of roads and bridges constructed under the Indian Reservation Roads Program in Indian Country. The goal of this program is "the Advancement of Quality Communities for Tribes & Alaska Natives."

Unfortunately, the President's Budget falls tragically short of achieving this worthy goal. The fiscal year 2008 President's Budget would result in only 14 percent of participating roads in acceptable condition and only 44 percent of bridges in acceptable condition. As a consequence many roads and bridges in Indian country are in unacceptable levels of disrepair. We urge you to raise this funding level to help this program reach its goal by supplementing this funding by at least $5 million.

Woody Biomass Project to Support Renewable Energy Supply—$1 million

There are 18 million acres of Indian forests and woodlands which produce large amounts of woody biomass material suitable for energy production. The goals of Indian forest management are to restore and maintain health of Tribal forests and woodlands and to provide a sustainable supply of forest products for economic opportunities. Indian tribes place a high importance on resource protection and emphasize that an integrative, holistic approach be taken in managing all forest resources, recognizing a multiplicity of uses and values. While biomass utilization supports tribal goals and desired management approaches for Indian forests and woodlands, opportunities for biomass projects have been limited due to lack of specific funding in the BIA forest management program.

Our Coquille Forest lands are located in the Oregon Coast Range which includes some of the most productive forest lands in the Nation. These Tribal lands and surrounding Federal forests contain thousands of acres of dense forest stands capable of producing vast quantities of woody biomass as a renewable energy supply. Production of woody biomass by thinning of these overstocked forest stands will improve forest health, reduce hazardous fuels and decrease the risk of wildfires. The Coquille Tribe recently initiated a study to determine the feasibility of developing a 20 megawatt or larger power generating facility utilizing woody biomass. While the feasibility study has the support of the State of Oregon and numerous other entities, full implementation of the project is currently delayed due to lack of funding which has been requested from the BIA.

The Coquille Tribe requests additional funding in the amount of $1 million be provided to the BIA forestry program to provide technical assistance to Tribes in the planning and development of woody biomass projects for renewable energy production.

Contract Health Services—$47.1 million

Like all other tribes in the IHS Portland Area, the Coquille Indian Tribe depends heavily upon Contract Health Services to serve Tribal members' medical needs because there are no IHS hospitals within the region. Long-term, gross under-funding of the IHS Contract Health Service Program has forced the Coquille Indian Tribe to make harsh choices regarding the level of medical care that it provides to the Coquille Indian People. The fiscal year 2008 budget falls short of even maintaining the existing Contract Health Service Program. The Coquille Tribe's Contract Health Services expenses have increased at an average of 18 percent per year from 1996–2006, far outpacing any increase in IHS funding. The vast discrepancy between the IHS budget and medical inflation have forced the Coquille and other tribes to choose between funding programs for education, social services, law enforcement, economic development, housing and natural resource management, or maintaining a basic health care program for their people. To maintain current services in fiscal year 2008, the Coquille Indian Tribe recommends that Congress appropriate $47.1 for the Contract Health Services Program, an $18.4 million increase over the President's request.

Behavioral Health (Alcohol and Substance Abuse)—$13 million

The Coquille Indian Tribe supports the President's proposed increase of $12.3 million to the Indian Health Services budget for Alcohol and Substance Abuse Programs, but notes that this increase is required only to maintain existing services. Problems with substance and alcohol abuse continue to plague Indian people and their families. There is a significant lack of adequate and appropriate treatment facilities within the Southern Oregon region. The methamphetamine epidemic has impacted the Coquille Tribe as drastically as other tribes in the Northwest. Treatments for successful recovery from meth addition have been demonstrated, but the costs to adequately treat methamphetamine addiction are enormous and there are few facilities in our area that provide this specialty care. To fight these addictive diseases and this growing epidemic in Indian country, the Coquille Indian Tribe recommends increased funding for these programs significantly beyond the President's request.

Contract Support Costs—$150 million

For more than three decades the promise of Self-Determination has been undermined by chronic under-funding of contract support costs. Contract support costs provide tribes with the funding necessary to administer the programs assumed from the Federal Government through Self-Determination. Despite congressional amendments to the Indian Self-Determination Act in 1988 and 1994 aimed at correcting deficiencies, the agencies still request and Congress still appropriates less than needed each year to meet their legal obligation, paying far less than tribes are enti-

tled to or need. According to the IHS, that deficiency has accumulated over the years to over $150 million. This shortfall robs Tribes of precious limited resources that might otherwise be put to the important work of economic self-sufficiency, education of our young, health care and numerous other priorities.

REAUTHORIZATION OF THE INDIAN HEALTHCARE IMPROVEMENT ACT

Although we recognize it is not in this committee's jurisdiction, The Coquille Indian Tribe wishes to note our strong support for reauthorization of the Indian Healthcare Improvement Act (IHCIA). Provisions of the IHCIA are crucial to assuring the health and wellbeing of the Coquille and all Indian people. Major provisions of the IHCIA address significant health concerns of the Coquille Tribe, including behavioral health programs, eldercare, modernization of health care delivery, and health promotion and disease prevention.

Thank you, Mr. Chairman. That concludes my testimony.

PREPARED STATEMENT OF THE CORPS NETWORK

The Corps Network (formerly the National Association of Service and Conservation Corps or NASCC) urges you to fully fund the Public Lands Corps at $12,000,000 in fiscal year 2008 through the Departments of Agriculture and Interior. The Corps Network is the voice of our Nation's 115 Service and Conservation Corps which operate in 42 States and enroll more than 23,000 young people every year.

The Public Lands Corps is an authorized program that was signed into law through the Public Lands Corps Healthy Forests Restoration Act of 2005 (Public Law 109–154) and authorizes the Secretaries of Agriculture and Interior to contract with "qualified youth and conservation corps" to carry out critical projects on public lands. The primary purposes of the Public Lands Corps Healthy Forests Restoration Act of 2005 are twofold:

(1) to employ youth Service and Conservation Corps as a tool to assist land managers in the ongoing efforts to fight wildfires, invasive species and other threats to our public lands, and

(2) to engage young people, particularly those who are disadvantaged, in these efforts.

The priority projects identified in the authorization legislation address issues of significance to our Nation. Priority projects are designed: "(A) To reduce wildfire risk to a community, municipal water supply, or other at-risk Federal land; (B) To protect a watershed or address a threat to forest and rangeland health, including catastrophic wildfire; (C) To address the impact of insect or disease infestations or other damaging agents on forest and rangeland health" and for other purposes. These funds would also enable Corps to do disaster prevention and relief activities on Federal, State, local and private land as part of a Federal disaster relief or prevention effort. This is the kind of work at which Corps excel.

Funding the Public Lands Corps (PLC) will allow Federal land managers to more cost-effectively deploy resources to fight the effects of wildfires and invasive species, as well as complete backlogged projects. Youth Service and Conservation Corps are cost-effective partners and Corps provide a 25 percent non-Federal match for every project. In addition, Corps represent trained, experienced and mobile workforce that can quickly and efficiently complete a wide variety of projects.

With a diverse pool of 23,000 young people, Corps are a means for Federal land managers to hire skilled and experienced Corpsmembers to fill the shoes of the many career land managers that are nearing retirement. With this in mind, the Public Lands Corps Act allows the Secretary of Agriculture and the Secretary of Interior to provide non-competitive hiring status for Corps alumni for 120 days after service is complete, allowing Federal land managers to more easily hire Corpsmembers into fulltime jobs.

SERVICE AND CONSERVATION CORPS AND WILDFIRES

Service and Conservation Corps are an experienced, cost-effective, and valuable resource in the fight against wildfires. The Public Lands Corps can, and should, play a key role in the implementation of the National Fire Plan, especially with regard to forest and wildland rehabilitation, hazardous fuels reduction and community assistance.

Corps help to ensure that the necessary resources are available to respond to fires and provide logistical support to firefighters. Across the Nation, they participate in emergency stabilization and rehabilitation activities like reforestation, road and

trail rehabilitation, fence replacement, fish and wildlife habitat restoration and replanting and reseeding with native vegetation. They have experience reducing hazardous fuels to reduce the risks of fires to people, communities and natural resources. Corps also have experience in helping communities that have been, or are at-risk of fire by educating citizens on the effects of fire and doing community fire protection planning.

According to the Climatic Data Center of the Department of Commerce, in 2006 some 96,326 fires consumed 9.8 million acres—the worst year for fires since 2000. Federal agencies spent $1.9 billion on fire suppression in 2006. One factor that increases the wildfire threat and cost is the growing number of new homes in the wildland/urban interface. About 8.4 million new homes, or 60 percent of new homes, were built in the interface during the 1990s.

In 2004 the National Fire News noted that "as firefighters control wildland fires, another group of quiet heroes move into the area to start the healing. After a wildland fire, the land may need stabilization to prevent loss of topsoil through erosion and prevent the movement of dirt into rivers and streams. Land management specialists and volunteers jump start the renewal of plant life through seeding and planting with annuals, trees, and native species that help retain soils and fight invasive weeds. It's a long term process that comes alive as the wildland fires die down." Corpsmembers quite often serve as these "quiet heroes." Corps nationwide are proving to be cost-effective partners in the effort to combat wildfires:

The Washington Conservation Corps (WCC) has partnered with Olympic National Park for 12 years. Since January 2007, the WCC crew has been bucking up hundreds of downed old growth trees toppled during several fierce windstorms that hit the region during the winter. The primary goals of this project are to reduce fire fuels and increase access. Many of the downed trees are in popular campgrounds. The WCC crew is also limbing trees and cleaning up areas around park headquarters and residences.

The California Conservation Corps (CCC) operates statewide and has a dedicated 18-person crew that partners with Whiskey Town National Park located near Redding, CA. This CCC crew is 100 percent focused on wildfires and performs controlled burns, completes hazardous fuels reduction and cuts fuel breaks. The CCC and NPS have partnered together on providing trainings and other related work for 6 years. The CCC crew typically works year round.

The Southwest Conservation Corps (SCC), based in Durango, CO, worked with Mesa Verde National Park to complete fire fuels reduction at Chapin Mesa to reduce the risk of wildfire. Mesa Verde NP has a significant history of wildfire, especially in recent years. Mesa Verde NP needed assistance from SCC in removing hazardous fuels from key areas in advance of 100th anniversary celebrations. The entire SCC crew received 40 hour chainsaw training and certification by SCC staff. Corpsmembers also received S130/S190 Introduction to Wildland Firefighting at the conclusion of their 4 month term of service so as to prepare them for obtaining jobs in the wildland fire management industry.

The Coconino Rural Environment Corps (CREC), based in Flagstaff, AZ, thins hundreds of acres of Federal, State, county, city, and private lands every year. CREC has created multiple partnerships in local communities to mitigate the hazards of catastrophic wild fires including one to provide local Native American communities with more than 400 cords of fire wood. The Corps has increased community awareness to the dangers of wildfire and the risks associated with living in one of the most fire prone forests in the world, thus creating a more "fire wise" community. CREC thins more than 500 acres a year and returns more than 4,000 acres to native grasslands.

SERVICE AND CONSERVATION CORPS AND INVASIVE SPECIES

Invasive species are another enormous and growing threat to our public lands. Almost half of the plants and animals listed as endangered species by the Federal Government have been negatively affected by invasive species. Purple loosestrife, for example, diminishes waterfowl habitats, alters wetland structure and function, and chokes out native plants. The Asian long horned beetle destroys valuable city trees and could spread. According to the U.S. Department of Agriculture, invasive alien plant infestations cover 100 million acres (an area twice the size of Delaware) and are spreading at a rate of 14 percent per year. Recent studies have also revealed that the San Francisco Bay is invaded by a new exotic species on the average of once every few weeks. NASA estimates a cost to the U.S. economy to monitor, contain, and control these species, including plant, animal and disease-related invasives, at $100–$200 billion per year—an annual cost greater than that for all natural disasters combined.

Corps have been mobilized nationwide to combat invasive species like Tamarisk, Leafy Spurge and Russian Olive and to combat agricultural pests and insects such as the Bark Beetle and Pine Beetle. For example:

The Alaska Service Corps (ASC) was tasked with a week-long invasive removal project in one of Alaska's premiere National Parks, Wrangell St. Elias. Alaska's National Parks have few invasive species compared to National Parks in other States. Wrangell St. Elias is invested in maintaining this relatively pristine gene pool and provide early detection and rapid response and removal when new invaders are observed. The ASC crew help eradicate White Sea Clover & other invasive plants from key areas near the Slana Visitor Center. The ASC crews efforts allows native plants opportunities to reseed and enhance the experience for residents and tourists.

The Rocky Mountain Youth Corps (RMYC), based in Taos, New Mexico and the Western Colorado Conservation Corps (WCCC), based in Grand Junction, Colorado, have been actively involved in Tamarisk removal for several years. The WCCC has partnered with the Colorado State Parks Department and the State Division of Wildlife, the Audubon Society, and the Tamarisk Coalition to control acres of Tamarisk and Russian Olive, Hounds Tongue, Canada Thistle and other species, as well as 15 miles of Salsafy, Russian Thistle, and Storks Bill.

ABOUT THE CORPS NETWORK AND SERVICE AND CONSERVATION CORPS

The Corps Network is the voice of our Nation's 115 Service and Conservation Corps which operate in 42 States and enroll more than 23,000 young people every year who contribute 13 million hours or service to their communities each year.

Service and Conservation Corps are direct descendents of the Civilian Conservation Corps (CCC) of the Depression-era that provided work and vocational training for unemployed single young men through conserving and developing the country's natural resources. Between 1933 and 1941 when it was disbanded, the CCC had employed almost 3.5 million men who planted an estimated 2.5 billion trees, protected 40 million acres of farmland from erosion, drained 248,000 acres of swamp land, replanted almost a million acres of grazing land, built 125,000 miles of roads, fought fires, and created 800 State parks and 52,000 acres of campgrounds. But the biggest legacy of the CCC may have been the hope it provided both the young men and their families.

Today's Corps are a proven strategy for giving young men and women, many of whom are economically or otherwise disadvantaged and out-of-work and/or out-of-school, the chance to change their own lives and those of their families, as well as improve their communities. Of the 23,000 Corpsmembers enrolled in 2004–2005, 55 percent had no High School diploma, 64 percent reported family income below the Federal poverty level, 30 percent had previous court involvement and, at least 10 percent had been in foster care. Contemporary Corps provide thousands of 16–25 year olds the opportunity to earn a second chance in life through hard work and service to their communities.

In the Corps model, Corpsmembers are organized into crews of 8–12 to carry out these projects while being guided by adult leaders who serve as mentors and role models as well as technical trainers and supervisors. For the past 25 years Corps have re-engaged society's most vulnerable young people through a comprehensive approach of full-time service, a minimum-wage based stipend, job training, life skill development, career counseling and education. Most importantly, these young men and women learn to value their personal contribution, learn the importance of teamwork and experience the recognition that comes from making a positive investment in their community.

Research has shown that youth who complete Corps programs have higher rates of employment and earn more than their counterparts. Corpsmembers also score higher on measures of personal and social responsibility and are more likely to earn a college degree. Corps generate a positive return for every dollar invested.

The Public Lands Corps will provide work experience to low-income, disadvantaged youth between the ages of 16–25, giving them the chance to develop the skills and habits they will need to become employed and productive citizens. This experience will help them help themselves, their families, and their communities. It will also enable Federal land managers to cost-effectively complete critical backlogged maintenance projects. We urge you to provide $12 million for the Public Lands Corps and we appreciate your attention to this request.

PREPARED STATEMENT OF THE CRADLE OF TEXAS CONSERVANCY AND THE GALVESTON BAY FOUNDATION

Mr. Chairman and honorable members of the committee: Thank you for the opportunity to testify in support of a Land and Water Conservation Fund request for $3 million to permit the U.S. Fish and Wildlife Service to acquire the 1,988 acre McGinnes property at the San Bernard National Wildlife Refuge in Texas.

I would also like to take this opportunity to commend the chairman and subcommittee members for supporting ample funding for land acquisition through the Land and Water Conservation Fund. This project at the San Bernard National Wildlife Refuge provides but one example of the profound need for Federal funding for land acquisition nationwide. In Texas, and throughout the country, Federal land acquisition is critical to both protect our public lands and to augment State and community efforts to preserve natural and recreational resources.

For the past 35 years I have been involved in coastal conservation issues on the local, State, and national level. Those include coastal management, oil spills, RECRA, CWA, wetlands, land conservation, on-shore impacts of oil spills and CBRA. These are issues that I have testified before the United States House and Senate committees in Washington. I received two presidential/congressional appointments to the National Advisory Committee on Oceans and Atmosphere. I have received 4 Governor's appointments in these issue areas in Texas; and other appointments from the General Land Office of Texas, and Texas Parks and Wildlife. In the mid-80's I lobbied for and co-submitted the States application to Congress for the inclusion of Galveston Bay in the Clean Water Act. As a result of the creation of the Galveston Bay Estuary Program, I worked with attorney Jim Blackburn to create the Galveston Bay Foundation to parallel the functions of the Chesapeake Bay Foundation. We are now 20 years old, and I still serve on the executive committee. The Cradle of Texas Conservancy was founded by conservationist Andrew Sansom in 1984 to be the land trust for Brazoria County as it developed a county park system, and for conservation purposes. I have served on the board since the beginning. We have helped create 11 county parks and many city parks. We also hold over 3,000 acres including critical habitat in the Galveston Bay area and the Columbia Bottomlands/Austin's Woods within Brazoria County.

The Texas Mid-Coast National Wildlife Refuge (NWR) Complex is comprised of three refuges: the Brazoria NWR, the Big Boggy NWR, and the San Bernard NWR. Located just south of Houston, this refuge complex serves as a haven for both wildlife and thousands of people living in the Houston metropolitan area. These three units form a vital complex of coastal wetlands harboring more than 300 bird species and offering exceptional wildlife viewing opportunities. The vast expanses of salt and freshwater marshes, sloughs, ponds, coastal prairies, and bottomland forest provide feeding and nesting habitat for a myriad of species throughout the year. Further, they serve as an end point of the Central flyway for migrating waterfowl in the winter months and as an entry point for neotropical songbirds migrating north from Mexico.

The San Bernard National Wildlife Refuge was established in 1968 to provide quality habitat for wintering migratory waterfowl and other bird life. The 41,000-acre refuge is located in Brazoria and Matagorda counties, 12 miles west of Freeport in southeastern Texas. The refuge consists of flat coastal prairie and salt marsh with numerous saltwater lakes, shallow freshwater lakes, associated marshlands, intermittent streams, and bottomland hardwood forest areas.

Available for acquisition in fiscal year 2008 is the 1,988-acre McGinnes tract located in the Linville Bayou Unit of the San Bernard NWR. Comprised of old growth bottomland forest, wetland, and associated upland habitats, the McGinnes tract would serve as an important addition to the Linville Unit as it would consolidate tracts of high quality habitat rarely seen. The addition of the McGinnes tract would consolidate over 1,400 acres of old-growth bottomland forest, making it one of the largest old-growth bottomland forests in public ownership. Once acquired, the refuge will seek to restore the entire tract to its original forested State. Located directly adjacent to previous-year acquisitions, the protection of the McGinnes tract will help consolidate refuge lands and safeguard previous Federal investments.

The National Significance of adding these bottomland hardwood areas to the Austin's Woods/San Bernard Refuge now, while there's still some left is that this bottomland forest is located directly in the center of the Gulf of Mexico. It is a visual clues in this area for migrating birds 200 miles out in the Gulf. The biggest visual clues are the Brazos River in the Columbia Bottomland/Austin's Woods, and Galveston Bay. The Brazos River is the second largest stream flow into the Gulf of Mexico after the Mississippi River, anywhere in the Gulf from Florida to Yucatan. Birds also migrate using magnetic fields. The long-shore current of the Gulf of Mexico

changes direction twice a year, usually in April and October. Off-shore debris washes up along the Brazoria/Matagorda coastline more than any other part of the coast. This was documented in the 80's and 90's by marine debris studies done by the Texas General Land Office and the Department of Interior, Marine Management Service. The significance of this is location. This bottomland forest, located in the middle of the gulf is more significant than any other bottomland forest in the United States for migrating and wintering songbirds.

As a result of a wetland lawsuit in the mid-90's, increased studies have shown the significance of this wetland forest for the majority of the Nations migrating songbirds. These birds migrate three ways. One, down the Pacific Coast. Two, down the Atlantic Coast and either across Cuba from Florida—or around the coast to Mexico. Three, the Central Flyway of mid-America comes through Texas and particularly through this mid-coast area. The tall canopy of trees along the multi-waterways of these coastal counties provides resting space where these birds spend up to 2 months building up strength for their flight across or around the Gulf. And in the spring, it is more significant for those who fly across the Gulf to rebuild their body weight prior to migrating on.

Current research is finding a much larger number and species of wintering birds than previously believed. Any real estate agent will tell you that the first and last rule of real estate is location, location, location. As Houston expands these critical spots for habitat are disappearing rapidly, and the price is accelerating rapidly. Look on the map, this is the only major forest for these birds that close to the coast. It is also the only bottomland forest along the Gulf that still has Old-Growth tracts left! If it isn't acquired now it will be impossible to acquire it later. This acquisition also provides opportunity for Carbon Sequestration. It is already impossible to find a tract that has not been partially cleared due to the taxation policy (agricultural exemption) of the United States. Since it does not seem likely that the tax policy is going to change quickly, that pressure will not be lessened. This refuge complex provides sequestration and habitat opportunities that U.S. environmental policy supports.

Mr. Chairman, thank you for this opportunity to testify for this significant project at the San Bernard National Wildlife Refuge in Texas. If you have any questions, please feel free to contact me, and I will do my best to provide the answers.

PREPARED STATEMENT OF DANCE/USA

Madam Chairwoman and distinguished members of the subcommittee, Dance/USA is grateful for this opportunity to submit testimony on behalf of our members. We urge the committee to designate a total of $176 million to the National Endowment for the Arts (NEA) for fiscal year 2008. This testimony is intended to highlight the importance of the Federal investment in the arts to sustaining a vibrant cultural community.

Dance/USA, the national service organization for not-for-profit professional dance, believes that dance is essential to a healthy society, demonstrating the infinite possibilities for human expression and potential, and facilitating communication within and across cultures. Dance/USA sustains and advances professional dance by addressing the needs, concerns, and interests of artists, administrators, and organizations. By providing services and national leadership, Dance/USA enhances the infrastructure for dance creation, education and dissemination. To fulfill its mission, Dance/USA offers a variety of programs, including data research and regional professional development, and works with organizations within and outside the arts field with whom common goals are shared. Dance/USA's membership currently consists of over 400 ballet, modern, ethnic, jazz, culturally specific, traditional and tap companies, dance service and presenting organizations, artist managers, individuals, and other organizations nationally and internationally. Dance/USA's member companies range in size from operating budgets of under $100,000 to over $50 million.

The NEA makes it possible for everyone to enjoy and benefit from the performing arts. Before the establishment of the NEA in 1965, the arts were limited mostly to a few big cities. The Arts Endowment has helped strengthen regional theater, opera, ballet and other artistic disciplines that Americans now enjoy. NEA funding provides access to the arts in regions with histories of inaccessibility due to economic or geographical limitations. The Endowment embodies the ideal that no one should be deprived of the opportunity to have art in their lives. The Arts Endowment has helped the arts become accessible to more Americans, which in turn has increased public participation in the arts.

Despite diminished resources, the NEA awards more than 1,000 grants annually, to nonprofit arts organizations for projects that encourage artistic creativity. These

grants help nurture the growth and artistic excellence of thousands of arts organizations and artists in every corner of the country. NEA grants also preserve and enhance our Nation's diverse cultural heritage. The modest public investment in the Nation's cultural life results in both new and classic works of art reaching all 50 States.

NEA grants are instrumental in leveraging private funding. On average, each NEA grant generates at least $7 from other sources. Government cultural funding plays a catalytic leadership role that is essential in generating private support for the arts.

NEA IS A GREAT INVESTMENT IN THE ECONOMIC GROWTH OF EVERY COMMUNITY

The return of the Federal Government's small investment in the arts is striking. The non-profit arts generate approximately $134 billion annually in economic activity, support 4.85 million jobs, and return $10.5 billion in Federal income taxes. Few other Federal investments realize such economic benefits, not to mention the intangible benefits that only the arts make possible. Even in the face of tremendous cutbacks in recent years, the NEA continues to be a beacon for the arts organizations across the country.

NEA GRANTS AT WORK

NEA grants are awarded to dance organizations through its core programs Access to Artistic Excellence, Challenge America: Reaching Every Community, Federal/State Partnerships, and Learning in the Arts, as well as through initiatives such as American Masterpieces: Dance. The following is a description of a dance organization that is able to capitalize on its NEA Access to Artistic Excellence grant and bring outstanding artists in the dance field to the people of Massachusetts and the United States:

Jacob's Pillow Dance Festival in Becket, MA is renowned throughout the world as a cultural icon; it celebrates its 75th anniversary this year. Called "the hub and mecca of dancing in North America," by Time Magazine, Jacob's Pillow has been named one of America's Irreplaceable Dance Treasures by the Dance Heritage Coalition, is listed on the National Register of Historic Places, and recently became the first dance institution to be designated by the Federal Government as a National Historic Landmark. The Christian Science Monitor has referred to Jacob's Pillow as "the largest, longest, oldest and most comprehensive dance festival in the world," and it is indisputably one of the most beloved and enduring cultural institutions in existence today.

In 2007, Jacob's Pillow was awarded $70,000 to support residencies and performances of dance companies during Jacob's Pillow Dance Festival's 75th anniversary. The project will include a Creative Development Residency, presentation of national and international dance companies, and audience engagement programs and educational programs.

NON-PROFIT PROFESSIONAL DANCE COMMUNITY

America's dance companies perform a wide range of styles and genres. These include both classical and contemporary ballet, classical and contemporary modern, as well as jazz, tap, cross-disciplinary fusions and traditional to modern work rooted in other cultures. Over two-thirds of America's professional dance companies are less than 45 years old; as an established art form with national identity and presence, dance has burst onto the scene almost entirely within living memory. And, yet, America can boast some of the greatest dance companies of the world and can take credit for birthing two indigenous dance styles—tap and modern dance.

One key to this spectacular achievement has been the creation of a national marketplace for dance. When the National Endowment for the Arts instituted its Dance Touring Program in the 1970's, great dance became accessible to every community in America. What used to be a handful of professional companies and a scattering of "regional" dance has become a national treasure spread across cities and through communities, schools and theaters in all 50 States. NEA programs today, like the National College Choreography Initiative, continue to ensure that the best of American dance is for all of America and a showpiece for the rest of the world as well. There are now over 600 professional dance companies in America as well as over a thousand pre-professional and semi-professional groups. Based on recent surveys, Dance/USA estimates that the 79 largest and most visible non-profit dance companies in the United States do the following:

—Employ over 7,000 people.

—Perform for total home audiences of nearly 3.3 million people. This does not include touring audiences, nor does it count the millions who attend performances given by the hundreds of dance companies with budgets under $1 million.
—Pay nearly $227.9 million in wages and benefits.
—Have operating expense budgets totaling $439.4 million.
—Earn $171.0 million, or 38 percent of their income, from performances.
—Earn $104 million from sales, tuitions and activities other than performances.
—Received $14.2 million from State, local, and government contributions.
—Receive $25.6 million from corporate contributions.
—Receive $55.4 million from private foundations.
—Receive $132 million from individual contributions through donations, benefit events, guilds, and United Arts drives.
—Have over 26,500 volunteers, including over 3,100 members of Boards of Trustees.

CONCLUSION

Despite overwhelming support by the American public for spending Federal tax dollars in support of the arts, the NEA has never recovered from a 40 percent budget cut in the mid-nineties, and its programs are seriously underfunded. Dance/USA and other performing arts service organizations work hard each year to strengthen support for the NEA in Congress. As the NEA banner underscores, a great Nation deserves great art. In order for there to be great art, organizations need stronger infrastructure and stability. We urge you to increase the 2008 NEA funding allocation to $176 million.

On behalf of Dance/USA, thank you for considering this request.

PREPARED STATEMENT OF DEFENDERS OF WILDLIFE

Madam Chairwoman and members of the subcommittee, I am Jamie Rappaport Clark, Executive Vice President of Defenders of Wildlife. Founded in 1947, Defenders of Wildlife has over 500,000 supporters across the Nation and is dedicated to the protection and restoration of wild animals and plants in their natural communities.

I come before today you not only in my capacity with Defenders of Wildlife but as a former Federal career employee with the U.S. Fish and Wildlife Service, and, subsequently its director, to tell you that the Fish and Wildlife Service (FWS) is an agency in crisis, and the wildlife related programs in the other land management agencies also are at the breaking point. Budgets over the last 6 years have left the Service in danger of failing at mission critical programs, unable to meet its inherently Federal obligations for both domestic and international wildlife conservation. Fixed costs have gone unmet and the agency is cannabilizing itself to stay afloat. As staffing keeps shrinking far below needed levels, the agency is undergoing a massive restructuring, institutionalizing a smaller FWS with resources inadequate to satisfy its mission. Defenders deeply appreciates the needed infusion of funds provided in H.J. Res. 20, the fiscal year 2007 appropriations bill. Unfortunately, significant additional funding will be needed over the coming years to reverse the damage to the FWS and other agencies and to make them once again whole. We know that the subcommittee must operate within the constraints of its 302(b) allocation, but we ask you to do as much as possible. Defenders has worked during the development of the fiscal year 2008 congressional budget resolutions to support important increases for the environment and natural resources budget function, and we will continue to work for increases for the subcommittee for fiscal year 2008 and the coming years.

To prevent collpase of the agency's functions, the subcommittee should begin to rebuild the FWS workforce which has suffered substantial losses. H. Rpt. 109–465 accompanying H.R. 5386, the fiscal year 2007 House Interior, Environment and related agencies appropriations bill expressed concern that FWS has lost 600 staff from 2004–2006, equivalent to a 7 percent staffing reduction. Information on specific programs corroborates that the Service is facing a staffing crisis, and reductions in force or buyouts may be imminent in some regions. In addition, numerous key vacancies in mission critical functions are being left unfilled, creating serious challenges for program implementation in many areas.

—The endangered species program is experiencing a 30 percent overall vacancy rate in the ecological services account and in some areas that rate may be close to 50 percent.

—The Refuge System has lost nearly 230 staff from 2004–2006 and projects a further reduction of at least 335 positions that equal a 20 percent reduction in total.

—Since 2002, the law enforcement program has lost 45 staff, more than 8 percent overall, including 16 percent of its special agents, and is in desperate need of both agents to enforce Federal wildlife conservation laws and scientists for their world renowned wildlife crime forensics laboratory. In addition, the program will lose 10 more staff due to mandatory law enforcement retirement by 2011 and another 10–15 agents eligible are expected to retire voluntarily.

—Over the past 3 years, under the International Wildlife Trade program, the Division of Scientific Authority has lost one third of an already very small number of employees and the Division of Management Authority has suffered a 15 percent staffing reduction.

To stop severe erosion of programs, the subcommittee should fully fund fixed costs, including, if possible, unfunded amounts from earlier years. H. Rpt. 109–465 correctly highlighted severe erosion of programs throughout the bill due to absorption of rising fixed costs, such as pay, rent, utility and fuel, observing that the nine largest agencies in the bill have suffered over $1.2 billion in "hidden" decreases from fiscal year 2001–2006. The National Wildlife Refuge System is a poster child for these impacts. According to Service data, the System needs a $15 million yearly increase just to keep up with annual fixed costs. Based on this figure, just to stay even with the peak fiscal year 2004 level of $391.5 million, its fiscal year 2008 funding level should be $451.5 million. Other programs in FWS need 3–5 percent in increases each year to keep up with fixed costs. They, like the refuge system, are continuing to spiral downwards in an unacceptable manner.

The subcommittee should restore the integrity of the National Wildlife Refuge System, one of the crown jewels in our Nation's conservation heritage. To cope with funding shortfalls, the Service is in the process of making an unacceptable "Sophie's choice" to restructure the Refuge System, practically ensuring that the Refuge System envisioned in the landmark 1997 National Wildlife Refuge System Improvement Act will never be realized. Forced to leave vacancies open, FWS is shifting staff to ensure that mission critical functions are carried out at highest priority refuges. Determining "highest priority" has been hugely challenging due to discrepancy among regions and lack of national policy guidance to ensure that critical conservation functions of the System as a whole are being maintained. Scores of refuges are being de-staffed, significant acreage is now overseen by distantly located staff, and services to the public and wildlife are being significantly cut, including loss of law enforcement, invasive species control, species restoration, and environmental education and other public use programs. The Cooperative Alliance for Refuge Enhancement, a diverse coalition of 21 national conservation, sporting, and scientific organizations will soon release a comprehensive analysis of Refuge System funding needs that recommends a yearly level of $765 million for Refuge Operations and Maintenance by fiscal year 2013.

The subcommittee should provide increases to important FWS grant programs where it will not take needed funding from core agency operations, and provide direction that maximizes their efficiency. Defenders' highest priorities among the grant programs are the State and Tribal Wildlife Grants (STWGP), Cooperative Endangered Species Fund, and Landowner Incentive and Private Stewardship Grants. While we strongly support these programs, we also have been concerned that, under the guise of increasing cooperative conservation, the administration has justified cuts to core FWS operations by purporting to meet these obligations through funding the grant programs. The STWGP was established to serve the Federal interest by conserving species before they decline to the point where they need Endangered Species Act protection. We ask the subcommittee to continue its strong oversight of the implementation of the new Action Plans created through STWGP and to consider giving the Service direction to explore ways to maximize efficiency of all its grant programs by using the proactive Action Plans to help target their funding.

The subcommittee should refocus the Bureau of Land Management (BLM) on its multiple use mission, and, in particular, halt the diversion of BLM wildlife funding to pay for energy and other programs. The administration has virtually converted the BLM from a multiple use agency to an agency dominated by one use: energy development. The full cost of the administration's energy policies has not been accounted for in budget requests, yet energy development and other extractive industries on Federal land are expected to generate $4.5 billion in 2008 We ask the subcommittee to explore ways in which the extractive industries can be required to pay their fair share for mitigation needs and Federal costs associated with energy development. For example, we support the administration's proposal to repeal provisions in Section 365 of the Energy Policy Act that prohibit BLM from implementing cost

recovery fees for processing applications for permits to drill. Also, of high importance to Defenders, we ask the subcommittee to include language prohibiting the uncompensated diversion of resources from the Wildlife and Fisheries Management and Threatened and Endangered Species Management activities to other programs. As highlighted in the BLM's own internal reviews, these activities have routinely seen more than 30 percent of funding siphoned away to pay for compliance activities of BLM's energy, grazing and other non-wildlife related programs, which should instead come from benefiting programs. In particular, funding in the Threatened and Endangered Species activity should be focused on proactive efforts to recover listed species on BLM lands. Moreover, this diversion of resources has made the Challenge Cost Share program increasingly important, with reports that it is the primary means through which proactive wildlife conservation work is accomplished. Finally, while the budget touts a $15 million cross-cutting "Healthy Lands Initiative" that it says is targeted to protecting wildlife and restoring habitat in energy interface areas, it is unclear exactly how this money will be spent, and whether it will be effective, given the small amount proposed in the face of such massive damage to the resources.

The subcommittee should restore the LWCF. Habitat loss is the single biggest threat facing wildlife. According to a recent Forest Service report, the United States loses 6,000 acres of open space a day or 4 acres each minute. The Bush administration has repeatedly cut LWCF funding by increasingly greater levels each year. Even though the unspent balance in the Fund on paper will exceed $15 billion by the end of fiscal year 2007, the Bush administration proposed just $57.9 million in its fiscal year 2008 budget, a 60 percent cut below fiscal year 2006 levels.

The subcommittee should begin to address pressing needs related to increased U.S.-Mexico border traffic and enforcement. Federal lands along the Southwest border continue to suffer significant damage from the impacts of illegal immigration and related enforcement, including tons of trash, hundreds of miles of illegal trails and roads, hundreds of abandoned vehicles, fouled water sources, vandalized and stolen facilities and equipment, and degraded habitat across the landscape. Public lands in the area are spending significant portions of already insufficient budgets in inadequate attempts to deal with the impacts. To date, there has been no assessment by land management agencies of the costs to fully address the situation—we ask the subcommittee to include language in the bill requesting a full estimate of these costs in the fiscal year 2009 budget so that the subcommittee can take steps to provide the level of funding to ensure these lands and the wildlife they support are not irreparably harmed.

The subcommittee should restore the integrity of the USGS cooperative fish and wildlife research units. Without an infusion of funds, one fifth of all CFWRU scientist positions (24) will be vacant by the end of fiscal year 2008 to remain within allowable spending levels. The Research Units provide critical scientific capability to the four land management agencies.

The subcommittee should reject the administration's proposed cut to Forest Service (FS) wildlife and fisheries habitat management. Although more than 425 listed species and another 3,200 at-risk species occur on FS lands, the budget proposes an 11 percent cut ($14.1 million) and reduction of 187 staff.

The subcommittee should take steps to block any administrative proposal that would undermine the Endangered Species Act. Recently, FWS draft documents were leaked that propose sweeping changes that, if enacted by rule, would dramatically alter implementation of the ESA. While Department of the Interior officials have stated that many of these changes are no longer under consideration, it is clear that new regulations are being developed. Defenders remains highly concerned that damaging administrative changes will yet be proposed, and we urge the subcommittee to include language intended to prevent any such proposal.

RECOMMENDED FISCAL YEAR 2008 PROGRAM FUNDING LEVELS

[In millions of dollars]

Program	President's request	Recommended level
FWS Endangered Species Total	146.5	185.2
Candidate Conservation	8.6	12
Listing	18.3	25.2
Recovery	68.1	84.8
Consultation	51.6	63.2
FWS National Wildlife Refuge O&M	394.8	451.5
FWS Law Enforcement O&M	57.6	66.6

RECOMMENDED FISCAL YEAR 2008 PROGRAM FUNDING LEVELS—Continued

[In millions of dollars]

Program	President's request	Recommended level
FWS Migratory Bird Management	40.6	52.7
FWS International Affairs	10	17.6
FWS State and Tribal Wildlife Grants	69.5	100
FWS Cooperative Endangered Species Fund	80	96.2
FWS Multinational Species Conservation Fund	4.3	10
FWS Neo-tropical Migratory Bird Cons. Fund	4	5
FWS Landowner Incentive Program		27.4
FWS Private Stewardship Grants		11
BLM Wildlife and Fisheries	41	55.9
BLM Threatened and Endangered Species	22	29.4
BLM Native Plants	4.6	15.8
BLM Challenge Cost Share	9.4	19.4
FS Wildlife and Fisheries Habitat Management	117.6	159.9
USGS Coop. Fish and Wildlife Research Units	15.4	20.5
Land and Water Conservation Fund: Federal	57.9	220

PREPARED STATEMENT OF THE DELAWARE HIGHLANDS CONSERVANCY

Madame Chairwoman and honorable members of the committee: I appreciate the opportunity to testify on behalf of an important Land and Water Conservation Fund request of $4 million to allow National Park Service acquisition of the 120-acre Santos Farm property within the legislated boundary of the Delaware Water Gap National Recreation Area. I also want to urge the committee to increase overall funding for the Land and Water Conservation Fund account, which is critical to helping communities protect our Nation's natural and recreational lands.

The Delaware Highlands Conservancy is a non-profit land trust dedicated to working with landowners, other conservation organizations and local and State government to conserve the natural and cultural heritage of the Upper Delaware River region. Specifically the Conservancy serves Pike and Wayne Counties in PA, as well as Sullivan and Delaware counties New York. We are members of the National Land Trust Alliance and follow their best management standards and practices.

To date the Conservancy has helped landowners protect nearly 10,000 acres for the benefit of future generations. Located within easy driving distance of the Nation's most populous metropolitan area, New York City, and within a 5-hour drive of one-third of the population of the United States, the primary industry in this area is tourism.

Protecting our natural areas is of vital economic importance to the region. The Pocono Mountain Visitors Bureau (PMVB), reports that the travel and tourism industry produces $1,073 billion in expenditures to the four primarily rural counties they serve. The Bureau recently completed extensive research with visitors and determined that the top values were: preservation of the natural environment; preservation of the authentic small town charm; and responsible development.

A coalition of diverse groups—including local elected officials, the Pike County Commissioners, local planning commissions, watershed groups, the Conservancy, and like-minded organizations—have identified key parcels in the region that need to be protected to maintain the scenic rural character. The Santos Farm is viewed by all to be a critical component of the landscape and critical for protection.

Please allow me to provide some background on the area. After flowing south to Port Jervis, New York, the Delaware river turns along the long ridge of the Kittatinny Mountain. For 40 miles the river runs southwest in a valley confined by the Kittatinny Mountain in New Jersey and the Pocono Mountains in Pennsylvania. Just east of Stroudsburg, the river breaks through the Kittatinny Mountain creating a dramatic "water gap" in the ridge. The forested and craggy mountains on both sides of the Delaware River tower over it by more than 1,200 feet.

Geologists believe the water gap was created by separate rivers on both sides of the Kittatinny Mountain. For thousands of years the two rivers, assisted by wind and rain, eroded the mountain, carrying away more earthly material at weak spots in the rock than at stronger spots. Several million years ago, the rivers linked at a particularly weak spot in the mountain's geology. This action created both the water gap and the current Delaware River. The creation of the water gap increased

erosion by the more powerful single river, which led to the dramatic chasm that is today referred to as the Delaware Water Gap.

In the 1960s the Army Corps of Engineers planned to dam the Delaware River and create the Tocks Island Reservoir. Congress approved the proposal in 1965 and instructed the Corps and the Interior Department to acquire lands around the proposed reservoir for "public outdoor recreation use and enjoyment of the proposed Tocks Island Reservoir . . . and for preservation of the scenic, scientific, and historic features contributing to public enjoyment of such lands and waters." This 1965 legislation created the present Delaware Water Gap National Recreation Area, covering nearly 70,000 acres in New Jersey and Pennsylvania. However, controversy over the dam blocked its construction for nearly 15 years. Many critics found the two purposes of the authorizing law, damming the River and preserving the land and water, contradictory.

Congress resolved the issue by designating the portion of the Delaware River within the Recreation Area as a National Wild and Scenic River, ending the possibility of building a dam and making the conservation of the natural, recreational, historical, and cultural attributes of the water gap and the River valley the primary mission of the park.

Today the Delaware Water Gap National Recreation Area is a natural and recreational treasure in the mid-Atlantic section of the Appalachians Mountains. It is the largest recreation area unit between Maine and Virginia. Its proximity to the metropolitan areas of northern New Jersey, New York City, and Philadelphia places it within reach of tens of millions of people. Its accessibility to these populations—Interstate 80 runs through the water gap—brings more than 5 million annual visitors. Attractions include scenic viewpoints in the water gap on I–80 and in the valley along U.S. 209, waterfalls, hiking, biking, rock climbing, horseback riding, hunting, fishing, camping, canoeing, kayaking, rafting, tubing, swimming, wildlife observation, and the opportunity to learn about the many historical and cultural sites in the park. River recreation and wildlife thrive on the exceptionally clean waters of the Delaware River throughout the valley. Additionally the Recreation Area includes 27 miles of the Appalachian Trail.

Within the legislative boundary, there are a number of privately owned properties that could be potentially sold for development. Acquisition of these inholdings from willing sellers allows the National Park Service to consolidate ownership and improve management of forest, wildlife habitat, and recreational resources. In fiscal year 2007 the National Park Service has the opportunity to acquire the 120-acre Santos Farm property in Milford, Pike County, Pennsylvania.

The Santos Farm property is located along the Delaware River at the northern end of the National Recreation Area. The property is one of the last undeveloped farmland tracts in Pike County and provides significant wildlife habitat. Milford Borough, Township, and county officials have expressed strong support for protecting this property, which could otherwise be developed into a "big box" retail commercial site or residential lots. If developed, the loss of scenic, recreational, and habitat resources would be significant.

Pike County voters recently approved the Scenic Rural Character Preservation Bond for the protection of natural areas in the County, with a yes majority of 68.2 percent. Support for the conservation of this land is high, but there are insufficient funds locally to raise the entire purchase price.

While this property is valued at approximately $7 million, it is anticipated that at least $3 million can be raised at the local or State level, leaving a $4 million Federal need to protect the Santos Farm.

An appropriation of $5.2 million to the National Park Service for the acquisition of both the Minisink Bluffs property in adjacent New Jersey and the Santos Farm property would consolidate ownership and improve management of forested areas within the park, protect wildlife habitat, enhance local park and trail networks, and protect the watershed of the Delaware River within the National Recreation Area.

Madame Chairwoman, and distinguished subcommittee members, I wish to thank you for this opportunity to provide testimony in support of this critical land acquisition funding need at the Delaware Water Gap National Recreation Area.

PREPARED STATEMENT OF DENVER WATER

I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.

3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF THE EASTERN FOREST PARTNERSHIP

On behalf of the Eastern Forest Partnership and our 15 member groups and coalitions representing citizens from Mississippi to Maine, I would like to offer testimony concerning fiscal year 2008 appropriations for U.S. Forest Service State and Private Forestry and the Department of the Interior's Land and Water Conservation Fund (LWCF). We feel that recent Federal studies, most notably the U.S. Forest Service's recently released Forests on the Edge and Cooperating across Boundaries reports, support our call for the strongest possible mark for conservation funding programs in the fiscal year 2008 Interior, Environment and Related Agencies Appropriations Bill. We are strongly recommending that the committee reject the administration's proposed cuts to key programs within U.S. Forest Service State and Private Forestry such as Forest Stewardship, Urban and Community Forestry, and Forest Inventory and Analysis, and make appropriate increases in key State and Private Forestry programs, including a $100 million appropriation for the Forest Legacy Program. We are also recommending that committee provide at least $220 million for the Federal side and $100 million for the State side of LWCF. We have included at the end of this testimony a list of priority eastern projects for Forest Legacy and LWCF that we feel are especially meritorious of fiscal year 2008 funding.

EASTERN FORESTS ON THE EDGE

Over the past 15 years, Federal agencies have been studying our eastern forests and the unique value of these lands as "green infrastructure" for the American people. In particular, forested watersheds play an essential role in the crowded eastern States providing clean drinking water supplies for rural communities and distant cities alike. U.S. Forest Service and interagency studies like the Southern Forest Resource Assessment and New York-New Jersey Highlands Study Update have highlighted the acute threats to some of the most important forested water supply areas across the East, including the Southern Appalachians, Highlands, and Northern Forest. The release of the U.S. Forest Service's Forests on the Edge report has added another stark view of the future: it projects that through 2030 the Nation will lose 44 million acres of private forestland to development. According to the report, the effects will be particularly acute in the East, with all of the top fifteen watersheds for projected future development in the eastern forests and three of those in the State of Maine alone.

This conversion is driven on one track by the wave of industrial forest landowners across the United States now developing or divesting their timberlands at an unprecedented rate, responding in part to international competition that has hurt domestic producers. While these short-term economic challenges are real, there are many reasons to believe that domestic forest products will once again be highly competitive in a carbon-constrained economy that better represents the true costs of transportation of goods. It is also important to note that the slower growing and high value northern hardwoods found in areas like the Northern Forest are largely on the upswing of long harvest cycles, and will be peaking again in future decades—holding our forests will pay off.

Despite these long-term considerations, the sell-off of working forestland continues at an accelerating rate. In the Northern Forest region, for example, an incredible 23.8 million acres of forestland has changed hands since 1983, with 45 percent of that total in the last 5 years.[1] What was once constrained to certain corners

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[1] Hagan, J.M., L.C. Irland, and A.A. Whitman. 2005. Changing timberland ownership in the Northern Forest and implication for biodiversity. Manomet Center for Conservation Sciences, report #MCCS0FCP–2005–1, Brunswick, Maine, at p. iii.

of the Nation like the Northern Forest has now become a national trend led by companies like International Paper selling millions of acres of productive forestland and sensitive areas in the Upper Midwest and Southeast. Timber Investment Management Organizations (TIMO) and other investment entities are the most notable buyers for the forestland that has remained in traditional uses. These entities rely heavily on conservation easements, funded in significant part by Forest Legacy, to help generate returns from forest ownership. If continued easement funding is not available, it is likely that investment capital will dry up and lands controlled by investors will be converted for development to generate adequate returns. We know that many of the major investment groups that are playing an essential role in maintaining our forest future have written to the Appropriations Committee this spring in support of strong fiscal year 2008 Forest Legacy funding.

On another track, family forest owners across the country are also selling their lands. The return for these landowners from traditional forest uses has been undermined by rising taxes, management challenges including new pests and invasive species, and turbulence in the forest products industry. Land sales are also driven by the fact that family forest owners are statistically an elderly group nearing or at retirement age. The 4.9 million family forest owners in the Northeastern States average 60 years of age, creating a looming threat of massive ownership transfer in the coming decades.[2] As these owners increasingly look to retirement and consider passing their land onto their families, the growing gulf between forestland's forest value and development value is a significant problem. For example, from 2001 to 2005, the median price per acre of open land and forestland parcels in Vermont of 25 acres or more rose 62 percent, from $974 per acre in 2001 to $1,580 in 2005. Further subdivision only increased value: the median price per acre of open land and forestland parcels of between 1 and 25 acres rose from $4,505 per acre in 2001 to $10,000 in 2005—a 117 percent increase.[3] Slowing parcelization will require helping to close the gap between the returns that landowners can expect from keeping lands forested and selling for development. This includes providing landowners with technical assistance through continued funding for highly effective USFS State and Private Forestry programs like Forest Stewardship. Forest Legacy easements can also be an effective tool for supporting these landowners. For many, a Forest Legacy easement would provide sufficient new revenue from forest ownership to enable them to stay on the land.

CONTROLLING FOREST PARCELIZATION: FOREST LEGACY AND LWCF

It is clear that the Nation faces an historic moment in its conservation history in fiscal year 2008, as it will for the next decade. Forest Legacy and LWCF work very well as a paired set of tools that enable government agencies and non-profit organizations to keep private landowners on the land for traditional uses and also to purchase lands for new public ownership where appropriate. We feel that conservation on both tracks will have to reach unprecedented levels if we are to conserve adequate green infrastructure for the needs of the eastern States, from clean drinking water and clean air to forest products, wildlife habitat and recreation.

Our top priority Forest Legacy and LWCF projects were for the first time in many years very poorly represented in the President's fiscal year 2008 Budget. This was in part due to the administration's totally unacceptable proposed overall funding levels for both programs. Perhaps most striking was the total absence of a single Region 8 U.S. Forest Service LWCF project. This region has the fastest rate of forestland loss in the country and suffers from a highly fragmented national forest system that is being quickly and permanently compromised by development of private inholdings. The agency described this dire situation well in fiscal year 2007 testimony:

"The watersheds of the Chattahoochee National Forest supply the drinking water for the largest urban areas in the State of Georgia . . . The cumulative impact from this development and population growth surrounding the Forest is seriously threatening water quality by generating non-point source pollution."

The administration also failed to support funding for the Highlands Conservation Act, nor even many of the Highlands' Forest Legacy or LWCF projects, despite the leadership role of the U.S. Forest Service in Highlands conservation and research. We were also surprised and disappointed not to see our projects for the highly threatened Connecticut River watershed included in the administration's lists—neither the four-State LWCF request for Silvio Conte National Fish and Wildlife Ref-

[2] America's Family Forest Owners, 2003, U.S. Forest Service, Butler and Letherberry.

[3] Vermont's Housing Market—Trends and Perspectives, Handout by Phil Dodd for Forest Roundtable, Oct. 18, 2006. Available at http://svr3.acornhost.com/vnrcorg/frt//presentations.htm

uge acquisition nor the Forest Legacy request for the community-led Brushwood Community Forest project that will help a rural municipality buy its first ever town forest.

All of these projects are also notable for the enthusiastic local support for conservation that has been evidenced through letters, communications with elected officials, and attendance at public meetings. In March we traveled to Washington with local supporters for many of these projects and the others listed below, which produced more than 50 meetings with individual congressional offices across the Capitol. We encourage the Federal Government to maintain its catalytic leadership role that has delivered so much for conservation over the last decade. Thank you very much for your consideration of this testimony and the projects listed below.

LAND AND WATER CONSERVATION FUND—FISCAL YEAR 2008 EASTERN FOREST PRIORITIES

State	Project	Request
AL	Alabama National Forests	$1,800,000
AR, OK	Ouachita/Ozark-Plum Creek Inholding Tracts	2,000,000
CT	Stewart McKinney National Wildlife Refuge	710,000
FL	Suwannee Wildlife Corridor/Pinhook Swamp	1,500,000
GA	Chattahoochee-Oconee National Forests—Riparian Project	4,000,000
KY	Daniel Boone National Forest	2,848,000
KY/TN	Cumberland Gap NHP	2,800,000
ME	White Mountain National Forest—Maine Access	500,000
ME	Rachel Carson National Wildlife Refuge	2,000,000
MS	Delta National Forest—Lower Yazoo Basin	150,000
NC	Uwharrie National Scenic Trail	800,000
NH	Lake Umbagog National Wildlife Refuge	1,000,000
NJ	Cape May National Wildlife Refuge	7,500,000
NJ	E.B. Forsythe National Wildlife Refuge	1,375,000
NJ	Great Swamp National Wildlife Refuge	1,500,000
NJ	Wallkill National Wildlife Refuge	2,000,000
NJ	Delaware Water Gap NRA—Minisink Bluffs	1,200,000
PA, NJ, NY, CT	Highlands Conservation Act	10,000,000
SC	Francis Marion & Sumter NFs—Tibwin Project Area	2,350,000
SC	Congaree National Park	14,500,000
TN	Cherokee National Forest—Ripshin Mountain Wetlands	3,000,000
VA, NC, TN	Appalachian National Scenic Recreation Trail	5,115,000
VT, NH, MA, CT	Silvio Conte National Fish & Wildlife Refuge—Multiple	8,250,000
VT	Green Mountain National Forest—Cold Brook, Mt. Snow; Spruce Peak; Pine Brook	2,883,000
WV	Monongahela National Forest	300,000
	Total	70,031,000

FOREST LEGACY—FISCAL YEAR 2008 EASTERN FOREST PRIORITIES

State	Project	Request
AL	Mobile Tensaw Delta	$2,000,000
AR	Moro Big Pine phase II	2,450,000
CT	Skiff Mountain phase II	770,000
GA	Paulding County Land Area	3,500,000
KY	Marrowbone Creek State Forest (Garmon tract)	1,222,000
MA	Westfield Heritage Woods	975,000
ME	Lower Penobscot Forest	3,300,000
ME	Stowe Mountain	1,500,000
MS	State Start Up	500,000
NC	Clarendon Plantation	1,500,000
NH	Ossipee Pine Barrens	2,380,000
NH	Crotched Mountain	2,750,000
NJ	Sparta Mountain South phase II	5,700,000
NY	Tahawus Extensions	605,000
PA	Little Bushkill Headwaters Forest Reserve	7,000,000
RI	Yawgoo Pond II, South Kingstown and Exeter	1,500,000
SC	Belfast	3,000,000
TN	Big Forks	1,000,000
VA	Nottoway River	1,500,000

FOREST LEGACY—FISCAL YEAR 2008 EASTERN FOREST PRIORITIES—Continued

State	Project	Request
VT	Brushwood Community Forest	1,500,000
WV	South Branch	750,000
	Total	48,027,000

EASTERN FOREST PARTNERSHIP

Appalachian Mountain Club—Appalachian Trail Conservancy—Environmental Defense—Highlands Coalition; NC Coastal Land Trust—Northern Forest Alliance—National Wildlife Federation—Southern Appalachian Forest Coalition; SC Coastal Conservation League—Southern Environmental Law Center—TN Parks and Greenways Foundation; and Trust for Public Land—The Wilderness Society—Western PA Conservancy.

PREPARED STATEMENT OF THE ENDANGERED SPECIES COALITION

On behalf of the millions of members represented by the undersigned organizations, we urge you to increase funding for the implementation of the Endangered Species Act to no less than $185.2 million for the fiscal year 2008. We ask that this letter be included in the official committee record for the fiscal year 2008 appropriations bill.

The Endangered Species Act is a safety net for wildlife, plants and fish that are on the brink of extinction. This law successfully helped to bring back our Nation's majestic symbol, the American Bald Eagle. We have a responsibility to future generations to protect endangered species and the special places they call home. However, for years, the Endangered Species Act has been under funded, making it difficult for the U.S. Fish and Wildlife Service experts to carry out their responsibilities under the Endangered Species Act.

The four Fish and Wildlife Service endangered species operating accounts are key to effective implementation of the Endangered Species Act. All four program areas are currently experiencing at least a 30 percent staffing shortage due to budget constraints, an unacceptable vacancy rate. To adequately implement the endangered species program, a total of at least $305.8 million is needed for the four main accounts by 2012, an increase of $158 million over fiscal year 2006. Our recommendation for fiscal year 2008 is $185.2 million and the break out is detailed below.

The undersigned organizations request the following funding increases for the U.S. Fish and Wildlife Service endangered species operating accounts:

Listing.—The listing line item funds the addition of species to the endangered and threatened species list and the designation of critical habitat. This line item has suffered years of chronic under funding. There are more than 270 species currently awaiting protection on the Candidate List. An astounding 64 species have been languishing without protection since 1975. While it would be ideal to address this listing backlog rapidly, we understand that it takes time and diligence to determine these listing decisions. We therefore request an increase to accomplish the average listing number under both Presidents Bill Clinton and George H.W. Bush—these administrations were able to list an average of 60 species per year. This would require approximately $36.5 million per year by 2012. We request $25.2 million for fiscal year 2008, an increase of $7.6 million over fiscal year 2006 levels and $6.9 million over the President's request.

Recovery.—While the Endangered Species Act has been extremely successful at preventing wildlife from going extinct, the purpose of the act is to protect and recover endangered and threatened fish, plants and wildlife. The President's budget request cuts the recovery program by 7.5 percent, nearly $5.5 million. By turning its back on recovery funding, the Bush administration is setting the Endangered Species Act up for failure. The Fish and Wildlife Service must meet its mandatory responsibilities under the act to research, develop and implement recovery plans; to monitor the populations of listed species; and to oversee species recovery. It is difficult to estimate the true needs for the recovery program—current estimates place it at approximately $100 million. However, the U.S. Fish and Wildlife Service is currently developing a new database—Recovery Online Activity Reporting—which is expected to be complete in 2007 and will allow for better estimates of true costs. The conservation community would like to see the recovery program funded at no less than $121.6 million by 2012 (the increased level over $100 million accounts for

fixed costs increases needed over that time period) therefore, we request recovery be funded at $84.8 million for fiscal year 2008 as a first step, an increase of $11.2 million over fiscal year 2006 levels and $16.7 million over the President's request.

Consultation.—The consultation program is the "look before you leap" mechanism that the Federal departments and agencies must go through in order to proceed with a Federal project in areas where endangered and threatened species are located. This process reviews the impacts to species, while identifying alternatives and mitigation measures needed to ensure that the Federal Government is not driving species to extinction through its actions. It is an important part of the checks and balances system to ensure that endangered fish, wildlife, and plants are protected on the ground. Shortage of personnel in this program area causes delays of project reviews thus creating conflicts between agencies. The consultation budget also funds the Service's work with non-Federal entities for permitting and development of Habitat Conservation Plans; lack of funding prevents the Fish and Wildlife Service from ensuring that these plans are properly developed, implemented and monitored. There are approximately 800 HCPs that have been approved or are under development. Yearly costs of monitoring HCPs range from $2,000 for a simple, single species HCP to $500,000 for a complex Multi-Species HCP. To adequately implement the consultation program would require an overall program budget of $122.4 million by 2012. We request $63.2 million for fiscal year 2008, an increase of $15.2 million over fiscal year 2006 levels and $11.6 million over the President's request.

Candidate Conservation.—This program protects species before they are actually listed, thus in theory averting the need to ever list them at all. The theory fails to hold up when not enough money is provided to arrest the decline of candidate species. The program is currently extremely under staffed and staffing should be doubled to ensure adequate program implementation. This would require $25.4 million. The conservation community again requests this increase to be accomplished over 5 years and, therefore, requests the program be funded at $12 million for fiscal year 2008, an increase of $3.4 million over fiscal year 2006 levels and $3.4 million over the President's Request.

VOLUNTARY ENDANGERED SPECIES PROGRAMS

Non-Federal lands are crucial to the conservation of rare species. At least 65 percent of Federally listed plants and animals are found on non-Federal lands, with many absolutely dependent upon these lands for their survival. However, the President's budget request eliminated two important programs to carry out proactive recovery efforts on private lands—the Landowner Incentive Program and the Private Stewardship Grants Programs. These programs should be restored through the congressional appropriations process. (While these programs are important for the recovery of our Nation's imperiled species, they should not be funded at the expense of the Fish and Wildlife Service's core endangered species programs.)

LANDOWNER INCENTIVE PROGRAM AND PRIVATE STEWARDSHIP GRANTS

Endangered and other at-risk wildlife depend upon private lands for their survival. The help of private landowners is essential for the conservation of these species. Landowner Incentive Program and Private Stewardship Grants provide funding for voluntary conservation actions taken by landowners to conserve plants and animals at risk on private lands. The Landowner Incentive Program awards competitive grants to State and tribal conservation agencies for their work with private landowners and tribal lands, while the Private Stewardship Grants Program allows the Fish and Wildlife Service to provide funding directly to individuals and groups implementing private land conservation actions. In 2006, funding was awarded to efforts in 46 States, Puerto Rico and the U.S. Virgin Islands. The need for these programs far outstrips available funding—the amount requested for worthy projects on average totals two to three times the yearly available funding. To support private landowners in their voluntary conservation efforts, a total of at least $77 million is needed in these two incentive programs, an increase of $48.3 million over fiscal year 2006. Again, we request that the increase in funding occur over a 5-year period from fiscal year 2008 to fiscal year 2012 to reach this goal. For fiscal year 2008, we request these two programs be funded at $27.4 million and $11 million respectively, an increase of $9.5 million over fiscal year 2006 levels and $38.4 million over the President's request.

COOPERATIVE ENDANGERED SPECIES FUND

The Cooperative Endangered Species Fund provides grants to States for wildlife and habitat conservation activities on non-Federal lands for listed and candidate

species. Without the proposed increases States will fall further behind in their ability to independently work to protect imperiled species. Crucial conservation activities funded by these grants include: research, species status surveys, habitat restoration, captive propagation and reintroduction, planning assistance, and land acquisition by States for Habitat Conservation Plans and recovery. Twenty-seven States received funding under this program in 2006 to benefit species ranging from orchids to bull trout to migratory birds to Canada lynx. To adequately fund State endangered species conservation activities a total of at least $160 million is needed, an increase of $80 million over fiscal year 2006. The conservation community recommends this increase occur over a 5-year period from fiscal year 2008 to fiscal year 2012. We request $96.2 million for fiscal year 2008, an increase of $16.2 million over fiscal year 2006 levels and $16.2 million over the President's request.

The Endangered Species Act is a broadly supported and very successful law. A recent poll illustrated that 86 percent of voters nationwide support the Endangered Species Act. We have a responsibility to prevent the extinction of fish, plants and wildlife because once they are gone, they are gone forever. Without the necessary funding to carry out conservation of imperiled species, an increasing number will slip closer to the brink of extinction. We ask the members of the Appropriations Committee to fully fund the Endangered Species Act this year.

American Lands Alliance, Washington, DC; American Rivers, Washington, DC; Animal Protection Institute, Sacramento, CA; Arkansas Valley Audubon Society, Pueblo, Colorado; Association of Zoos & Aquariums, Silver Spring, MD; Biodiversity Conservation Alliance, Laramie, WY; Buckeye Forest Council, Columbus, OH; Buffalo Field Campaign, West Yellowstone, MT; California Trout,San Francisco, CA; Center for Biological Diversity, Washington, DC; Center for Native Ecosystems, Denver, CO; Citizens to Complete the Refuge, Palo Alto, CA; Colorado Wild, Durango, CO; Defenders of Wildlife, Washington, DC; Earthjustice, Washington, DC; Endangered Habitats League, Los Angeles, CA; Endangered Species Coalition, Washington, DC; Environment Maine, Portland, ME; Farallones Marine Sanctuary Association, San Francisco, CA; Federation of Fly Fishers, Livingston, MT; Forest Guardians, Santa Fe, NM; Great Old Broads for Wilderness, Durango, CO; Gulf Restoration Network, New Orleans, LA; The Humane Society of the United States, Gaithersburg, MD; Izaak Walton League of America-Maine, Holden, ME; Maine Audubon, Falmouth, ME; National Audubon Society, Washington, DC; National Wildlife Federation, Washington DC; Native Plant Conservation Campaign, San Francisco, CA; Natural Resources Defense Council, Washington, DC; Oregon Wild, Portland, OR; Predator Conservation Alliance, Bozeman, Montana; RESTORE: The North Woods, Hallowell, ME; San Luis Valley Ecosystem Council, Alamosa, CO; Save the Species Worldwide Foundation, Vancouver, WA; Sierra Club, Washington, DC; Sinapu, Boulder, CO; Southern Rockies Ecosystem Project, Denver, CO; Synod of Southern California and Hawaii Presbyterian Church (USA), Carlsbad, CA; Virginians for Wilderness, Staunton, VA; Wildlife Alliance of Maine, Bangor, Maine; and The Xerces Society for Invertebrate Conservation, Portland, OR.

PREPARED STATEMENT OF THE ENVIRONMENTAL COUNCIL OF THE STATES

These are the comments of the Environmental Council of the States (ECOS) to the United States Senate, Appropriations Committee, on the U.S. Environmental Protection Agency's 2008 Budget. ECOS is asking Congress to allocate no less than $3,729,407,000 to the State and Tribal Assistance Grants (STAG) portion of U.S. EPA's budget.

The Environmental Council of States is the national non-partisan, non-profit association of the leaders of State environmental agencies. Our members are the officials who manage and direct the environmental agencies in the States and territories. They are the State leaders responsible for making certain our Nation's air, water and natural resources are clean, safe and protected. ECOS members have been following the EPA budget for many years, and very closely since fiscal year 2005, the year that reductions in the STAG first began to occur. Our comments are primarily directed to the STAG portion of EPA's budget.

States are co-regulators with U.S. EPA and have the challenging job of front-line implementation of our Nation's environmental pollution laws. States have increased their capacity and as environmental protection has become increasingly important to the general public, more and more responsibilities have been moved to the level of government best able to carry them out efficiently—State and local governments—which are most efficient because they are closest to the problems, closest to the people who must solve the problems, and closest to the communities which must live with the solutions.

Today States are responsible for:

—Managing most of the delegable environmental and public health programs and rules—96 percent of the programs that can be delegated have been delegated to the States;

—Issuing environmental and public health standards under the Federal laws and for State-specific laws;

—Issuing most environmental permits;

—Collecting nearly 94 percent of environmental monitoring data in EPA's six biggest databases; and

—Conducting over 90 percent of all enforcement actions.

From the earliest days of EPA, funds have been provided to the States to assist them in the implementation of Federal programs. States also provide funds for these programs, typically many times over the Federal amount. The Federal funds are important to States because they are targeted to specific programs and help states meet Federal requirements such as permitting, enforcement, monitoring, standards development, rule issuance, and reporting—in short, all the significant components of our co-regulator agreements with the Federal Government.

During the past few years, U.S. EPA has promulgated a significant number of new rules for the States to implement. These are documented regularly in EPA's Regulatory Agenda, which designates the rules that are likely to have an impact on State and local governments (and others). EPA has compiled a list of these rules from the period 2000 through 2006 at ECOS' request. During this time, the agency issued 284 new final rules with a significant impact on the States, with many more pending. Many of these rules are well-known and involve significant effort. For example, the Clean Air Mercury Rule (CAMR) and the Arsenic in Drinking Water Rule are two of them. States must invest considerable effort to adopt and implement these rules on behalf of the agency, and real costs are involved in doing so. More rules are expected, of course, in 2007 and 2008, and so this trend continues. To be clear, the States believe many of these rules are needed. We acknowledge that they are often crucial in meeting Congress' expectations for environmental protection. Our concern is over our ability to implement them.

If Congress accepts the agency's 2008 proposal for STAG, it will mean that States will have lost over $1 billion in Federal support since 2004. The loss of these funds will certainly result in the deterioration of environmental quality and public health in the United States. The States strongly urge Congress not to accept these proposals.

In the 2008 budget development cycle, EPA for the first time involved the States in the early stages of the budget's development, and we were very appreciative of this opportunity. The ECOS officers presented information to the agency, and proposed a tier of priorities. Our highest priorities included the programs mandated by Congress in the major environmental statutes. We also had medium priorities and even low priorities. We asked that the high priority areas receive modest increases, and the moderate priorities be held at previous levels, while the low priority areas could be reduced. Our belief was that this would be the best approach to assure the most environmental protection for the areas Congress had entrusted to EPA and the States in a fiscally prudent manner. Our list of priorities is shown in Table 1. This is a list of the Categorical Grants and Infrastructure that Congress includes in the STAG portion of EPA's appropriation. The ECOS membership endorsed this approach.

EPA accepted a few of the States' recommendations, but for the most part continued the pattern of the budget from the 2007 cycle. The States nevertheless remain hopeful that continued consultation will result in a budget that supports the States' role as co-regulator and implementer of most Federal environmental programs. The States' alternative STAG budget is based on the following principles, agreed upon by the ECOS members:

1. In times of fiscal crisis, when resources are in short supply, the core mandated environmental programs funded through STAG, including infrastructure capitalization, must be funded first;

2. Reductions in EPA's budget, if they must occur, should be shared proportionately by EPA and the States after STAG levels are returned to their 2004 levels; and

3. States should be afforded the flexibility to run their core programs in a manner that will obtain the highest level of attainment with the standards set by Congress and EPA without undue hindrance from EPA, but within its oversight responsibilities.

The combination of reduction in funds and increased numbers of new rules is causing great pressure on the State environmental agencies. While States are reluctant to return Federal programs to EPA for many reasons, we have begun to see

programs returned, as well as delays in implementation of new rules. This combination potentially means increased costs to the Federal Government as well as delays, as the agency must take over implementation for items that States cannot address.

Among our top priorities, ECOS wants specifically to address the air programs, the clean water programs, the drinking water programs, and the waste programs.

The 2008 proposed EPA budget will cut $35 million from State and local air programs. This cut comes at a critical time for States and localities. States are juggling the many responsibilities associated with putting together three—and in some cases four—sets of State implementation plans (SIPs). The development of effective SIPs is essential to ensure that measures will be adopted that reduce air pollution and protect public health.

If the proposed $35 million budget cut is enacted, on average, each State will lose $700,000 (i.e., an average reduction of approximately $340,000 in fine particulate monitoring and $360,000 from the other elements of the air quality program). This is at the same time States are beginning to prepare to implement the new National Ambient Air Quality Standard (NAAQS) that EPA issued last year for fine particulate matter (PM2.5). The budget cuts would be further exacerbated by the proposal to shift the fine particulate monitoring program from section 103 to section 105 authority, requiring a 40-percent match. ECOS is asking Congress to provide States an increase for the air categorical grant of just over $25 million for 2008, when compared to the 2006 amount.

According to a report jointly prepared by EPA and the States in 2002 (State Water Quality Management Resource Analysis), the amount of funds (from all sources) that States needed to implement the Clean Water Act rules that were in force at that time was between $1.54 billion and $1.68 billion per year. Since that time, EPA has asked States to implement several new rules, including rules on stormwater phase II and permit fees, and to prepare for new rules such as one expected this summer on confined animal feeding operations. ECOS is asking Congress to provide States a Federal share of these funds of $241,542,000 for non-point source pollution control (sec. 319), and for $229,326,000 for point source pollution control (sec. 106).

Another report entitled State RCRA Subtitle C Core Program Implementation Costs (January 2007), found that "the shortfall in Federal funding to run effective and adequate RCRA Part C core programs is approximately $90 million." States also note that Congress has yet to appropriate funds for the States to meet the mandates of the 2005 Energy Policy Act with respect to inspections at underground storage tanks. ECOS is asking for $50,000,000 for the Brownfields categorical grant, $103,689,000 for the Hazardous Waste Financial Assistance categorical grant, and for $37,567,000 for the new requirements of the Underground Storage Tanks program.

Our fourth top priority is drinking water, the Public Water System Supervision categorical grant. The most recent rules promulgated by U.S. EPA are extremely resource-intensive for a State agency to implement. These rules are the next suite of Disinfection By-Product/Microbial Contaminant rules (referred to as LT 2/Stage 2; promulgated in December 2005) and the Ground Water Rule (promulgated in October 2006). These new resource-demanding rules layer on top of a suite of rules issued in the 2000/2001 time frames (arsenic, uranium, Disinfection By-Products Stage 1) that are just now hitting with full force. ECOS asks Congress to provide at least $104,170,000 for this categorical grant.

Finally, the States have two infrastructure programs as their top priorities: the Clean Water State Revolving Loan Fund (SRF) and the Drinking Water SRF. Each of these programs addresses only a portion of the total infrastructure needs, but provides an important source of funds for small towns. The States are asking for $1.379 billion and $1 billion respectively for these programs.

TABLE 1.—THE STATES' PRIORITIES FOR STAG, 2008

[Items are not rank ordered within categories]

STAG Programs	Fiscal year 2007 CR	ECOS' proposal 2008	Rationale
Highest Priority			
State and Local Air Quality Management	$220,250	$245,297	increase for new rules
Public Water System Supervision (PWSS)	98,274	104,170	increase for new rules
Brownfields CG	49,262	50,000	max. allowed
Hazardous Waste Financial Assistance	101,939	103,689	same as 2004
Underground Storage Tanks	11,774	37,567	increase for new rule

TABLE 1.—THE STATES' PRIORITIES FOR STAG, 2008—Continued

[Items are not rank ordered within categories]

STAG Programs	Fiscal year 2007 CR	ECOS' proposal 2008	Rationale
Nonpoint Source (Sec. 319)	204,268	241,542	same as 2004
Pollution Control (Sec. 106)	216,162	229,326	increase for new rules
Moderate Priority			
Environmental Information	19,705	14,850	reduced request
Beaches Protection	9,852	9,852	same as last year
Homeland Security	4,926	4,926	same as last year
Lead	13,498	13,498	same as last year
Pesticides Enforcement	18,621	18,621	same as last year
Toxics Substances Compliance	5,074	5,074	same as last year
Pesticides Program Implementation	12,907	12,907	same as last year
Pollution Prevention	4,926	4,926	same as last year
Radon	7,439	7,439	same as last year
Tribal Air Quality Management	10,887	10,887	same as last year
Tribal General Assistance Program	56,651	56,651	same as last year
Underground Injection Control (UIC)	10,838	10,838	same as last year
Wastewater Operator Training	1,182	1,182	same as last year
Water Quality Cooperative Agreements	.....	16,608	same as 2004
Wetlands Program Development	15,764	15,764	same as last year
Low Priority			
Sector Program	2,217	1,838	same as 2004
Targeted Watersheds	16,607	.....	elim. in favor of WQCA above
Subtotal, Categorical Grants	1,113,022	1,217,451	
Infrastructure Highest Priority			
Clean Water SRF	1,083,817	1,397,785	same as 2004
Drinking Water SRF	837,454	1,000,000	increase for new requirements
Infrastructure Moderate Priority			
Brownfields Projects	88,672	88,672	same as last year
Clean Diesel	6,897	.....	move to EPM account
Alaska Native Villages	34,483	15,500	President's request
Infrastructure Assistance: Mexico Border	49,262	10,000	President's request
Infrastructure Assistance: Puerto Rico	.....	.....	President's request
Subtotal, Infrastructure	2,100,585	2,511,956	
Total, all items	3,213,606	3,729,407	

PREPARED STATEMENT OF THE FEDERATION OF STATE HUMANITIES COUNCILS

Madam Chairwoman and members of the subcommittee, I appreciate the opportunity to present testimony on behalf of the State humanities councils, the State-based programs of the National Endowment for the Humanities. I am here to support the humanities community request of $177 million for the National Endowment for the Humanities and to request an increase of $30 million over the next 2 to 3 years for the Federal-State Partnership, to begin to address the many unmet programming needs identified in the communities served by State humanities councils.

The State humanities councils were created in the early 1970s, pursuant to the original act creating the NEH, to provide local access to the humanities through public programs offered in communities throughout the State. The councils are seen as full partners of the NEH, receiving their core funding through the Federal-State Partnership line of the NEH budget and using that funding to leverage additional funding from State government, foundations, corporations, and private individuals. Unlike the other programs in the Endowment, the councils operate as independent nonprofit organizations charged with conducting a statewide program supported entirely by their Federal funding and the other funds they leverage through those Federal dollars.

For the State humanities councils, the needs increasingly outstrip available resources. Following the severe cuts of the mid-1990s, funding for the NEH and the State humanities councils has continued to decline in real dollars. The Federal-State Partnership line in the NEH budget has been basically flat for more than a decade, and yet, since 1995 the Nation's population has increased by 15 percent, and the rate of inflation has been 35 percent. Meanwhile, the needs have steadily grown for programs that address illiteracy, support humanities teaching, and contribute to the understanding of our democratic institutions and culture. Further, new but costly technologies present expanded opportunities that councils are attempting to use in fulfilling their missions and responding to community needs.

A recent study conducted by the Federation of State Humanities Councils illustrates the challenge. Along with the extremely important grants that councils make to local institutions and organizations, the Federation identified four key areas of programming that councils carry out in their States: (1) Support for humanities education, including funding for both teacher development and classroom programs, (2) reading and literacy, (3) media and technology, and (4) community and institution building. Data the Federation collected about all these areas of programming reveal unmet programming needs in the amount of $50 million in communities throughout the States. In other words, councils could expend $50 million above what they are now providing to support critically important humanities education for both teachers and students; improve the reading skills of parents and children; create additional opportunities for community residents to explore their own history, learn about the cultures of their new neighbors, and discuss issues of vital importance to their future; and expand the use of technology to engage citizens in the study of their local and national history. With an increase of $30 million in Federal funds over the next 2 to 3 years, councils could leverage the additional funding at the State and local level to begin to meet these pressing needs.

These calculations do not take into account the many new areas of programming that councils are exploring daily to strengthen the underpinnings of democracy—expanded programs that involve young people in the understanding of history and ethics and prepare them for productive engagement in the civic process; strategic support for the cultural institutions that sustain public life throughout their States; and new technologies that offer the possibility for engaging and educating greater numbers of people.

In grantmaking alone, councils nationally expend more than $15 million, funding half to two-thirds of the requests they receive. But a survey of the councils reveals that these figures are far from defining actual needs, because councils discourage funding proposals from community groups when they see that they are reaching the end of their available grant funds for the year. With adequate resources, councils could easily provide three to four times the dollar amount in grants for programs designed by local groups to improve the understanding of history and engage citizens in the lives of their communities. Further, because each Federal dollar must be matched by dollars at the local level and often leverage many times the amount of the council grant, the increase in the Federal investment would multiply the funding available for humanities programs at the State and local level.

Many councils, in an effort to achieve maximum impact with their grant funds, develop special grant initiatives addressing particular needs in their States. The Kentucky Humanities Council, for example, through their "Lincoln Interpretive Grants" program, will provide grants to nonprofits throughout Kentucky to plan and implement high-quality programs defining and interpreting the Lincoln era in Kentucky, including the Underground Railroad and the Civil War. The New Mexico Humanities Council developed an initiative called "Bridges and Fences," based in part on the Smithsonian's Museum on Main Street "Between Fences" exhibit that toured the State in 2006, to initiate dialogue among the diverse communities of the State about divisive historic events. The African-American Heritage Program conceived and supported by the Virginia Foundation for the Humanities is the first project in that State to systematically capture the cultural history of the African-American community, through a database of historic sites, grants, publications, and a community partnership initiative. Through each of these initiatives and many others, councils are serving a unique and vital role in capturing endangered legacies and prompting important public dialogue.

In other areas of programming the picture is equally compelling, with needs and demand for resources far outstripping the funding available. The following are only very brief examples of the important roles councils are playing and the potential for expansion.

Support for Humanities Education.—A solid grounding in history, literature, and other areas of the humanities is the most valuable foundation we can offer our children as they begin the road to becoming engaged and responsible citizens. The

teachers who provide this grounding deserve access to all the resources possible to improve their own knowledge and build their enthusiasm for the task. Councils across the country play a key role in offering content-based professional development for our Nation's teachers at a surprisingly modest cost. The New Hampshire Humanities Council, for example, this year is offering not only a summer institute on poetry but also a series of 1-day workshops on voting history in the Nation. The Florida Humanities Council, through their Florida Center for Teachers, provides week-long education frequently focused on topics mandated but not funded by the State. Councils provide important web-based resources for teachers, as well as curriculum development and classroom programs.

Reading and literacy.—Councils also help strengthen not only reading skills but also family ties with their support for family reading programs such as the very successful and widespread Motheread and Prime Time programs. Councils in more than a dozen States offer training and curriculum development for Motheread instructors who work with small groups of parents and children to read and discuss high-quality children's literature. Prime Time, developed by the Louisiana Endowment for the Humanities in 1991, focuses on low-income families with children aged 6 through 10, encouraging family reading and discussion and promoting use of libraries. Several councils have specifically included immigrant family in these programs, easing their transition into their new homes and strengthening their language development.

Other councils have designed their own programs shaped for specific audiences. The Missouri Humanities Council offers a program called Read from the Start for at-risk parents of children 1 to 5 years of age. The New York Council for the Humanities offers "Together—Book Talk for Kids and Parents" to involve parents and their 9-to-11-year-old children in discussion of issues about American identity and culture, using children's books that address such themes as "courage" or "freedom." Their program aims to encourage the habit of reading and discussing books and strengthening family relationships in the process. The demand for these council-supported family literacy programs across the Nation is such that the current investment of $10 million could easily be doubled and still not meet the demonstrated needs.

In addition, many councils encourage the practice of reading and discussing books within communities as a forum for exchanging ideas on issues of concern, anchored in a common text. One of the Maine Humanities Council's reading and discussion series, for example, is entitled "Behind the Headlines: An Introduction to the Middle East." Councils also use these programs as a way to strengthen institutions in their State. The Pennsylvania Humanities Council's "Read About It" program has a twofold purpose—to expose a wide demographic of readers to new authors and to help develop the network of libraries in their State as community learning centers.

Media and Technology.—Councils are increasingly expanding their use of media and technology, not only to increase the audiences for their programs but to include new audiences, such as younger people, who are more comfortable with electronic forms of communication. They are also using technology to provide programming not available through other means. Humanities Tennessee is nearing completion of a web-based guide to the Unicoi Turnpike Trail, supported by NEH "We the People" funding, which the council has developed with its Story Mapper software application. Using a Google Maps interface, the guide shows points of interest on this historic trail, each accompanied by a digital image or audio or video files providing an interpretive narrative of the trail by those familiar with it. The council will provide training and support to organizations and individuals who can use the software to produce cultural tours, cultural resource inventories, virtual museum exhibitions, or K–12 lesson plans.

Several other projects provide a glimpse of the dazzling variety of content and purpose councils pursue in using these technologies. The Massachusetts Foundation for the Humanities has been educating residents about their State's history for 3 years through daily "Massachusetts Moments" aired on commercial radio and made available on a website that offers readers the opportunity for further reading. The California Council for the Humanities, now in the third year of their multi-year initiative entitled "California Stories," has launched a new program, "As I See It," which uses a variety of media to allow young people from diverse backgrounds to explore community and personal issues and present their thoughts, ideas, and discoveries to the public, gaining new skills and perspectives in the process. The Arizona Humanities Council's "Arizona Heritage Traveler Web Site," launched in collaboration with the Arizona Office of Tourism, features nearly 300 heritage destinations throughout the State, allowing travelers to design trips based on topics ranging from Native American history to contemporary architecture and astronomy.

Community and Institution-Building.—Among the most important functions State councils serve is to provide programs and services that bring communities together and strengthen local institutions. The Pennsylvania Humanities Council's special initiative, "Our Stories, Our Future," provides a variety of settings and formats for citizens of the State to reflect on stories from American history that highlight issues important to how we live our lives today. The council helps civic groups take leadership in their communities by shaping projects that illuminate current concerns and advance knowledge of the American experience. The Connecticut Humanities Council, through its Statewide Heritage Advancement Program, assists heritage institutions in addressing organizational needs identified through a formal strategic planning process. This ongoing program strengthens the museums and other history institutions that present the State's story to both residents and tourists.

With 30 years of experience, humanities councils have become remarkably effective in extending the reach of NEH programs to a wide variety of communities through an array of programs that provide resources for teachers, support scholars, increase literacy, offer opportunities for community discussions, and educate the public. With the additional Federal investment of $30 million that we are requesting over the next 2 to 3 years, we could do so much more. We appreciate the opportunity to describe our programs and needs, and we thank you for your support.

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PREPARED STATEMENT OF THE FLORIDA STATE UNIVERSITY

SUMMARY OF REQUEST

Florida State University proposes to create a Florida Coastal Marine Institute (FCMI), for the purpose of bringing researchers on southeastern coastal marine environments together with Minerals Management Service (MMS) scientists on projects related to MMS' work on the marine resources of the outer continental shelf (OCS). We are requesting $850,000 from the Minerals Management Service for this project in fiscal year 2008.

Mr. Chairman, I would like to thank you and the members of the subcommittee for this opportunity to present testimony before this committee. I would like to take a moment to briefly acquaint you with Florida State University.

Located in Tallahassee, Florida's capitol, FSU is a comprehensive Research I university with a rapidly growing research base. The University serves as a center for advanced graduate and professional studies, exemplary research, and top-quality undergraduate programs. Faculty members at FSU maintain a strong commitment to quality in teaching, to performance of research and creative activities, and have a strong commitment to public service. Among the current or former faculty are numerous recipients of national and international honors including Nobel laureates, Pulitzer Prize winners, and several members of the National Academy of Sciences. Our scientists and engineers do excellent research, have strong interdisciplinary interests, and often work closely with industrial partners in the commercialization of the results of their research. Florida State University had over $190 million this past year in research awards.

Florida State University attracts students from every State in the Nation and more than 100 foreign countries. The University is committed to high admission standards that ensure quality in its student body, which currently includes National Merit and National Achievement Scholars, as well as students with superior creative talent.

At Florida State University, we are very proud of our successes as well as our emerging reputation as one of the Nation's top public research universities.

Mr. Chairman, let me summarize our primary interest today. Beach erosion and renourishment are critical issues in regions that are dependent on tourism and recreation. Much of the Nation's sandy coastline is eroding at rates averaging 3 ft/yr, threatening coastal structures, infrastructure and wetlands, and increasing our vulnerability to major storms. As an example, Florida's beaches and barrier islands protect $150 billion in coastal structures and infrastructure. Beach-related tourism generates approximately $40 billion in direct and indirect annual spending. More than half of Florida's sandy beaches are classified as critically eroding, the result of frequent storms, sea-level rise, and the loss of sand sources due to coastal development. Recent hurricanes have drastically added to the erosion problem.

To that end, Florida State University proposes to create an MMS Florida Coastal Marine Institute (FCMI), for the purpose of bringing researchers on southeastern

coastal marine environments together with MMS scientists on projects related to MMS' work on the marine resources of the outer continental shelf (OCS).

Our work will predominantly entail research into the environmental effects of extracting OCS sand resources for beach renourishment in the Southeast. Sand for renourishment is nearly always sought offshore, where the extraction process is potentially disruptive to the marine environment. Beach renourishment is the principal tool employed in Florida to address coastal erosion. State government agencies alone spend about $30 million annually on beach renourishment-related activities. Similar amounts come from local sources and the Federal Government, for a total of nearly $100 million annually expended on beach restoration in Florida. The readily available sand resources close to shore are rapidly being depleted. OCS sand is being used more and more frequently for replenishing beaches in Florida and other States. Such use will accelerate in the future, as sources further and further offshore are tapped for sand.

Research into the environmental effects of sand extraction is multi-faceted. The offshore resource itself needs to be quantified and evaluated. Environmentally sensitive zones on the shelf need to be identified. The potential biological and physical impact on offshore extraction sites needs to be carefully evaluated. The proposed Florida CMI would be a source of much-needed expertise into these issues, and would serve as a national center to provide a focus for both generic and site-specific studies into the environmental effects of sand extraction from the continental shelf.

We are requesting $850,000 from the Minerals Management Service for this project in fiscal year 2008.

Mr. Chairman, we believe this research is vitally important to our country and would appreciate your support.

PREPARED STATEMENT OF THE FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

Madam Chairwoman, members of the committee, my name is Karen R. Diver. I am the Chairwoman of the Fond du Lac Band of Lake Superior Chippewa. On behalf of the Fond du Lac Band, I would like to thank you for this opportunity to present testimony on fiscal year 2008 Appropriations. Our Tribe occupies a reservation in northeastern Minnesota which encompasses 100,000 acres. It is a part of our aboriginal homeland and was established by the Treaty of September 30, 1854. We provide health, education, social and other governmental services to a population of 6,500 Indian people that live on or near our Reservation.

We support those parts of the President's fiscal year 2008 budget which are recommended for increases in funding. However, we are concerned that those increases do not fully address the massive unmet needs in Indian country. We are further concerned about those portions of the President's budget that would reduce or cut funding for other programs. All these programs are essential to our ability to educate our children, care for our elderly and infirm, prevent crime, and protect and manage our natural resources. We urge Congress to restore or increase the funding on which we depend to provide essential services to our members.

BIA: Education.—We support the administration's request for an increase of $15 million in the Bureau's Improving Indian Education Initiative, to ensure Indian students graduating from the Bureau of Indian Education-funded elementary and secondary school system possess the academic knowledge and skills necessary to successfully compete for employment at home and in a global economy. We also support the proposal to increase by $4.3 million the funds for Student Transportation. In addition, we support an $1.85 million increase in funding for the Native American Student Information System (NASIS) if those funds are directed to the schools themselves to offset the costs associated with implementing NASIS. If the Bureau of Indian Education does not consider supporting the schools' costs for implementing technology, then the funds should be dedicated to school operations.

While we support the overall increase to Indian education programs, we do not support the administration's proposal to increase funding for Education Program Enhancements ($5.3) or Education Management ($3.6 million) because both would allocate funds to administrative functions specific to Bureau of Indian Education personnel. In our view, these funds should not be spent on administrative costs, but instead should be added to school operations as a specific line item that would increase funding for schools coping with the cost of living factors associated with retaining qualified teachers. Investing funds into school operations is an investment in improving Indian education. Funding levels must increase at the most critical level—teachers—in order to improve opportunities for all students to achieve success in their academic pursuits.

Additionally, we do not support the manner in which the administration proposes to pay for the overall increases for education programs by cutting higher education scholarship funding and eliminating the Johnson O'Malley (JOM) program. We request that Congress restore full funding to these vitally important programs. While the Department of the Interior attempts to justify the elimination of the JOM program by claiming that it duplicates funding provided by the Department of Education, that is not the case. JOM funds help Indian children with tutoring, cultural enrichment and Native language education.

We also ask that Congress appropriate $860,000 for the use of the Fond du Lac Tribal College in converting the accreditation it now shares with a Minnesota Community College into a separate accreditation. The Fond du Lac Tribal College was established by the Band in 1987 and has since provided post-secondary education to Indian students under a partnership with a Minnesota Community College. The College currently serves approximately 500 Indian students. The Interior Department previously recognized the Tribal College as an entity eligible for Federal financial assistance under the Tribally Controlled College and University Assistance Act, 25 U.S.C. § 1801, but has advised the Tribal College that to maintain eligibility for assistance under this act, the Tribal College must convert the accreditation that it has shared with the Community College into a separate accreditation. This requires considerable resources. The Fond du Lac Band has committed staff and resources to do this work, but needs additional financial assistance to make this transition while ensuring that the best interests of the students continue to be served.

BIA: Public Safety and Justice.—We strongly support the administration's proposed $16 million increase for the Safe Indian Communities Initiative but urge Congress to appropriate additional funds above that amount. We ask that Congress increase the Band's base funding by $1.5 million for court operations and law enforcement, and request a one-time appropriation of $6 million to allow us to expand the facility that houses our law enforcement and natural resources departments but which, because of the demands on both, is no longer adequate for those purposes.

The Fond du Lac Band—like other tribes throughout the Nation—faces massive unmet needs for law enforcement. Our responsibilities for law enforcement substantially increased in the last 10 years. In 1997, when a Minnesota Supreme Court ruled that the State did not have jurisdiction to enforce traffic laws on roads within Indian reservations, *State* v. *Stone*, 572 N.W.2d 725 (Minn. 1997), it became necessary for us to establish a Tribal law enforcement department to address on-reservation law enforcement needs. The Band has done this, using a combination of tribal and Federal funds (made available through the Community Oriented Policing Services (COPS) program and the Bureau of Indian Affairs), and by cooperative agreements with local law enforcement agencies. At the same time, our law enforcement responsibilities have increased as a result of the insurgence of methamphetamine, alcohol, illegal prescription drug use, and gang-related activities on our Reservation. We have developed many different initiatives to try and combat these serious problems, and Federal assistance is critical to those efforts.

Our law enforcement department currently employs ten officers and three administrative staff-persons, but this is not adequate to address our needs. In each of the last 2 years, our officers have responded to several thousand calls. These address a wide range of matters including traffic stops, domestic assaults, disturbances, theft, drug and alcohol related incidents, suicide threats and accidents, to name just a few. With only ten officers, we cannot provide law enforcement services 7 days a week, 24 hours a day without having those officers work considerable overtime. Our limited staff also means that we are handicapped in our ability to implement pro-active measures, such as youth education and outreach programs, and assistance to the clinics in developing means for identifying and preventing prescription drug abuse. To adequately carry out law enforcement duties, we need fifteen to twenty officers. This, however, would require additional funding for staffing, training, recruitment and retention. Further, because of budget limitations, we have not been able to offer competitive salaries needed to recruit and retain officers.

Federal funding is also vital for law enforcement equipment. Our ability to effectively address crime—especially given the increase in methamphetamine-related crimes—requires basic equipment like binoculars, video cameras and other surveillance tools. Other equipment is needed as well. For example, because the Band does not own an intoxilyzer, our officers must transport persons arrested for DWI on our Reservation an hour drive each way to the St. Louis County Jail for DWI processing—pulling our limited number of officers away from their other responsibilities for long periods of time. We also anticipate incurring significant equipment costs within the next few years in order to integrate the Band's dispatching system with the more advanced dispatching system recently adopted by St. Louis and Carlton Counties—with whom we coordinate our law enforcement responsibilities. We do not

yet know the full cost of converting this system, but expect it to be substantial as it will involve the purchase of new equipment and software as well as the installation of a T–1 line.

We also urge Congress to increase Tribal Court funding. As the demands on the Band's law enforcement have grown, so too has our Tribal Court docket. We support additional funding to meet detention facility needs, but that increase should not come at the expense of a reduction in funding for Tribal Courts which have been historically under-funded and which are essential to effective law enforcement efforts.

BIA: Natural Resources.—We urge Congress to increase Federal funds for Natural Resources Management. Related in part to the Band's law enforcement work are the Band's responsibilities for enforcing conservation laws that protect natural resources and regulate Band members who hunt, fish and gather those resources both within and outside the Reservation pursuant to rights reserved under Treaties with the United States in 1837 and 1854. The Band's rights to hunt, fish and gather on lands ceded under these treaties have been upheld by the Federal courts and the United States Supreme Court. Under established Band conservation law, the Band is responsible for enforcing regulations over approximately 8,000,000 acres in northern and central Minnesota. It is also essential that the Band continue to manage its on-reservation resources in order to meet the demands of an increasing population. The on-reservation resources are vitally important to Band members as they provide the foundation for our culture, subsistence, employment and recreation. The Band seeks an additional $1.5 million to be added to the Band's base budget for the Band's Resource Management programs to enable us to continue to protect natural resources for the future generations at Fond du Lac. The funds for this program have not been increased since 1991.

BIA: Natural Resources, Circle of Flight.—We ask Congress to restore the Circle of Flight Wetland/Waterfowl Enhancement Program in the BIA's fiscal year 2008 budget to at least the fiscal year 2007 level of $600,000, and to consider providing the amount of $1,113,000 to cover actual program needs. Circle of Flight has been one of Interior's top trust resource programs for more than a decade. Since fiscal year 1991, Great Lakes tribes and our partners have restored or enhanced more than 66,000 wetland, grassland, and native prairie acres. Circle of Flight has invested more than $6 million in habitat projects, and has leveraged these dollars for an additional $18 million in Federal, State, private, and tribal funding, yielding an impressive match ratio of 3 to 1.

BIA: Human Services.—We urge Congress to reject the administration's proposal to decrease Human Services and Indian Child Welfare funding. These programs are not only historically under-funded, but Tribes generally are further severely disadvantaged by the fact that current law does not provide the Tribes with direct access to Title IV–E funds. Funding levels for human services that will lead to the successful implementation of the Indian Child Welfare Act should be increased. This is essential if this critical part of Federal law is to have its intended impact on American Indian communities and families. Furthermore, we urge Congress to increase funding for childcare subsidies for tribally licensed daycare and foster care homes and to provide 100 percent FMAP (Federal Medical Assistance Percentage) for both Title IV–E services provided by tribal employees and for child welfare case management activities. We also ask Congress to appropriate funds to analyze State non-compliance with the Indian Child Welfare Act.

Indian Health Service.—While we support the President's proposal to increase the budget for Indian Health Services, the amount of that increase ($212 million from the current funding level) still will not meet the actual costs of providing health care to Indian people. The proposed increase fails to address the high rates of medical inflation and the substantial unmet need for health care among Indian people. For instance, Indians at Fond du Lac, like Indians throughout the Nation, face disproportionately higher rates of diabetes and the complications associated with diabetes, than the rest of the population. Heart disease, cancer, obesity, chemical dependency and mental health problems are also prevalent among our people. While other Federal programs, like Medicare and Medicaid, have seen annual increases in funding of 5–10 percent to address inflation, the budget for IHS has never had comparable increases, and, as a result, IHS programs have consistently fallen short of meeting the actual needs. The Band supports the efforts of all Indian tribes to receive 100 percent of the Level of Need Formula (LNF), which is absolutely critical for tribes to address the serious and persistent health issues that confront our communities. The Band serves approximately 5,900 Indian people at our clinics, but the current funding level meets only 38 percent of our health care funding needs. In addition, the Band requests an increase in funding for substance abuse and mental

health programs in order to combat the growing methamphetamine problem on our Reservation.

In conclusion, the needs at Fond du Lac and throughout Indian Country remain massive. Your support on these funding issues is essential to our ability to maintain vitally important programs and will enable us to improve the delivery of services to Band members so that we may enter the 21st Century with a renewed sense of hope. Miigwech. Thank you.

PREPARED STATEMENT OF THE FORT RIVER PARTNERSHIP

Madam Chairwoman and members of the subcommittee I appreciate the opportunity to present this testimony in support of a $4 million appropriation to the Fish and Wildlife Service from the Land and Water Conservation Fund (LWCF) for the Silvio O. Conte National Fish and Wildlife Refuge (Conte NFWR) in Massachusetts.

The Fort River Partnership coordinates the work of Federal, State, and nonprofit partners[1] to protect wildlife habitat, working farms, and water quality in the Fort River region of the Connecticut River valley in Massachusetts. As board Chair of The Kestrel Trust, I strongly support the efforts of the U.S. Fish and Wildlife Service to expand the Fort River Division of the Conte NFWR through land acquisitions that protect grassland bird habitat along and near the Fort River.

Silvio O. Conte was a conservationist, fisherman, and champion of the Connecticut River who served as a U.S. Representative for Massachusetts' 1st District from 1959 until his death in 1991. Just before he died, Congressman Conte introduced legislation to establish a national wildlife refuge in the Connecticut River watershed, and his congressional colleagues paid tribute to his conservation legacy by authorizing the U.S. Fish and Wildlife Service (FWS) to establish the Silvio O. Conte National Fish and Wildlife Refuge in 1991. The refuge, officially established in 1997 under a plan set forth in a 1995 Environmental Impact Statement (EIS), protects native and endangered fish, wildlife, and plant species throughout the 7.2 million acre Connecticut River watershed, located in portions of Massachusetts, Connecticut, Vermont, and New Hampshire.

Available for acquisition in the Conte NFWR in Massachusetts are several tracts in Hadley—the Fort River Grasslands—that total nearly 150 acres. These parcels are part of the Grasslands Complex Special Focus Area identified in the 1995 EIS, and are prized for their frontage on the Fort River and for their habitat potential for grassland bird species such as the grasshopper sparrow, bobolink, and upland sandpiper. The Fort River is the longest free-flowing tributary of the Connecticut River in Massachusetts. In its lower reach above the confluence with the Connecticut River, the Fort River is home to the Federally listed endangered dwarf wedgemussel and many other rare species, including the bridle shiner dragonfly and burbot, a freshwater cod.

With roughly 2.5 million people in the Connecticut River watershed, the threat from development poses a challenge to the mission of the refuge and the protection of the valley's resources. Hadley, a traditional farming town rich in prime soils, is increasingly facing the challenges of rising land values and loss of rural character. The addition of these parcels to the Refuge's Fort River Division will contribute strongly to the creation of a viable land base for grassland bird species and to the health of other critical Fort River species, including the Federally endangered dwarf wedgemussel. Failure to protect these parcels will inevitably lead to housing developments in this sensitive area. An assemblage of three of the available parcels were ranked as the second highest priority for fiscal year 2007 funding for the entire FWS Region 5 because of their resource value and urgent threat, but the Conte NFWR ultimately received no acquisition funding for the fiscal year. Those parcels are subject to an agreement expiring in May 2007 that the landowners are unwilling to extend, forcing conservation groups to consider taking expensive steps to protect the Service's opportunity to acquire them in fiscal year 2008.

The select board of the Town of Hadley has declared its support for the establishment and expansion of this Division. The FWS and its partners are working closely with local land trusts to ensure that the refuge additions are leveraged through local, State, and Federal investments in farmland protection, creating a conservation mosaic in the focus area that preserves its rural, historic and scenic character and protects the quality of the town's drinking water aquifer.

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[1] The Fort River Partnership participants include representatives from the USFWS Conte NFWR, the Massachusetts Department of Conservation and Recreation, The Kestrel Trust, Valley Land Fund, Franklin Land Trust, the Conservation Fund, and the Trust for Public Land.

The estimated value of the Fort River Grasslands properties is $4 million, which is part of a larger $8.2 million request to fund other conservation opportunities throughout the four Conte NFWR States in fiscal year 2008. The $4 million appropriation to protect these Fort River properties will allow the Conte NFWR to continue to provide valuable resource protection within the Connecticut River valley in Massachusetts.

I respectfully request that you include an appropriation of $4 million for the Silvio O. Conte NFWR in Massachusetts in the fiscal year 2008 Interior and Related Agencies Appropriations bill. I also support the request of the Friends of the Silvio O. Conte National Fish and Wildlife Refuge for a total of at least $8.2 million for the entire four-State refuge. This amount will help fund the current high-priority Conte NFWR projects that are at risk of being lost in the Connecticut River watershed, a region comprising one sixth of New England's land mass and providing over 70 percent of the freshwater inflow to Long Island Sound.

Thank you for your attention to this request.

PREPARED STATEMENT OF FRIENDS OF THE ARCHIE CARR REFUGE

We are requesting an increase in fiscal year 2008 operations and maintenance funding to $500 million, for the National Wildlife Refuge System program, which is part of the U.S. Fish and Wildlife Service.

We are greatly concerned about the detriment to the Archie Carr National Wildlife Refuge, due to the severe cuts in workforce which have resulted from inadequate funding.

The Archie Carr is the only refuge established for the protection of sea turtles. This twenty and one half mile stretch of beach in Brevard and Indian River Counties in Florida hosts the largest concentration of loggerhead and green sea turtles in the United States. It is the second most important nesting site in the world for loggerhead turtles.

The Archie Carr NWR presents a special management challenge because of the extensive private in-holdings of residents and businesses. The refuge is configured linearly along the beach and is peppered with a multitude of private in-holdings. The only way to effectively manage these private in-holdings, and insure they are not harming the endangered and threatened species found within the refuge, is through refuge outreach.

Management of the Archie Carr NWR is supported by a Working Group which consists of representatives from the Federal, State, and county governments, as well as several national and local environmental organizations and universities, all chaired and directed by the refuge staff. This important cooperative effort would be put at risk as a result of the severe cuts in the USF&WS refuge staff.

The loss of refuge staff will also greatly affect sea turtle and other wildlife surveys, as well as habitat management such as predator and exotic plant controls. Education and outreach programs will be eliminated and the volunteer program will be hampered. The "Turtle Watch" programs, which are an important method for educating our children to the importance of wildlife in their lives, will be affected.

The Archie Carr NWR has a great potential to show that humans and wildlife can coexist in a shared environment. This is a message that is of utmost importance in today's world. An increase in funding for additional refuge staff is critical for the refuge to perform the function as originally intended when first created by an act Congress. We urgently request an increase in refuge funding.

PREPARED STATEMENT OF THE FRIENDS OF BLACKWATER NATIONAL WILDLIFE REFUGE

My name is Lisa Mayo, and I have been the volunteer webmaster at Blackwater National Wildlife Refuge for the last 6 years. I am requesting that Congress approve a $451.5 million budget for the National Wildlife Refuge System for fiscal year 2008.

Throughout its life, the Friends of Blackwater have been at the forefront of helping the National Wildlife Refuge System to do more with less. In 2003, the FoB was named the "Friends Group of the Year," due in large part to our efforts to improve the Nation's Friends organizations and to help refuges find volunteers and additional funds during lean times.

At Blackwater NWR, the FoB performs the equivalent annual work of 7–10 full-time USFWS employees because the staffing is so low at Blackwater Refuge—this is despite the fact that Blackwater NWR is the largest refuge in Maryland and one of the most popular in the mid-Atlantic States due to its large breeding population of bald eagles.

If not for the FoB, Blackwater Refuge would not be able to keep its Visitor Center open during the entire year—the USFWS staff would have to close it multiple times during the week and possibly for weeks during the summer. The Refuge staff would also not have the recently added second floor at the Visitor Center, or the new land trails or the new paddling trails, which were all made possible through grants that were acquired by the FoB.

As webmaster, I run the FoB website, which includes a live Bald Eagle Cam and Osprey Cam—something that the FoB pays for in its entirety. Because of our live online raptor cams, our website is one of the most popular in the Refuge System, and we spend a good deal of time reaching out to citizens and educating them about the Refuge System, wildlife conservation in America, and the need for wise management of our bountiful natural resources.

But when I read about all the cuts that will come to the Refuge System if the $451.5 million budget is not passed, I grow very despondent. It seems that the American Government is defaulting on its responsibility to properly manage the lands and wildlife of the National Wildlife Refuge System, and I can't imagine that Teddy Roosevelt would be anything but furious.

Without the $451.5 million budget for fiscal year 2008, the Refuge System will have to cut environmental education programs to thousands of schoolchildren, cut invasive species monitoring, cut biological surveys and endangered species protection, cut hunting and fishing opportunities, cut law enforcement, and cut Visitor Center hours. Poaching will increase, all-terrain-vehicle abuse will increase, and wildfires will increase—all without adequate oversight from the USFWS staff.

Some people in the Bush administration seem to think that volunteers will be able to make up the difference if large amounts of staff are cut within the Refuge System, but that is not true. First, it's not the job of the taxpayers to provide manpower for the Refuge System—that's why we pay taxes, so the Federal Government can hire wildlife and recreation professionals to do the job. Second, if a refuge has inadequate USFWS staff then there will be fewer volunteer programs since volunteers need the staff to guide them and oversee their efforts.

If we lose the staff, we will lose volunteers and the programs they provide. This will only compound the problem and create a situation where the Refuge System will be close to collapse from inadequate money and people.

I don't understand how Congress can let this happen. It is clear that much money is wasted in the Federal Government due to lack of proper oversight. From superfluous tax breaks to wealthy oil companies, to waste and theft in the Iraq War funding, to farmers double-dipping in the farm subsidy programs, there is a lot of Federal money being thrown away. A small percentage of that money could literally save the Refuge System.

Please approve a $451.5 million budget for the National Wildlife Refuge System in fiscal year 2008. Thank you for your commitment to conservation in America.

PREPARED STATEMENT OF THE FRIENDS OF THE BOUNDARY WATERS WILDERNESS

Mrs. Chairwoman and honorable members of the committee: I appreciate the opportunity to present this testimony in support of a $1.5 million appropriation from the Land and Water Conservation Fund for the final phase acquisition of Long Island in the Superior National Forest in northeastern Minnesota. I also wish to commend the chairman and committee members for supporting funding for the Land and Water Conservation Fund to protect our public lands heritage in places such as the Superior National Forest.

The mission of the Friends of the Boundary Waters Wilderness is to protect, preserve and restore the wilderness character of the Boundary Waters Canoe Area Wilderness and the Quetico-Superior Ecosystem. The organization formed in 1976 to protect this vulnerable area and two years later worked with Congress to bring full wilderness protection to the Boundary Waters. Today the Minneapolis, Minnesota-based organization has 4,000 members and subscribers nationwide.

Long Island is the largest undeveloped island on Bumtside Lake. Located 30 miles southeast of Crane Lake and 3 miles northwest of Ely, Bumtside Lake is over 10,000 acres in size. The lake is an important recreational area, with two entry points into the Boundary Waters Canoe Area Wilderness, five campsites and six public canoe launching points. The lake is also the start of an 11-mile canoe trail called Bumtside-Dead River-Twin Lakes-Everett. One of the few lakes in Minnesota that support a natural cold water fishery, the lake is renowned for its big lake trout and walleye and also supports one of the largest populations of loon in the State.

Beyond its current recreational and natural qualities, Bumtside Lake holds significant historic and cultural value. It is the location of writer and conservationist

Sigurd Olson's legendary Listening Point. As Walden was to Thoreau and Sand County to Aldo Leopold, Listening Point was a place of inspiration for Olson and where got the ideas for his books and where he crafted aspects of the 1964 Wilderness Act.

Long Island is situated directly across from Olson's beloved Listening Point. From his cabin, the ancient trees of Long Island were within his view. He undoubtedly gazed across the water of Bumtside Lake on countless occasions and contemplated the island's undisturbed shoreline and ancient trees. While Listening Point is protected today, the view across the lake featuring Long Island is not.

Long Island would be an outstanding addition to the Superior National Forest, boasting 1 mile of undeveloped lakeshore. The island has a beautiful sand beach, which would be utilized by the public for recreation. There are limited numbers of public beach areas within the forest boundaries, and this would be a rare opportunity for the public. The island is home to nesting osprey, blue heron and nesting loons and has potential for habitat for rare and sensitive species.

The 64-acre Bumtside Islands Scientific and Natural Area, which features two virtually undisturbed islands, is located immediately southwest of Long Island. These two forested bedrock islands are home to old-growth Great Lakes pine forests that are extremely rare outside of the Boundary Waters Canoe Area Wilderness. Public acquisition of the Long Island property will ensure that the attributes of the boreal forest northwoods region, so treasured by its many visitors, will be protected in perpetuity.

An appropriation of $1.5 million from the Land and Water Conservation Fund in fiscal year 2007 will secure the acquisition of the final 33 acres of Long Island, to protect its critical natural resources for the public, and maintain the integrity of the great northwoods.

Thank you, Mrs. Chairman, for the opportunity to present this testimony.

PREPARED STATEMENT OF THE FRIENDS OF CONGAREE SWAMP

Madam Chairman and members of the subcommittee: We appreciate the opportunity to present this testimony in support of an appropriation of $5.6 million from the Land and Water Conservation Fund to the National Park Service for land acquisition at Congaree National Park in South Carolina.

Congaree Swamp National Monument was authorized as a unit of the National Park Service in 1976. In 2003, Public Law 108–108 designated Congaree as a National Park—South Carolina's first and only national park—and authorized a boundary expansion of 4,576 acres.

Congaree National Park rests on the Congaree River floodplain in central South Carolina, and is recognized as an International Biosphere Reserve, a National Natural Landmark, a Wilderness Area, and a Globally Important Bird Area. All waters within the park's pre-2003 boundary have been designated Outstanding Resource Waters, and much of Cedar Creek within the park boundary is designated Outstanding National Resource Waters.

With at least 75 species of trees, Congaree hosts the Nation's largest tract of old-growth bottomland hardwood forest, and nurtures some of the tallest trees in the eastern United States with some tree heights exceeding 160 feet.

More than 190 species of birds have been observed within the park. Following rediscovery of the Ivory-billed Woodpecker in Arkansas, Congaree National Park is considered prime habitat for recovery of this species. The South Carolina Ivory-billed Woodpecker Working Group has coordinated searches within Congaree National Park each of the past 2 years.

Congaree National Park also offers excellent opportunities for recreation. A 2.5-mile boardwalk loop provides easy access into Congaree's forest, and more than 20 miles of trails are available for hiking. Visitors enjoy canoeing and kayaking on Cedar Creek, the only Outstanding National Resource Waters in South Carolina. Outdoors enthusiasts can also enjoy fishing, camping, birding, and picnicking.

In fiscal year 2005, Congress appropriated $6 million from the Land and Water Conservation Fund to purchase the 2,395-acre Bates Fork tract—at the confluence of the Congaree and Wateree rivers. This is the largest tract within the Congaree park boundary expansion authorized in 2003. The National Park Service completed this acquisition in November 2005.

fiscal year 2008 presents the opportunity to acquire the 1,840-acre Riverstone tract—the second-largest tract within the park boundary expansion authorized in 2003. The Riverstone tract will connect the previously-acquired 22,000 acres of Congaree National Park with the recently-acquired 2,395-acre Bates Fork tract. The Bates Fork tract, in turn, adjoins the 16,700-acre Upper Santee Swamp Natural

Area, owned by the South Carolina Public Service Authority. So, the Riverstone tract is the link to connect Congaree National Park and the Upper Santee Swamp Natural Area.

Resources on the Riverstone tract—including Bates Old River, Big Lake, Little Lake, Running Creek and Running Lake—have significant natural, recreational, and historical values. Bates Old River is the longest oxbow lake (4 miles) on the Congaree River and one of the longest oxbows in South Carolina. An unusual mix of sweetgum, bald cypress, water tupelo, and green ash dominates the Bates Old River ridge and swale system. The Riverstone tract harbors extensive areas of early- and mid-successional plant communities rarely found in Congaree National Park, plus dwarf cypress and planer tree communities not represented at all on existing park lands. In addition, there are numerous large specimen swamp cottonwoods and water hickories. Acquisition of the Riverstone tract will provide new and diverse recreational and historical interpretation opportunities for park visitors while adding to the park's natural resources.

A fiscal year 2008 appropriation of $5.6 million from the Land and Water Conservation Fund will provide the National Park Service with funds to purchase this critical Riverstone tract, thereby ensuring permanent protection of its outstanding natural and cultural resources, and connecting the 22,000 acres upriver with the 19,000 acres downriver.

Thank you, Madam Chairman, for the opportunity to present this testimony and for your consideration of our request.

PREPARED STATEMENT OF FRIENDS OF LAKE WOODRUFF NWR, DELEON SPRINGS, FL

My name is Elena Jarvis and I am representing the Friends of Lake Woodruff NWR, a volunteer, advocacy and educational group of some 100 members. I respectfully ask that you appropriate $451.5 million for fiscal year 2008 for the refuge system. Realistically, if the National Wildlife Refuge system were operating at full capacity with the appropriate funding, the budget should be in the vicinity of $765 million annually.

Vitally important to our Nation's wildlife, refuges provide unparalleled opportunities to hunt, fish, watch wildlife and educate children about the environment. Without increased funding for refuges, wildlife conservation and public recreation opportunities will be jeopardized.

In a larger sense, refuges also act as emissaries for the natural wonders of our country. As an almost daily visitor to the Lake Woodruff Wildlife Refuge, which is within walking distance of my home, I have met people from around the world who come to Lake Woodruff to witness its vibrant array of wildlife and plant life, including a pair of rare Whooping Cranes that have wintered here for the past 3 years. As you may know, 17 of these highly endangered birds were tragically killed this year during the Feb. 2 tornadoes that hit their winter home near Kissimmee.

Whether from China or Chile, visitors return to their homelands with not only a vision of what responsible stewardship of natural resources can be, but also, I hope, with the inspiration to encourage their own countries to follow suit. Funding for wildlife refuges, when you think of it, pays for itself through this type of positive public relations, not to mention the influx of tourism dollars from the hundreds of birders and wildlife enthusiasts who enjoy the refuges. Of course, the educational programs our refuge offers—through the kindness of volunteers—have a lifelong impact on the young people touched by them.

Refuges are vital economic engines in the local economy, fueling hotel stays, restaurant patronage and much, much more. According to Banking on Nature, a 2004 report by the U.S. Fish and Wildlife Service, recreational visits to national wildlife refuges generate substantial economic activity. Nearly 37 million people visited national wildlife refuges in 2004, creating almost 24,000 private sector jobs and producing $454 million in employment income. Recreational spending on refuges generated nearly $151 million in tax revenue at the local, county, State, and Federal level.

Currently, the National Wildlife Refuge System suffers from a $2.75 billion operations and maintenance stewardship funding backlog, which will only grow larger if the current rate of funding continues. Because of this, refuges such as ours, struggle to meet even its most basic wildlife conservation objectives. In fact, shortfalls have led to the decline of refuge habitats and wildlife populations, aging facilities and infrastructure, the cancellation of many public use programs and increased crime on public lands.

More troubling, some refuges may be forced to close their doors as a result of declining budgets.

Since moving to DeLand 6 years ago from Los Angeles—an area that knows a thing or two about unrestricted growth, as well as conservation—I've seen visitors to Lake Woodruff grow, as money for maintenance dwindles. Until 2 years ago, our refuge was able to offer visitors trash and recycling bins, though, even then, not everyone used them. Today, without the funds to pay for refuse pickup, there are no bins available. Consequently, the trash problem has increased. Volunteers help, but on many days I have observed Woodruff's program manager, Harold Morrow, picking up garbage himself. Not a very constructive use of his time, in my book. As a frequent visitor to Lake Woodruff, I cannot tell you how often I have picked up wads of fishing line, which pose an extreme danger to Lake Woodruff wildlife, including the Whooping Cranes.

Currently, Mr. Morrow is planning to ask volunteers to help reforest an area of the refuge with native slash pine. He estimates he will need enough people to plant more than 20,000 seedlings. In addition, he hopes to improve the health of the forest bed with native plants which he now does not have the money or manpower to facilitate. Of course, dealing with invasive species and plants is an ongoing battle being fought largely, once again, by volunteers.

Because we have a large population of new immigrants and illegal aliens in Volusia County, primarily from Mexico, it is important for the refuge to offer educational programs in Spanish to help these residents appreciate the importance of the refuge and its fragility. We simply do not have the money or manpower at this time to address that pressing issue.

As a member of the Friends of Lake Woodruff, I respectfully request that you push for increased funding for the National Wildlife Refuge System in fiscal year 2008 to $451.5 million. I hope you support the Friends of Lake Woodruff and others across the country by securing strong funding for the National Wildlife Refuge System.

PREPARED STATEMENT OF FRIENDS OF THE LOWER SUWANNEE AND CEDAR KEYS NATIONAL WILDLIFE REFUGES

Honorable Feinstein, I would like to request an appropriation of $500,000,000 for the National Wildlife Refuge system. The House Report 109–465 dated May 15, 2006 clearly identified the problems budget shortfalls have created for the National Refuge system. The trend to cut spending for our refuge system of 96 million acres is not an effective conservation strategy. In Florida alone, there has been a decrease of 14 positions from 2004–2006. With the current level of funding, there are expected to be another 21 positions cut in Florida by 2009. The H.R. 109–465 report stated that, "Increased funding recommended for National Wildlife Refuge operating needs should be used to pay critical energy and other cost increases and to fill the most critical staffing vacancies." The problem with the proposed budget of $382 million is that it does not even keep pace with the normal increased cost of operations when compared to last year's budget.

With an estimated $2.75 billion operations and maintenance backlog, the increased funding to $500,000,000 would be a positive step to reestablish the conservation health of our National Wildlife Refuge system. The $250,000 requested for the Lower Suwannee and Cedar Keys NWR would help reinstate cut staff positions and help cover increased operational expenses for these refuges.

As president of the Friends of the Lower Suwannee and Cedar Keys National Wildlife Refuges, I represent over 190 members. The mission of the Friends of Lower Suwannee and Cedar Keys NWF ". . . is to provide active advocacy and physical support for the successful stewardship of the refuges." The Florida Wildlife Federation, a statewide organization of 50,000 members, strongly endorses this request for increased funding for the National Wildlife Refuge system. The mission of the FWF ". . . is the restoration, protection, wise use and scientific management of natural resources in Florida."

The Lower Suwannee NWR comprises over 50,000 acres that is split by the historic Suwannee River for the last 20–25 miles where the river empties into the Gulf of Mexico. With the exception of a small community, Fowler's Bluff, there are no homes on this stretch of the river until one reaches the Gulf. The Cedar Keys NWR is comprised of some 727 acres on 13 islands in the Gulf of Mexico.

The Lower Suwannee NWR is special and unique in the following ways:

—The pristine natural condition of the refuge helps protect the environmental health of the Suwannee River and the surrounding area.

—The Suwannee River is home to a wide variety of plant and animal life. The river is the most important spawning ground for the protected Gulf sturgeon. The river is also an important habitat for the endangered manatee.

—The refuge contains a unique combination of upland hardwood, wetland/swamp, and saltwater marsh habitats. Of particular interest, one can find both temperate and tropical types of vegetation in the refuge.

—The refuge provides habitat for a wide variety of birds including 15 endangered or threatened species like the Bald Eagle. The refuge is an important nesting site for the short-tailed hawks of which there are only an estimated 200 mating pairs in the wild. The swallowtail kite once widespread, now is restricted to just the Southeastern portion of the United States with the refuge being a very important nesting site.

—Combined with surrounding State Parks, the refuge will become an even more important conservation area as Florida's population increases.

—With constructed bat houses, the refuge has successfully established a viable bat population that serves as a model for future bat projects.

—Many important cultural heritage sites are also to be found in the refuge.

The Cedar Keys NWR is special and unique in the following ways:

—The 727 acre refuge composed of 13 islands is a major rookery for pelicans and a wide variety of shore birds.

—As studied by the University of Florida's Florida Marine Center, of particular interest is the symbiotic relationship of cottonmouth moccasins and nesting birds on Seahorse Key. The moccasins provide protection from predators like raccoons and rats for the nesting birds. In return, the birds provide a steady diet of fish for the moccasins. According to Dr. Harvey Lillywhite, Director of the Center, this is the only place on earth that such a relationship between snakes and birds exists.

—Historically, the refuge contains important historical structures including the Seahorse Key Lighthouse designed in the 1850s by Lieutenant George Meade, later to become General Meade of Gettysburg fame. It is also of interest that the lighthouse sits on a natural dune that is some 50+ feet above sea level. This makes it one of the highest points in the Big Bend area of Florida.

—This refuge also provides a vital barrier island system.

The biggest impact on the budget shortfall with the present proposed budget is that there has not been sufficient funding to maintain adequate staffing for the Lower Suwannee and Cedar Keys NWRs. The lack of staffing presents the following difficulties:

—Not having a designated position for a biologist makes it problematic to achieve the NWR mission of wildlife conservation.

—Presently, there is only one law enforcement position with the refuges. The Suwannee River splits the Lower Suwannee NWR. To police both the Levy County and the Dixie County side of the refuge requires at least a 50-mile trip to go from one side of the refuge to the other. Last year, marijuana was discovered growing on the refuge, but clearly, it is problematic to patrol the entire refuge. Because the Cedar Key NWR is scattered over 13 islands in the Gulf of Mexico, it is equally problematic to be patrolled by one law enforcement officer.

—There are not enough personnel to adequately monitor such things as invasive species and generally monitor the conservational health of the refuges.

—The cut back in staffing has made it increasingly difficult to provide adequate services for the 170,000 visitors to the refuges each year.

—The Cedar Keys Refuge is a satellite refuge monitored by the staff at the Lower Suwannee NWR. Even with the University of Florida Marine Center on Seahorse Key, there is a real concern about adequately monitoring the refuge with so few personnel.

With adequate staffing and operational funding, the refuge staff, with the help of the Friends of the Lower Suwannee and Cedar Keys NWR, would be able to:

—Provide better monitoring of the health of the refuges' habitat,

—Consistently police the proper utilization of the resources of the refuges and to protect the habitat and its wildlife,

—Conduct more programs for school children to learn about conservation,

—Expand the conservation efforts across other public agencies as well as private stakeholders to deal with common problems like invasive species eradication and the protection of endangered species,

—Upgrade and maintain public facilities like roads, docks, boardwalks, observation stations and signage,

—Expand public access and use of the refuges, and

—Monitor, manage, and protect the floral and fauna in the refuges.

Thank you for considering these requests.

PREPARED STATEMENT OF THE FRIENDS OF THE TAMARAC NATIONAL WILDLIFE REFUGE IN MINNESOTA

Madam Chairwoman and members of the subcommittee: On behalf of the Tamarac Interpretive Association, the friend's organization of the Tamarac National Wildlife Refuge in Minnesota, I am submitting testimony for the Senate Appropriations Subcommittee on Interior, Environment and Related Agencies. We support a funding level of $451 million in fiscal year 2008 for the U.S. Fish and Wildlife Service's (FWS) National Wildlife Refuge System Operations and Maintenance (O&M) account and adequate funding for Visitor Services.

The National Wildlife Refuge System budget must increase by $15 million each year in order to maintain services and programs from the previous year. The $15 million increase accounts for cost-of-living increases for FWS personnel, growing rent and real estate costs and other cost increases, while sustaining current levels of visitor services and wildlife management.

As a result of several years of annual funding increases less that increases in costs, the Midwest region early this year was forced to cut 71 positions, including 27 in Minnesota—a 20 percent reduction. These Minnesota lost positions included nine managers/resource specialists, six park rangers, six biologists/biology technicians, three maintenance workers, and three administrative staff. Positions cuts included the Region Office management divisions. At the Tamarac National Wildlife Refuge there has been the loss of one of the station's maintenance positions that will result in creating a backlog of repairs and regular maintenance of facilities, vehicles, refuge roads, parking areas, and hiking trails. Since the remaining maintenance position is seasonal, the impacts will include reduced snow removal on refuge roads, parking areas and at the headquarters/visitor center. One staff position was lost at the nearby Detroit Lakes Wetland Management District causing the elimination of biological surveys used to influence wildlife habitat restoration and land protection activities. Several local partnerships will also likely be terminated due to lack of staff. In addition, local Hamden Slough National Wildlife Refuge has had its entire staff reassigned to Detroit Lakes Wetland Management District and has experienced the loss of the refuge manager position. The transfer of refuge staff will result in a diminished capacity to intensively manage Hamden Slough habitats. Without a local office, visitation is expected to decrease.

Tamarac National Wildlife Refuge was established in 1938 to serve as a breeding ground and sanctuary for migratory birds and other wildlife. Tamarac Refuge's nearly 43,000 acres lies in the heart of one of the most diverse vegetative transition zones in North America, where tall grass prairie, northern hardwood and boreal forests converge. These transitional habitats provide a haven for a diversity of wildlife species and some, such as the timber wolf, are at their extreme edge of their range in Minnesota. While the needs of wildlife are the first priority, Tamarac Refuge also provides many opportunities for visitors to enjoy and learn about our natural world through wildlife-compatible activities.

Tamarac National Wildlife Refuge generated $880,500 in total economic activity related to refuge recreational use and six jobs for the nearby community Detroit Lakes, according to Banking on Nature 2004: The Economic Benefits to Local Communities of National Wildlife Refuge Visitation. The same report found that national wildlife refuges are major economic engines for communities, putting almost $1.4 billion into the U.S. economy. In 2004, over 35,000 visitors to Tamarac NWR enjoyed a variety of recreational activities, including non-consumptive activities, hunting, and freshwater fishing. Visitor recreation expenditures totaled $243,400 with non-residents accounting for 40 percent. These expenditures generated $329,800 in final demand and $55,000 in tax revenue for our local Becker County. Nationally, the National Wildlife Refuge System created nearly 24,000 private sector jobs as the $1.4 billion flowed through the economy, generating about $454 million in employment income. Additionally, recreational spending on national wildlife refuges generated nearly $151 million in tax revenue at the local, county, State, and Federal level.

In fiscal year 2006, there were 58,500 visitors representing 83,603 visits to the Tamarac National Wildlife Refuge. Of these totals, 48,500 came for wildlife observation, 6,625 for hunting, and there were 7,514 visits to the visitor center. The lakes area in Northwestern Minnesota, like the areas around other refuges near populated areas, has been rapidly developing with lakeside and rural seasonal and year-round homes. With diminishing habitat, Tamarac's 43,000 acres are a key "refuge" for migratory bird and other wildlife production. Due to the same developmental pressures, the Tamarac NWR is also increasingly an island of relatively natural forests, lakes, marshes, and prairie. Development and "No trespassing or hunting" signs proliferating across the landscape also make Tamarac NWR an important re-

maining public hunting area. Several lakes on the refuge are open to fishing, providing a fishing experience on a more pristine lake. The Tamarac NWR also has an active visitor services and education program, with interpretive trails, observation decks, guided tours, special weekend interpretive opportunities, and a visitor center. Last year, Tamarac staff provided programs for over 4,000 students and adults—including many local schools. With a primary purpose of migratory bird and wildlife production, these additional and sometimes competing uses are managed well. Tamarac NWR, as all refuges, is completing a Refuge Comprehensive Conservation Plan with input from public hearings, to better balance public use while maintaining its first priority of the protection of wildlife and habitat. In just 2 years, visitation has increased significantly making the job of balancing wildlife and people evermore important; a critical time for needing staff and resources.

The Tamarac Interpretive Association, the friends group of the Tamarac National Wildlife Refuge, was founded in 1992. Our mission is to facilitate activities and programs that interpret, protect and restore the natural and cultural resources of the refuge. We work to support the refuge in any way we can and that is requested. We have been involved in assisting with interpretive and educational programs, improving of visitor center exhibits, assisting with special events, developing a library of educational materials, and we support the refuge's volunteer program. We operate a giftshop of wildlife and nature themed books, clothing, and other items. All proceeds, along with friends' group dues and other contributions go to help us in our refuge supporting mission. With the mounting pressure on refuge budgets and staff, our friends group wrote a grant this last year that was funded that equips a friends office with needed technology, and along with training of our members, attempts to enable us to carry a heavier load.

Our friends group has no paid employees; all our time is volunteer time. Collectively, last year 54 volunteers at the Tamarac National Wildlife Refuge donated over 3,900 hours. Individuals assist the refuge with biological field studies, environmental education, facility maintenance, visitor center hosts, leading tours, and many other functions. Last year, a FWS funded observation deck was totally constructed with volunteer labor. With the savings, binoculars and spotting scopes were purchased for the visitor services program. Last fiscal year, I was able to provide 1,009 volunteer hours and this fiscal year I have 530 to date. There are many individual stories of commitment from dozens of hours a year to hundreds a year. Across the refuge system, last year nearly 38,000 volunteers donated more than 1.4 million hours. The value of this labor has been estimated to be more than $25 million.

We as volunteers and we as refuge friends groups can only do so much. Refuge system funding that amounts to annual cuts have not only eliminated any slack, but has produced maintenance and program backlogs. The refuge system faces a crippling budget backlog of more than $2.5 billion. The refuge system categorizes its operational needs into tiers. Considered the most urgent and important of priorities, unfunded Tier-1 projects currently number more than 2,320 and sum to over $251 million. Of these, 919 backlogged projects are considered "mission critical."

If Congress only funds the refuge system in fiscal year 2008 at the recent static rates—which are budget cuts in real dollars, an analysis by the Midwest Region of cost increases for salary (+3 percent per annum between 2007 to 2009, coupled with a management goal of hitting an 80:20 ratio of salary to management capability leads to the conclusion that absent positive changes in the funding trend, an additional 36 positions must be abolished by fiscal year 2009. At the Tamarac National Wildlife Refuge this will most likely lead to changes or reassignment in the duties of its staff. Such a change will have a crippling effect on the refuge's public services and educational programs (particularly school groups), its habitat management capabilities, its volunteer program, and its working with its friends group. Our friends group and volunteers could not even begin to make up the difference and programs would have to be significantly reduced. Static budgets would also mean a further deterioration of the refuge infrastructure of roads, trails, buildings, etc. This year's one full-time maintenance position loss has already left the refuge without a maintenance worker over the winter months. Static budgets would also lead to less wildlife and wildlife habitat management, as biology staff duties are spread out to neighboring refuges and Federal wildlife management areas.

The funding pressures on our Nation's wildlife refuge system are no longer a matter for refuge staff doing more with less, simply, less will be accomplished. As volunteers and members of friends groups, this situation severely stresses us. Our role is not to fill in staff and budget shortfalls. Yet, we try and do what we can. We now need our elected representatives in Congress to do their part in funding in fiscal year 2008 the needed $451 million.

PREPARED STATEMENT OF THE FRIENDS OF VIRGIN ISLANDS NATIONAL PARK

Madam Chairwoman and honorable members of the committee: I appreciate the opportunity to provide testimony on behalf of an important land acquisition funding need at Virgin Islands National Park. An appropriation of $4.5 million from the Land and Water Conservation Fund is requested in fiscal year 2008 to begin Park Service acquisition of the unique Maho Bay property.

I represent the Friends of VI National Park, a 501(c)(3) non-profit organization, dedicated to the protection and preservation of the natural and cultural resources of VI National Park and to promoting the responsible enjoyment of this national treasure. We have more than 3,000 members—20 percent of whom live in the Virgin Islands and the balance represent every State in the union.

We carry on the rich tradition of using private philanthropy for the betterment of this park as well as mobilize volunteers and community participation. In our 19 years of work in support of VI National Park we have been involved in many initiatives, projects and activities that help this park be a model of natural resource protection and cultural preservation—but none have been as important as our work in support of the acquisition of Estate Maho Bay and its incorporation within the park.

We have played the important role of informing and motivating the community about the issues related to the preservation of Estate Maho Bay. But motivation was hardly needed; the preservation of Estate Maho Bay and ensuring unimpeded access to this spectacular area enjoys near unanimous support among native St. Johnians, residents who have moved here from mainland United States and visitors alike—no easy feat for a community that prides itself in its diversity of opinions.

Virgin Islands National Park, located on the island of St. John, is a tropical paradise preserved for the enjoyment and edification of the public. Beautiful white sand beaches, protected bays of crystal blue-green waters, coral reefs rich in colorful aquatic life, and an on-shore environment filled with a breathtaking variety of plants and birds make St. John a magical place. More than 800 species of trees, shrubs, and flowers are found in the park, and more than 30 species of tropical birds breed on the island, which was designated an international Biosphere Reserve by the United Nations in 1976. St. John is also home to two species of endangered sea turtles, the hawksbill and the green. In addition, the park contains archeological sites indicating settlement by Indians as early as 770 B.C. The later colonial history of St. John is also represented by remnants of the plantations and sugar mills established by the Danes in the 18th and 19th centuries.

One of St. John's most popular eco-campgrounds sits on a cliff overlooking Maho Bay and its pristine white sand beaches. The bay's campgrounds create memorable vacations in the beautiful setting of St. John without sacrificing the delicate ecosystem of the island. Few places on earth match the breathtaking beauty of Maho Bay. A lush forested slope rising nearly 1,000 feet rims its crystal waters and soft white beaches. Hundreds of tropical plant species and more than 50 species of tropical birds fill these lands on the island of St. John, at the heart of the American paradise of Virgin Islands National Park. Just offshore are seagrass beds, green turtles and magnificent coral reefs. This fragile area contains large nesting colonies of brown pelicans, as well as the migratory warblers and terns that winter on St. John. In addition to its natural treasures, the largest concentration of historic plantations and ruins on the island is found within this area. Several key properties at Maho Bay lie within the boundaries of the park and are high priorities for acquisition by the National Park Service (NPS).

Available for acquisition in fiscal year 2008 is the first phase of a 211-acre acquisition of properties surrounding Maho Bay within the Virgin Islands National Park boundaries. The Maho Bay properties offer spectacular views of the bay and have more than a quarter-mile of beachfront. These properties are extremely important because of their relationship to the whole undeveloped area and its cultural resources. The land was historically used during the plantation era for agricultural activities such as sugar cane, coconut, and cotton cultivation. With increasing growth and investment throughout the Caribbean—including places not far from the unspoiled beauty of St. John—these vulnerable lands have become the focus of intense development threats. In recent years, more than one investor has envisioned private development along these shores, which would jeopardize the unique character of Maho Bay. Once this land is acquired by the park, future visitors will be treated to spectacular views of Maho Bay and some of the most accessible and scenic shoreline and waters on St. John.

The total estimated fair market value of the 211 acres is at least $25 million. These properties are being made available to the National Park Service for a total of $9 million over 2 years, with the balance—approximately $16 million—to be provided through private donations of cash and land value. This year, an appropriation

of $4.5 million is needed from the Land and Water Conservation Fund toward the purchase of the first phase (105 acres) of these valuable lands.

Madame Chairwoman and distinguished committee members, I want to thank you for this opportunity to testify on behalf of this important national protection effort in Virgin Islands National Park. On behalf of the Friends of Virgin Islands National Park and the over 1 million visitors to the Park each year, I appreciate your consideration of this funding request.

PREPARED STATEMENT OF FRIENDS OF THE WALLKILL RIVER REFUGES

Madame Chairwoman and honorable members of the committee: I appreciate the opportunity to submit testimony in support of the Friends of the Wallkill River National Wildlife Refuges for the proposed $451,500,000, to substantially increase the maintenance and operations budget for the National Wildlife Refuge System. The Wallkill River and Shawangunk Grasslands National Wildlife refuges, which I am here to talk about today, exemplify the need for this increase in support of the extraordinary natural heritage that hangs in the balance.

I grew up 10 miles from downtown Denver, Colorado, where grasslands spread for countless acres beyond my house. Now, for many miles in all directions, development upon development cover the plains and mountains. What was once unlimited waves of wind through the grass and immense forests are now gone, replaced by growing concerns over drought and water rights. For me, it is just too depressing to go home. For this reason, I work for open space preservation.

Under the October 9, 1997, Congressional Public Law Act, 105–57 section 5. Administration Generally, 4(a) (16 U.S.C. 668dd(a)):

(3) With respect to the System, it is the policy of the United States that—

(A) each refuge shall be managed to fulfill the mission of the system, as well as the specific purposes for which that Refuge was established.

(4) In administering the System The Secretary shall—

(A) provide for the conservation of fish, wildlife, and plants and their habitats within the System.

(B) ensure that the biological integrity, diversity, and environmental health of the System are maintained for the benefit of present and future generations of Americans.

(C) plan and direct the continued growth of the System in a manner that is best designed to accomplish the mission of the system, to contribute to the conservation of the ecosystems of the United States, to compliment efforts of the States and Other Federal Agencies to conserve fish and wildlife and their habitats, and to increase support for the System and participation from conservation partners and the public.

Through this act of Congress, Americans defined what the NWRS should be. Without this funding, the System cannot meet this mandate. While we will all be able to spend time pointing fingers, the wildlife and habitats and people that enjoy them will suffer.

In 2004, the Wallkill River and Shawangunk Grasslands, two separate refuges in two States, had a combined core budget of almost $600,000, with six full time staff members. Today, both Refuges have two staff members with a core budget of about $310,000. As disparaging as this 48 percent cut sounds, the refuges will have their manager position eliminated and suffer another $120,000 cut. That leaves just the biologist to address all the actions the System must fulfill. It simply is not possible. The Wallkill River and Shawangunk Grassland NWRs are a prime example of how the current budget crisis facing the system is playing out.

The act states: "monitor the status and trends of fish, wildlife and plants of each refuge." The habitats cannot be managed with only one biologist and one soon to be lost manager for two refuges. Invasive plants grow unchecked, as the refuges do not have adequate manpower to constantly battle them. This gives rise to other problems such as loss of the foods and nesting sites that native species provide for migratory birds and native animals. It will be far more costly to come back years from now to reclaim these areas than it would be to simply provide the resources to keep invasive species in check.

With one full time employee remaining and another scrambling to find a new place to live and work, the staff struggles to satisfy its more than 30,000 visitors a year, run one of the finest hunt programs in New Jersey, maintain trails, fix or demolish its decaying buildings, manage for endangered species and more than 200 species of songbirds, perform biological studies, fulfill an administrative workload that typically consumes 10 or more hours per week, and to generally maintain a 5,100-acre refuge and a 566-acre refuge. All of this is done to maintain the incred-

ible wildlife habitat on the fringe of metropolitan New York and in the most congested State in the Union.

To compensate the Service has "complexed" the refuges with the Great Swamp NWR in Morris County, N.J. The Complex has been designated "stay strong" by the Service. The end result is a shell game that would impress the most experienced carnival worker. Wallkill has seen its equipment reassigned, its staff positions eliminated, its budget gutted, its public programs reduced and its borders encroached, and its habitat management capability reduced. The Great Swamp NWR sends some staff to assist when it can, but the help is a pittance compared to what is needed, and all the while the Great Swamp's workload piles up. Getting a refuge law enforcement officer to the station usually takes more than an hour, 2–3 hours to get to the Shawangunk. And by then the damage is done and the perpetrator gone. If this is "stay strong," I'd hate to see what the status quo is.

As a result of the lack of staff, the problems at the refuges bubble like a not-so-dormant volcano. ATVs regularly trespass on the Wallkill Refuge, ripping up trails, damaging gates and disturbing visitors, wildlife and habitats. People have broken into unused buildings causing damage and creating new safety hazards. Hunters are not checked as frequently as in the past and reports of hunting violations are all too common. Evidence of illegal drug and alcohol use in unpatrolled areas is on the rise

One goal of the NWRS is to provide environmental education and interpretive programs. The Refuges rely on its Friends Group and volunteers more and more to address this requirement. The Friends Group supports the refuges wherever it can, but still core refuge operations require expertise, experience and clearance beyond the scope of Friends and Volunteers to help.

The maintenance situation is perilous as well. Right now, nationally, there is a $1.5 billion backlog on maintenance. That is almost three times the entire operations budget requested for the system. Wallkill has 15 buildings that need to be demolished. The Wallkill has no maintenance staff. Great Swamp has lost one maintenance position; the staff there is unable to help except in dire emergencies. These buildings are hazards to the community, an invitation to vandals and drug users and a public eyesore. People are complaining.

The cost to remove each building ranges from $5,000 to $25,000, for a total of about $160,000. The entire maintenance budget for the entire complex is about $190,000. When I speak of a backlog, this is merely the tip of the iceberg.

Under subsection (C) above: "plan and direct the continued growth of the system in a manner that is best designed to accomplish the mission of the System," as part of its required Comprehensive Conservation Plan, the Service is working to expand the Wallkill boundaries by almost 10,000 acres. In what is perhaps one of the most impressive coalitions of interested groups currently working on behalf of wildlife conservation in the Northeast, the refuge has taken a leading role in preserving almost 40,000 acres of New Jersey's best remaining valley habitats. Migratory birds, forests, wetlands stream side habitats and endangered species depend on this currently unprotected expansion corridor for homes and food. State, county, local and private organizations along with private citizens have banded together to bring this plan to the brink of approval. At the same time New Jersey's Highlands Conservation Act has made these same lands a prime focus for developers. The expansion area lands are in the area the Highlands Act directs the development into. Just in the last year, the Friends Group has seen the loss of some prime locations near the refuge as they are converted to become strip malls and McMansions. The Friends Group is even in an ongoing battle to protect the existing refuge from construction of a new high-density development and a sewage treatment facility 220 feet from refuge property.

Obviously, a plan for a refuge that involves budget cuts and staff reductions does not seem to fit with an ambitious expansion plan. Clearly, the Service and the community recognize the need for an expanded refuge, as the alternative will mean a reduced quality of life for people and wildlife. Protected land is forever, and the refuge staff will be able to work with the land once more appropriate staffing levels come back to Wallkill. If the land is lost to development, no level of refuge staff will be able to compensate for its loss.

SHAWANGUNK GRASSLANDS NWR

Even when Wallkill was fully staffed, there was little time for them to make the 50-minute trip up to the 566-acre Shawangunk Grasslands NWR. This refuge is a grassland gem. Between farming, development, and reforestation, habitats for grassland birds in this area of New York have dwindled to almost nothing. Providing one of the few grassland habitats for more than 200 species of grassland birds, the area

is regionally renowned as grassland. As a result, Shawangunk Grasslands is the best hope for many species. Although the refuge manager at Wallkill has been relatively active in the area and has created some helpful partnerships, the Service's physical presence at the refuge is almost zero. This hurts the refuge and the community that visits the site. Vandalism, poaching and trespass can go unnoticed for long periods and then there is no budget for addressing these problems once discovered. The approved CCP for Shawangunk includes three staff positions for the refuge, but with only one person stationed at Wallkill to oversee the function of two refuges, there is little hope that the Shawangunk refuge will function as the Service is charged by law.

LAND ACQUISITION

Preserving land and conserving species is what the refuge system is all about. Without money for land acquisition, the ability of the service to fulfill its mission is compromised. Unique, valuable habitats can be lost to development very quickly. Subsection (F) of the 1997 act states: "assist in the maintenance of adequate water quantity and water quality to fulfill the mission of the System and the purposes of the refuge." It is paramount that the Wallkill River's headwaters be preserved to fulfill the obligation of protecting the integrity of this north-flowing river. The Wallkill River has only limited State protection, and without this, it imperative that the Wallkill River and its tributaries be enveloped by the protection of the wildlife refuge. Water availability is a big red flag that should be limiting development across the region. Water supplies must be protected, which is exactly what the State and Federal Highlands legislation New Jersey Highlands Act help do. In order for the Wallkill River to get to accomplish this task outside of the Highlands, there must be funds to acquire lands for protecting the river, its water and the refuge. In the long run, watershed protection, aquifer recharge and buffering will save tax payers dollars and maintain our quality of life.

Fragmentation and nearby development often threatens the integrity of our national wildlife refuges, and Wallkill is the poster child for this issue. Bringing new land into the system reduces local fiscal and labor burdens on taking care of these parcels, improves the quality of life for local residents, improves the visitor experiences and often increases the value of surrounding properties. We urge you to continue to invest in land acquisition funding for these refuges. It is critical to protecting the integrity of the existing refuge wildlife and ensuring natural landscapes for our citizens to use and enjoy.

BUDGET

Many organizations are supporting an increase in refuge operations funds to $451.5 million. The Friends of the Wallkill River Refuges supports this figure as well. At current levels, the only thing the system can do is use a complex set smoke and mirrors to appear to be able to accomplish the charges in the Refuge Improvement Act.

In the Northeast Region, the regional administration believe a 3-to-1 ratio should exist in terms of labor dollars to management dollars. While we support this goal, which would provide staff the ability to be more effective, the number of cuts proposed to reach this ratio underscore how underfunded the refuge system is.

Unfortunately, the nature of government works against itself in this venue. Regional and Service administrators have performance standards based on showing increases and improvements that cannot be managed without creating a deficiency in another area. In order to effectively address this issue, the Service must be able to report truthfully on the condition of its facilities and the scope of its accomplishments. Until this changes, Service managers will have to continue to make sure no one notices that accomplishments and professionalism on paper do not constitute actual results. For example, the Service's own current literature on the downsizing plan and their fact sheets still report Wallkill as having a staff of 5, 6, or 7, and a budget of $1.4 million, depending on the publication. In actuality, the current budget is $310,000 for two staff members, with the management position being eliminated and the budget reduced to $190,000. The Service does not have the staff to keep documents and data updated. The downsizing explains of reducing business administrative staff to cut costs, that plays out with one person responsible for the accounting for six refuges.

In summary, the National Wildlife Refuge System desperately needs to be funded at $451.5 million, or more. Without this increase in funding, the system and American people will lose many opportunities to maintain wildlife and wildlife habitat. With this funding, the System will have a better chance to retain its ability to man-

age its lands in a manner reflective of what is the world's most impressive system of lands set aside for wildlife.

Thank you for your time and consideration.

PREPARED STATEMENT OF FRIENDS OF WERTHEIM NATIONAL WILDLIFE REFUGE

On behalf of the Friends of Wertheim NWR, I am submitting testimony for the Senate Subcommittee on Interior and Related Agencies. We support a funding level of $451 million in fiscal year 2008 for the U.S. Fish and Wildlife Service's (FWS) National Wildlife Refuge System Operations and Maintenance (O&M) account, adequate funding for Visitor Services, $1 million for the Volunteer Invasive Monitoring Program and grants for invasive species work with Friends, and $5.7 million for the Long Island NWR Complex's Administrative/Visitor Center to be located at its headquarters, Wertheim NWR. The National Wildlife Refuge System budget must increase by $15 million each year in order to maintain services and programs from the previous year. The $15 million increase accounts for cost-of-living increases for FWS personnel, growing rent and real estate costs and other cost increases, while sustaining current levels of visitor services and wildlife management. Funding the O&M account at $451 million would allow the Refuge System, overall, to avoid additional employee layoffs and reductions in services that are important to our refuge. Hopefully this would restore at least one position recently eliminated at the Long Island NWR Complex which receives over 500,000 visitors each year.

The Senate Subcommittee on Interior and Related Agencies should provide strong funding for Refuge System Visitor Services programs and Visitor Facility Enhancement Projects. Visitor Services funding pays for many Friends and volunteer programs. We depend on this funding for programs that allow us to remain effective stewards of our refuge.

Recognizing invasive species as a top threat to our refuge lands, we also ask the subcommittee to continue their support by again providing $1 million "for cooperative projects with Friends groups on invasive species control." This funding supports worthy programs like competitive grants for Friends groups and the Volunteer Invasive Monitoring Program. Utilizing the energy and enthusiasm of Friends and volunteers is a proven, effective and economical partnership for the National Wildlife Refuge System and U.S. Fish and Wildlife Service.

The $5.7 million for an Administrative/Visitor Center for the Long Island National Wildlife Refuge (LINWR) Complex to be located at Wertheim NWR is a key focal point of LINWR Complex's 15 year Comprehensive Conservation Plan. The Visitor Learning Center would serve as a catalyst for wildlife conservation partnerships and collaborative efforts, bringing together diverse audiences across Long Island and the region—from local school children to senior citizens, technical experts to dedicated volunteers and neighborhood groups to governmental agencies. In an effort to reduce cost, time and energy consumption, the Service has developed a standard conceptual design for the Administrative/Visitor Center. Designed with "green technology" (the plans are consistent with LEED certification requirements) the Center will be a state-of-the-art energy efficient model. The $5.7 million will include all phases of the project: planning, site design, construction, and interpretive exhibits.

Friends of Wertheim feels this project deserves Federal funds because United States Fish and Wildlife is THE Federal agency charged with conserving, protecting, and enhancing the Nation's fish, wildlife and plants for the continuing benefit of the American people. Another top priority of the Service is connecting people with nature: ensuring the future of conservation. Therefore a priority of Federal funding must be to take action. While there is no doubt that our public lands need to be managed through community partnerships/community resources, the Federal Government should be the catalyst on Federal lands to make this happen.

Additionally, we anticipate this Center will be one of the best locations in the Country for the U.S. Fish and Wildlife Services to achieve one of its highest priorities: Connecting People with Nature: Ensuring the Future of Conservation. The Long Island National Wildlife Refuge Complex has the opportunity to reach more neighbors and attract more visitors than any other national wildlife refuge in the country. This building will allow the refuge to accommodate the volume of visitors we anticipate both now and in the future.

When the funding for the National Wildlife Refuge System is compared to the entire national spending it is not even a "blip on the radar screen". The National Wildlife Refuge System is one of our "National Treasures" and the dedicated Refuge staff, friends and volunteers do so much with so little. It is our hope that in 2008 and beyond there is increased funding that will do more than maintain what we had last year and will enable the refuge staff to address the O&M backlog. Only

by being "faithful stewards" of the National Wildlife Refuge System will we ensure that all of the refuges will be here for our children and our children's children.

The refuges in the Long Island Complex may be small compared to others; but they are so important! As a fifth grade science teacher in the local school district I took four science classes at Wertheim NWR each year. One year one of the boys was standing on the trail just looking up and he stayed this way for some time. I went over to him and asked what he was doing. He replied, "Look—the trees make a tunnel—I can't see the sky!" What a beautiful discovery!! This is why we must give our Refuge System adequate funding and why the LINWR Complex needs an Administrative/Visitor Center.

Again, on behalf of the friends of Wertheim NWR we thank you for your consideration of our requests. If you have any questions, we would certainly be happy to help in any way.

PREPARED STATEMENT OF THE GRAND VALLEY WATER USERS ASSOCIATION

I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.
3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF THE GREAT LAKES INDIAN FISH AND WILDLIFE COMMISSION

AGENCIES—BUREAU OF INDIAN AFFAIRS AND ENVIRONMENTAL PROTECTION AGENCY

1. BIA Treaty Rights Protection/Implementation—$4,266,000 ($391,000 above fiscal year 2007 Continuing Resolution)

Agency/Program Line Item.—Dept. of Interior, Bureau of Indian Affairs, Operation of Indian Programs, Trust-Natural Resources Management, Rights Protection Implementation, Great Lakes Area Resource Management.[1]

Funding Authorizations.—Snyder Act, 25 U.S.C. s. 13; Indian Self-Determination and Educational Assistance Act, 25 U.S.C. ss. 450f and 450h; and the treaties between the United States and GLIFWC's member Ojibwe Tribes, specifically Treaty of 1836, 7 Stat. 491, Treaty of 1837, 7 Stat. 536, Treaty of 1842, 7 Stat. 591, and Treaty of 1854, 10 Stat. 1109.[2]

2. EPA Environmental Programs and Management—$300,000 (fiscal year 2004 enacted)

Agency/Program Line Item.—Environmental Protection Agency, Environmental Programs and Management (funneled through the EPA's Great Lakes National Program Office).

Funding Authorizations.—Clean Water Act, 33 U.S.C. s. 1268(c); and treaties cited above.

GLIFWC'S GOAL—A SECURE FUNDING BASE TO FULFILL TREATY PURPOSES

As Congress has recognized for over 20 years, funding for GLIFWC's conservation, natural resource protection, and law enforcement programs honors Federal treaty obligations to eleven Ojibwe Tribes and provides a wide range of associated public

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[1] The requested BIA funds reflect GLIFWC's allocation of this line item that also funds the 1854 Authority.

[2] The rights guaranteed by these treaties, and the associated tribal regulatory and management responsibilities, have been affirmed by various court decisions, including a 1999 U.S. Supreme Court case.

benefits. GLIFWC seeks an inflation-adjusted secure funding base to: (i) implement Federal court orders and intergovernmental agreements governing the exercise of treaty-guaranteed hunting, fishing and gathering rights and (ii) participate in management partnerships in Wisconsin, Michigan and Minnesota.

ELEMENTS OF GLIFWC'S FUNDING REQUEST

1. *BIA Treaty Rights Protection/implementation: $4,266,000.*—As its primary Indian Self-Determination and Educational Assistance Act funding base, GLIFWC seeks to:

a. restore $166,000 in program operational costs lost to continually decreasing base funding over the last 4 years;

b. preserve $92,000 in fixed pay costs that the Bureau has been providing;

c. provide $150,000 to sustain enhancements in conservation enforcement and emergency services capabilities; and

d. provide $75,000 to retain cultural infusion programs designed to sustain and foster inter-generational transfer of Chippewa language, lifeways and traditional ecological knowledge.

2. *EPA Environmental Programs and Management: $300,000.*—As an EPA funding base for its primary environmental program elements, GLIFWC seeks to:

a. Provide $190,000 for basic scientific/technical capabilities to: (i) continue participation in a number of Great Lakes initiatives (including the Binational Program to Restore and Protect Lake Superior and the Great Lakes Regional Collaboration); (ii) carry out habitat and human-health related research; and (iii) provide the requisite analysis and data to support participation in regional initiatives and to assess the impact of particular projects on tribal treaty rights.

b. Provide $110,000 to undertake three habitat and human health-related research projects regarding: (i) GLIFWC's fish consumption mercury advisory program; (ii) invasive species impacts on the Lake Superior food web; and (iii) a global climate change pilot project.

CEDED TERRITORY TREATY RIGHTS—GLIFWC'S ROLE AND PROGRAMS

Established in 1984, GLIFWC is a natural resources management agency for its 11 member Ojibwe Tribes regarding their ceded territory (off-reservation) hunting, fishing and gathering treaty rights. Its mission is to (1) ensure that its member Tribes are able to exercise their rights for the purposes of meeting subsistence, economic, cultural, medicinal, and spiritual needs and (2) ensure a healthy, sustainable natural resource base that supports those rights. GLIFWC is a "tribal organization" within the meaning of the Indian Self-Determination and Educational Assistance Act (Public Law 93–638). It is governed by a Constitution developed and ratified by its member Tribes and by a board comprised of the Chairs of those Tribes.

GLIFWC operates a comprehensive ceded territory hunting, fishing, and gathering rights protection/implementation program through its staff of biologists, scientists, technicians, conservation enforcement officers, policy specialists, and public information specialists. Its activities include: (i) natural resource population assessments and studies; (ii) harvest monitoring and reporting; (iii) enforcement of tribal conservation codes in tribal courts; (iv) funding for tribal courts and tribal registration/permit stations; (v) development of natural resource management plans and tribal regulations; (vi) negotiation and implementation of agreements with State, Federal and local agencies; (vii) invasive species eradication and control projects; (viii) biological and scientific research, including fish contaminant testing; and (ix) development and dissemination of public information materials.

JUSTIFICATION & USE OF THE REQUESTED FUNDS

For over 20 years, Congress has recognized GLIFWC as a cost efficient agency that plays a necessary role in: (i) meeting specific Federal treaty and statutory obligations toward GLIFWC's member Tribes; (ii) fulfilling conservation, habitat protection, and law enforcement functions required by Federal court decisions affirming the Tribes' treaty rights; (iii) effectively regulating harvests of natural resources shared among the treaty signatory Tribes; and (iv) serving as an active partner with State, Federal, and local governments, with educational institutions, and with conservation organizations and other non-profit agencies.

Particularly relevant to the requested EPA funds, Tribal members rely upon treaty-protected natural resources for religious, cultural, medicinal, subsistence, and economic purposes. Their treaty rights mean little if contamination of these resources threatens their health, safety, and economy, or if the habitats supporting these resources are degraded.

With the requested stable funding base, GLIFWC will:

1. *Maintain its Core Capabilities to Conserve Natural Resources and to Regulate Treaty Harvests*.—With the requested funds GLIFWC would: (i) restore program operational costs lost to continually decreasing base funding over the last 4 years;[3] (ii) retain the knowledgeable, experienced staff that are relied upon to conserve natural resources, protect public health and safety, and promote social stability in the context of tribal treaty rights; (iii) solidify law enforcement and emergency response infrastructure improvements that have been instituted with a combination of BIA and U.S. Department of Justice COPS funds;[4] and (iv) sustain cultural infusion programs designed to sustain and foster inter-generational transfer of Chippewa language, lifeways and traditional ecological knowledge.

2. *Remain a Trusted Environmental Management Partner and Scientific Contributor in the Great Lakes Region*.—With the requested EPA funding base, GLIFWC would maintain its ability to bring a tribal perspective to the interjurisdictional mix of Great Lakes managers.[5] It also would use its scientific expertise to study issues and geographic areas that are important to its member Tribes but that others may not be examining.[6]

The lack of a secure, ongoing EPA funding base jeopardizes GLIFWC's role as a trusted environmental management partner and scientific contributor in the Great Lakes Region. The Federal Government's treaty obligations to GLIFWC's member Tribes compel more than the mere opportunity to compete for a diminishing patchwork of discretionary EPA grants. This is particularly true given important current initiatives such as the Great Lakes Regional Collaboration in which GLIFWC participates as a full partner.

3. *Maintain the Overall Public Benefits That Derive From its Programs*.—Over the years, GLIFWC has become a recognized and valued partner in natural resource management, in emergency services networks, and in providing accurate information to the public. Because of its institutional experience and staff expertise, GLIFWC provides continuity and stability in interagency relationships and among its member Tribes, and contributes to social stability in the context of ceded territory treaty rights issues.

Over the past 20 years, GLIFWC has built many partnerships the: (i) provide accurate information and data to counter social misconceptions about tribal treaty harvests and the status of ceded territory natural resources; (ii) maximize each partner's financial resources; (iii) avoid duplication of effort and costs; (iv) engender cooperation rather than competition; and (v) undertake projects and achieve public benefits that no one partner could accomplish alone.

OTHER RELATED APPROPRIATIONS CONCERNS

1. Fully Funded BIA Contract Support Costs.—GLIFWC seeks full funding of its contract support costs. It has experienced a $433,500 shortfall since 1995. This shortfall cuts into program funding, and the lack of funding certainty throughout the year further compounds its effect.

2. BIA Circle of Flight Tribal Wetland & Waterfowl Initiative.—Once again Congress should fully find this long-standing tribal contribution to the North American Waterfowl Management Plan that the administration again proposes to eliminate.

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[3] For example, the previously restored funding base was used to: (i) reinstitute fall juvenile walleye recruitment surveys to previous levels; (ii) restore tribal court and registration station funding cuts; (iii) restore Lake Superior lamprey control and whitefish assessment programs; (iv) restore GLIFWC's share in cooperative wildlife and wild rice enhancement projects; (v) replace aging equipment; (vi) meet expanding harvest monitoring needs; and (vii) meet uncontrollable increases in employee benefit costs.

[4] GLIFWC has: (i) upgraded its patrol capabilities with new vehicles, boats, snowmobiles, and off-road vehicles; (ii) increased officer medical training and upgraded first aid equipment; (iii) upgraded its radio systems to be compatible with surrounding agencies; and (iv) established ongoing joint training with Federal, State, and local agencies.

[5] GLIFWC currently participates on a regular basis in the Binational Program to Restore and Protect Lake Superior, International Joint Commission and SOLEC forums, the Great Lakes Regional Collaboration, and the implementation of agreements to regulate water diversions and withdrawals under the Great Lakes Charter, Annex 2001.

[6] With the requested fiscal year 2008 EPA funds, GLIFWC would: (i) continue its long-standing program to collect and test fish for mercury and to communicate testing results through health care providers and GIS maps; (ii) document the diet of important species of Lake Superior fish in order to understand potential changes over time due to invasive species or other causes; and (iii) identify climate variables that affect the presence, health and abundance of selected natural resources that are harvested by GLIFWC member tribes.

PREPARED STATEMENT OF THE GREATER YELLOWSTONE COALITION

Madam Chairwoman and honorable members of the committee: I appreciate this opportunity to provide testimony in support of a $4.5 million appropriation to the U.S. Forest Service from the Land and Water Conservation Fund to help acquire a conservation easement on the Sun Ranch in Montana's famous Madison Valley. I am appearing here today as the former manager of the Sun Ranch and as Chairman of the Greater Yellowstone Coalition—a nationally acclaimed advocacy group that seeks to protect the lands, waters and wildlife of our first national park and the ecologically important lands that surround it.

Before I go any further, I would like to take this opportunity to commend the Chair and committee members for supporting funding for land acquisition accounts such as the Land and Water Conservation Fund (LWCF). The Sun Ranch conservation effort, which I am here to speak about today, is a perfect example of how programs like this can help to protect the critical wildlife and recreational values that make our Federal public lands so special.

As most Americans know, the Greater Yellowstone Ecosystem (GYE) is a vestige of wild America—the birthplace of a global park movement and a natural benchmark for measuring our way of life.

Embracing the mountain country in and around Yellowstone National Park, the GYE is home to some of our Nation's most cherished wildlife and landscapes. Roughly the size of West Virginia, the GYE includes the headwaters of the Yellowstone, Snake and Green river systems, which support a renowned trout fishery and provide the lifeblood for the region's economy and basic way of life. Yellowstone National Park—the region's heart and the world's first national park—holds our planet's most diverse and intact collection of geysers and hot springs, drawing visitors from around the world. The park and the lands that surround it also provide a refuge for hundreds of wildlife species, including rare trumpeter swans, wolves, one of the last viable grizzly bear populations in the lower 48 States and the largest elk and free-roaming bison herds in North America.

In addition to its impressive wildlife values, the GYE offers some of the best recreational opportunities in North America. Its fisheries are world-renowned and attract fly fishermen from all over the globe. Big game hunting opportunities are abundant. In addition to these sporting opportunities, the GYE offers a wide range of backcountry recreational opportunities including skiing, snowshoeing, snowmobiling, hiking, camping, whitewater rafting, horseback riding, and wildlife viewing.

Drawn by the area's exceptional beauty, wildlife and abundant recreational opportunities, people from all over the country are moving into the GYE in ever increasing numbers. Some of our Nation's fastest-growing counties are located here. As newcomers build their homes further away from our urban cores, more and more of our most important agricultural lands and wildlife habitat are being lost forever.

Virtually everyone agrees that the unprecedented growth in the GYE will continue unabated. People will continue to be drawn to the area due to its unparalleled wonder and high quality of life. The challenge, of course, is finding a way to channel and direct this growth so that it does not destroy the very qualities that draw people to the area in the first place. Developing "smart growth" strategies is part of the solution. Actively protecting and conserving critically sensitive areas is another. This is why I am testifying before you today.

I came here today to champion the conservation of one of the GYE's true treasures. The 18,700-acre Sun Ranch is a wildlife paradise nestled in the southern end of Montana's Madison Valley, approximately 20 miles northwest of Yellowstone National Park. Occupying almost 30 square miles between the Madison River and the Lee Metcalf Wilderness Area, the ranch contains some of the most valuable wildlife habitat in the entire GYE. The ranch serves as critical big-game winter range for elk, mule deer, moose, pronghorn antelope, bighorn sheep, and mountain goats. Elk herds exceeding 2,500 in number are a common sight on the ranch during the winter and early-spring months. Grizzly and black bear routinely use the property, as do wolverine, Canada lynx, pine marten, beaver, bobcat, river otter, and mountain lion. In addition to almost nine miles of Madison River frontage, the ranch also includes long stretches of four important mountain-fed streams, which provide critical brood rearing habitat for various species of fish, including near-pure strains of westslope cutthroat trout.

A recently completed and highly acclaimed conservation assessment by the Wildlife Conservation Society concludes that the Madison is one of the most ecologically intact valleys in the GYE. It also identifies the Madison Valley as playing a central role in ensuring wildlife linkages between the GYE and the other ecologically intact areas of the Central Rocky Mountains, specifically, the Northern Continental Divide

Ecosystem and the wildlands of central Idaho. In particular, the report identifies the area where the Sun Ranch is located as being arguably the most important wildlife linkage zone in the GYE. Protection of this area, the report argues, is critical because it is one of the only places offering secure passage for forest carnivores such as grizzly bear, wolverine and lynx migrating between the Madison Range to the east and the vast area of interconnected mountain ranges to the west and north. Protection of the Sun Ranch and its immediate surrounds is absolutely vital to the long-term survival of these and other wide-ranging species.

During my 4 years as the day-to-day manager of the Sun Ranch, I had the pleasure of watching Serengeti-sized elk herds work the landscape during their spring migration as they calved and headed for the high country. I remember walking the fence line, being startled and then gradually catching my breath after spotting a grizzly or wolf. While tending 1,600 cattle, I often rested my horse atop a high hill, looking down on the ranch's sheer beauty, marveling at the sight of the surrounding mountains and knowing what it must feel like to see the world as a red-tailed hawk does. As you imagine the Madison Valley, think openness, intactness and ecological abundance and know that the Sun Ranch lies at the heart of all this prosperity.

As I mentioned earlier, the Sun Ranch encompasses around 18,700 acres. Approximately 6,700 acres at the north end of ranch are already protected by a conservation easement. A total of 11,300 acres will be protected by two separate conservation easements, which will be purchased and conveyed to the U.S. Forest Service and Montana, Fish, Wildlife and Parks (MFWP) for long-term monitoring and enforcement. The easements, with a likely value in excess of $30 million, will protect extraordinary scenery and one of the most important wildlife corridors in the GYE—all while providing public hunting rights to some of the finest big game habitat in the West.

The Forest Service has ranked the Sun Ranch project as its #1 national priority this year and recommended it as part of the President's 2008 budget for $4.5 million through the Land and Water Conservation Fund.

Montana Fish, Wildlife & Parks has also ranked the Sun Ranch project as its highest statewide priority. Last summer, MFWP's five-member, volunteer commission authorized the agency to set aside up to $4.5 million from the State's Habitat Montana program to help pay for the proposed easement purchase. Funded with hunter license fees, the Habitat Montana program seeks to preserve and restore important habitat for fish and wildlife and to make prime fishing and hunting areas accessible to the sporting public. The sheer size of MFWP's funding commitment in this case is remarkable. Not only does the Habitat Montana program receive a mere $2.5 to $3 million per year, but it has never contributed more than $2 million to any given easement purchase in its entire 20-year history.

The Sun Ranch project enjoys broad-based support at all levels. Sportsmen, in particular, are extremely excited by what the project has to offer because without it this remarkable property would be unavailable. Not only will it protect some of the best big game habitat in Montana, but it will also provide regulated public access during the general hunting season once the conservation easements are in place.

Finally, it is worth noting that the Sun Ranch project is part of one of the largest landscape-level land conservation efforts in the American West. More than 40 percent of the private land in the valley (almost 120,000 acres) is already under conservation easement, and this doesn't even include the 114,000-acre easement that covers Ted Turner's Flying D Ranch just to the north. With so much private land already conserved, some might be tempted to call it quits. But I ardently believe that we must press on.

The next few years will determine the fate of the Madison Valley and one of the most important wildlife corridors in the GYE. With development pressures at an all-time high, we must act now to protect the best of what is left. The contemplated easement purchase on the Sun Ranch would be a major step in the right direction.

As a rancher and wildlife advocate, I strongly urge you to back this project and support the Forest Service's and administration's request for $4.5 million in fiscal year 2008 from the Land and Water Conservation Fund. State and private funds, as well as a significant amount of donated land value, will make up the difference in the project's overall value, which is estimated to exceed $30 million.

The Sun Ranch is a very special place. In my humble opinion, I do not think that you will ever find a better opportunity to help protect an American icon. Thank you for giving me the opportunity to make this request.

PREPARED STATEMENT OF THE HIGHLANDS COALITION

On behalf of the regional Board of the Highlands Coalition, which includes over 150 organizations working together to conserve priority lands in the Highlands region of CT, NY, NJ, and PA, we would like to thank you for the opportunity to comment on the fiscal year 2008 Department of the Interior, Environment and Related Agencies Appropriations bill.

Our top priorities for fiscal year 2008 include:

—$11 million for the Highlands Conservation Act, including $10 million for land conservation partnership projects through the U.S. Fish & Wildlife Service, and $1 million for USDA Forest Service technical assistance and research programs in the Highlands; and

—$100 million for the Forest Legacy program, including $770,000 for Skiff Mountain—phase II (CT) and $5.7 million for Sparta Mountain South—phase II (NJ)

HIGHLANDS CONSERVATION ACT—LAND CONSERVATION

In the fall of 2004, Congress enacted and President Bush signed the Highlands Conservation Act, recognizing the national significance of the more than three-million acre Highlands region as a source of drinking water, productive forests and farms, wildlife habitat and recreation within an hour of major metropolitan areas including Philadelphia, New York City and Hartford. The act authorized $10 million annually to assist the Highlands States in conserving priority lands from willing landowners, and to continue USDA Forest Service research and assistance to private landowners in the Highlands. Under the act, the States are required to match Federal funds for land conservation partnership projects on an equal basis to greater leverage these funds.

In his budget for fiscal year 2008, President Bush has provided no funding for the Highlands Conservation Act (HCA), through the Fish & Wildlife Service, to support land conservation partnership projects in the four Highland States of Pennsylvania, New Jersey, New York, and Connecticut. We strongly urge the committee to provide full funding for the HCA at $11 million. The Governors of the four Highlands States have jointly submitted land conservation projects totaling $10 million to the Department of the Interior for funding in fiscal year 2008, including:

Litchfield Farms (CT)

Cost—$8,400,000
HCA Request—$2,500,000
Size—670 acres
Matching Funds—State of Connecticut; Town of Litchfield; private donations

Description—The State of Connecticut requests funds for Litchfield Farms which contains large areas of wetlands, prime agricultural soils, and diverse forests. The site hosts a known State-listed endangered species and contains several vernal pools. Litchfield Farms lies within both the Bantam and the Naugatuck watersheds. All waterways on the property that drain into the Bantam River are AA, or the highest-level water quality. Elevations on the property reach up to 1,300 feet making it one of the highest points in Litchfield. Preservation of this property would provide ridgeline and scenic vista protection for both the towns of Torrington and Litchfield.

Wyanokie Highlands (NJ)

Cost—$7,700,000
HCA Request—$2,500,000
Size—Four parcels totaling 1,288 acres

Description—New Jersey requests funds for this focal area which is ranked highly due to its value for water resources and recreation, and secondarily for biodiversity and forest land. The Wyanokie Highlands form the headwaters of Burnt Meadow and West Brooks that flow into North Jersey's Wanaque Reservoir, which provides drinking water for nearly 2 million NJ residents. These acquisitions will help complete a critical greenway in the Wyanokies linking Long Pond Ironworks State Park with Norvin Green State Forest. These parcels are the largest portion of the missing link and include waterways of exceptional ecological significance, which drain into the Wanaque Reservoir.

Oley Hills and New Holland Waters (PA)

Cost—$8,500,000
HCA Request—$2,500,000
Size—3,063 acres

Description—*Oley Hills*.—The Oley Hills is a Critical Treasure within the Highlands Region. This assemblage of properties is located within the Oley Hills core

conservation area of the Reading Prong, the geologic formation that lies at the heart of the Pennsylvania Highlands. The Oley Hills project encompasses three State-designated "Exceptional Value" streams (the Pine, Oysterville, and Saucony creeks). These pristine waterways provide drinking water to the surrounding communities, and important water quality protection for the Schuylkill River, Pennsylvania's first designated Scenic River and the spine of the Schuylkill River Heritage Corridor. The Oley Hills are known to provide habitat that supports substantial populations of the endangered Bog Turtle. The area also contains sweeping scenic vistas of the Highlands Region and woodlands that are exceedingly rare in southeast Pennsylvania.

New Holland Waters—Pennsylvania's 800-acre New Holland Waters project in Lancaster County's Welsh Mountains has been identified in the County's 2002 Open Space Plan and the County Growth Management Plan Update as high priority for protection. Lancaster County Conservancy ranks New Hollands Waters as a "natural gem", the highest ranking for evaluating priority lands, due to contiguous forests, proximity of other forested or protected areas, high quality wildlife habitat, unique geological features, presence of rare, threatened or endangered species, and water resources.

Great Swamp and Sterling Forest Areas (NY)

Cost—$10,600,000
HCA Request—$2,500,000
Size—1,300 acres

Description—*Great Swamp*.—New York State requests funds to assist in the acquisition of properties that will further protect the Great Swamp, one of New York's most important wetland complexes and the largest and highest quality red maple hardwood swamp in the State. It also contains breeding habitat for more than 80 bird species and migratory habitat for more than 150 species of waterfowl and other birds. The Great Swamp also contains a south flowing section based on the East Branch Croton River, a critical part of New York City's water supply system; and a north flow section based on the Swamp River which flows into the Housatonic and, ultimately, to Long Island Sound.

Arrow Park.—New York requests funds to assist in the acquisition of an addition to Sterling Forest State Park. The Arrow Park property is situated adjacent to the northeastern corner of Sterling Forest State Park and in close proximity to the Appalachian National Scenic Trail. The property contains a highly scenic lake, woodlands and wetlands, as well as significant frontage on Orange Turnpike. Portions of the property were acquired in 2002 as additions to the Park, while the disposition of the remaining 350 acres was being considered by the owners.

Highlands Conservation Act—Technical Assistance and Study

The USDA Forest Service has been a valuable partner and catalyst in the region and $1 million is needed to allow the Forest Service to continue the expansion of the NY–NJ Highlands Regional Study to Pennsylvania and Connecticut, and to provide increased technical assistance to private landowners and local communities to advance stewardship and management of priority lands in the region.

FOREST LEGACY PROGRAM AND PROJECTS

We also support funding for critical Forest Legacy projects in the Highlands region including: $770,000 for Skiff Mountain (phase II) in Connecticut and $5.7 million for Sparta Mountain South (phase II) in New Jersey. In order to ensure that there is adequate program funding for these critical projects in the Highlands, we urge your support for funding Forest Legacy at $100 million in fiscal year 2008.

LAND AND WATER CONSERVATION FUND

Finally, we are very concerned about the proposed cuts to the Land & Water Conservation Fund, which is slated to receive only $58 million in the President's budget, one of the lowest levels of conservation funding for LWCF ever. LWCF is a bedrock of conservation funding for both the Federal and State governments, and its impacts cascade from internationally important conservation projects to locally important ones. We are urging Congress to fund LWCF at $320 million.

Without adequate funding to the Highlands Conservation Act, Forest Legacy Program and Land & Water Conservation Fund, precious natural treasures of the Highlands may be developed and lost to conservation forever. Thank you again for considering our comments on the fiscal year 2008 Interior, Environment and Related Agencies Appropriations bill.

PREPARED STATEMENT OF THE HIGHLANDS COALITION

Thank you for the opportunity to submit comments about the fiscal year 2008 appropriations for the Highlands Conservation Act.

The Litchfield Garden Club and the League of Women Voters of Litchfield County both place the highest priority on securing—

—$10 million full funding for Highlands land conservation partnership projects through the U.S. Fish and Wildlife Service,

—$1 million for USDA Forest Service technical assistance and research programs in the Highlands, and

—Specifically, for $2.5 million in Highlands funding for the Litchfield Farms project.

WHY LITCHFIELD FARMS?

Litchfield Farms has been designated as a top priority by the State of Connecticut because of its outstanding environmental importance. This large (670-acre) property, part of which has been farmed in Litchfield for nearly 300 years, is not only a rare property. It is a threatened property.

Connecticut designated the Litchfield Farms as its Highlands project for fiscal year 2008 because of its special environmental values. In addition to prime agricultural soils, it also has large wetlands areas and 450 acres of diverse forests. It hosts a known State-listed endangered species and contains several vernal pools. It drains into both the Bantam and Naugatuck watersheds, and its Bantam waters are AA, the highest water quality level. Reaching elevations of 1,300 feet, the farm is one of the highest points in Litchfield, and its ridgelines and 50-mile panoramic view scapes are unparalleled in the area.

The threat to Litchfield Farms, unfortunately, is a perfect example of why Congress passed the Highlands Conservation Act (HCA) in 2004 with bipartisan support. HCA responded to the realization that development and sprawl from the Northeast megapolitan population, if allowed to run its course, would quickly envelope and overwhelm the Highlands region and its fragile ecosystems, pristine waters, and recreational features.

Litchfield is a case in point. Like other small towns in the northwest corner of Connecticut, Litchfield is starting to see an influx of population from the densely packed urban centers of the Northeast, principally from the New York City area. Farms, pastures, and woodlands are being sold for development. The huge Litchfield Farms acreage is a prime target currently on the market. Local and State-level public, private and nonprofit efforts are underway to put this extraordinary parcel into conservation status.

CONNECTICUT IS TAKING ACTION

Connecticut is putting its substantial public and private money into preservation of endangered lands and open spaces.

—In 2005, the State enacted legislation to impose a $30 real estate document recording fee which will generate nearly $15 million annually for matching grants for preserving open space and farmland.

—State bonding authority for open space and farmland preservation has been increased.

—Locally, the town of Litchfield established an "Open Space and Land Acquisition Fund."

—Private citizens are participating through half a dozen area land trusts in raising private funds locally for acquisition of high priority parcels.

—Local corporate, nonprofit and individual donors sponsored the Litchfield Hills Greenprint, a GIS mapping project to identify places that have significant environmental values.

—More than 130 people turned out in the tiny borough of Bantam on a cold February week night to attend a Garden Club public forum last year on how we could work together to preserve high priority open spaces.

Connecticut's Governor Jodi Rell designated the Litchfield Farms in her request to the Interior Department jointly submitted by the four Highlands States (Connecticut, New York, New Jersey and Pennsylvania). She requested $2.5 million for the Litchfield Farms.

A $10 million full-funding land acquisition appropriation, which would allow $2.5 million for the Litchfield Farms lands, not only would indicate that the Federal Government places a high value on the Litchfield Farms lands, it also would encourage national, State and local groups to redouble their efforts to raise the additional funds required to acquire these exceptional lands for conservation purposes.

Thus our citizens put an extremely high priority on full funding under the new Highlands Conservation Act. We urge you to provide the entire $10 million authorized, plus the $1 million authorized for USDA Forest Service technical assistance and research in the Highlands area.

PREPARED STATEMENT OF THE HOUSTON AUDUBON SOCIETY

Madam Chairwoman and honorable members of the committee: Thank you for the opportunity to testify in support of a Land and Water Conservation Fund request for $3 million to permit the U.S. Fish and Wildlife Service (USFWS) to acquire the 1,988 acre McGinnes property for the San Bernard National Wildlife Refuge in Texas.

The San Bernard National Wildlife Refuge was established in 1968 to provide quality habitat for wintering migratory waterfowl and other bird life. The nearly 35,000-acre refuge is located in Brazoria and Matagorda counties in southeastern Texas. The refuge consists of flat coastal prairie and salt marsh with numerous saltwater lakes, shallow freshwater lakes, associated marshlands, intermittent streams, and bottomland hardwood forest areas.

Houston Audubon Society has partnered with the USFWS on four recent acquisitions to the refuge complex. Houston Audubon's shared goal with the USFWS is to protect high quality habitat along the Upper Texas Coast. The Texas Mid-Coast National Wildlife Refuge Complex serves as an end point of the Central flyway for migrating waterfowl in the winter months and as an entry point for neotropical songbirds migrating north from Mexico.

Available for acquisition in fiscal year 2008 is the 1,988-acre McGinnes tract located adjacent to the Linville Bayou Unit of the San Bernard National Wildlife Refuge. Comprised of old growth bottomland forest, wetland, and associated upland habitats, the McGinnes tract would serve as an important addition to the Linville Unit by consolidating over 1,400 acres of old-growth bottomland forest, making it one of the largest old-growth bottomland forests in public ownership in the State.

Madame Chairwoman, thank you for this opportunity to testify for this important project at the San Bernard National Wildlife Refuge in Texas.

PREPARED STATEMENT OF THE HOUSTON REGIONAL GROUP AND LONE STAR CHAPTER OF THE SIERRA CLUB

Madame Chairwoman and honorable members of the committee: The Houston Regional Group and Lone Star Chapter of the Sierra Club (Sierra Club) appreciate this opportunity to testify in favor of the Land and Water Conservation Fund. The Sierra Club supports the request for $3 million which will allow the U.S. Fish and Wildlife Service (FWS) to acquire 1,988 acres of Columbia Bottomlands, called the McGinnes tract, which will be added to the San Bernard National Wildlife Refuge (NWR) in Texas.

The Land and Water Conservation Fund is the most important source of continuous, U.S. congressional funding for the acquisition of public lands in the United States. The Sierra Club supports full funding for the Land and Water Conservation Fund so that the backlog of important ecological, biological, archeological, historic, scenic, and other sensitive lands that the U.S. Fish & Wildlife Service, Bureau of Land Management, National Park Service, Forest Service, and countless State and local entities have identified and prioritized can be acquired.

The Houston Regional Group of the Sierra Club consists of about 5,000 members and works for the protection of wildlife habitat as well as the reduction of environmental pollution in Houston and its surrounding counties. The Lone Star Chapter of the Sierra Club is the State Sierra Club entity and has about 25,000 members. I serve as the Forestry Chair for the Houston Regional Group and the Forest Management Issue Chair for the Lone Star Chapter.

The Sierra Club supported the original FWS proposal to protect Columbia Bottomlands in the early 1990's. We have supported acquisition efforts ever since. Each year the Sierra Club conducts visits to San Bernard and Brazoria NWRs to see and enjoy the beauty of protected Columbia Bottomlands.

The Columbia Bottomlands are forested wetlands unique to Texas and found only along the lower Colorado, San Bernard, and Brazos Rivers in Fort Bend, Brazoria, Wharton, and Matagorda Counties. These forests have magnificent Live Oak, Pecan, Sugarberry, American Elm, Green Ash, Palmetto, Water Hickory, Water Oak, and other trees; many other plant species; and important wildlife species like migratory songbirds, white-tailed deer, gray squirrel, waterfowl (wood duck and mallard),

egrets (common, cattle, and snowy), herons (great blue, tri-colored, little blue), amphibians, reptiles, and fish (bass, sunfish, catfish).

Columbia Bottomlands have been incorporated in the Texas Mid-Coast NWR Complex, which includes the Brazoria, Big Boggy. and San Bernard NWRs. These NWRs are about an hour to an hour and a half south of 2 million people in Houston, Texas, the Nation's fourth largest city. Houstonians and others in surrounding counties use the Columbia Bottomlands and other habitats found in the NWRs for hunting, fishing, birding, environmental education, photography, canoeing and kayaking, boating, wildlife observation, nature study, and many other low impact and compatible recreational, educational, and scientific activities.

Over 300 species of birds can be found in the Columbia Bottomlands and nearby coastal prairies and wetlands, in the midst of the Central Flyway on the Texas Coast. The San Bernard NWR was established in 1968 and currently has about 35,000 acres. Most of the acres protected in San Bernard NWR consist of coastal prairie and fresh, brackish, and saltwater marshes that host incredible numbers of Canada and white-fronted geese, ducks (pintail, teal, gadwall, widgeon, and mottled), ibis, sandpipers, stilts, hawks, owls, vultures, kites, blue crabs, shrimp, spotted sea-trout, redfish, black drum, sheepshead, oysters, and flounder.

For fiscal year 2008, the 1,988 acre McGinnes tract, located in the Linville Bayou Unit, is available for acquisition. The McGinnes tract has 1,400 acres of old-growth bottomland forest, along with other wetlands and upland habitats, and will connect and consolidate tracts of Columbia Bottomlands that have already been acquired by FWS.

Madame Chairwoman, the Sierra Club very much appreciates this opportunity to testify and requests your help in this matter. Thank you.

PREPARED STATEMENT OF THE HOUSATONIC VALLEY ASSOCIATION, INC.

Madam Chairwoman and honorable members of the committee: The Housatonic Valley Association (HVA) appreciates the opportunity to present this testimony in support of a $770,000 appropriation to the State of Connecticut from the Forest Legacy Program for the Skiff Mountain project. HVA is a non-profit watershed conservation organization for the Housatonic River valley. Skiff Mountain sits in the heart of the Highlands region of this scenic valley, framing the nationally ranked Housatonic River corridor.

The Highlands region of the East Coast is virtually in the backyard of the Nation's largest metropolitan area. Located within an hour of nearly 25 million Americans, the Highlands form a greenbelt of forests and farmland adjacent to the sprawling Hartford-New York-Philadelphia urban corridor. Two million acres of glacial bogs, hardwood-conifer swamps, rock outcrop communities, and chestnut oak forests stretch from western Connecticut across the Lower Hudson River Valley and northern New Jersey into Pennsylvania, enticing more than 14 million visitors each year—more than Yellowstone and Yosemite National Parks combined.

The State has identified the Connecticut portion of the Highlands as a critical focus area under its Forest Legacy Program. These parcels total approximately 765 acres of Skiff Mountain Forest in northwestern Connecticut and are part of the newly legislated Upper Housatonic National Heritage Area. They form a network of forested properties in Litchfield County straddling the Kent-Sharon town line, an area under tremendous large-lot development pressures. Located among 6,000 acres of existing conservation lands, and immediately adjacent to the Federally protected and world-renowned Appalachian National Scenic Trail, the Skiff Mountain property has been identified by the State as its top priority for Forest Legacy funding this year.

In fiscal year 2006, Congress appropriated $1.182 million in Forest Legacy Funding for the protection of the first 473 acres of the Skiff Mountain assemblage. In fiscal year 2008, $770,000 is needed from the Forest Legacy program to help preserve the remaining 292 acres of Skiff Mountain, and keep intact this conservation corridor of the Housatonic River Watershed and four-State Highlands region. These funds will be matched by local funding and land value donation. We hope that you will provide $770,000 to ensure the success of this effort in the fiscal year 2008 Interior appropriations bill.

Thank you for the opportunity to present this request.

PREPARED STATEMENT OF THE HUACHUCA HIKING CLUB

Madam Chairwoman and honorable members of the committee: I appreciate the opportunity to provide testimony in support of a $500,000 request from the Land

and Water Conservation Fund to protect the 38.5-mile San Pedro Rail-Trail property (containing approximately 470 acres of fee land) at the Bureau of Land Management's San Pedro Riparian National Conservation Area in Arizona.

The Huachuca Hiking Club is based in southern Arizona with members from Sierra Vista, Benson, Bisbee, and Tucson. Our members are outdoor enthusiasts who enjoy hiking, camping, backpacking, volunteer trail maintenance, and conserving Arizona's outstanding natural resource heritage. We enjoy hiking not only to experience the beauty of Arizona's outdoor landscapes, but also to sustain and improve our physical fitness. We strongly support the acquisition and protection of a rail-trail corridor within the San Pedro Riparian National Conservation Area. Trails close to local communities foster wholesome, outdoor recreation that can be done by families close to their homes. This is increasingly becoming important as society grapples with the problems of obesity and lack of physical fitness that are so prevalent in young people today. The proposed San Pedro rail-trail would fill a critical need for a family friendly place to hike, mountain bike, ride horses, watch birds and other wildlife, or explore the beauty of a rare desert riparian area. The attraction of a rail-trail would also bring significant economic benefits to our local communities through nature-based tourism and opportunities for visitors to experience an outstanding recreational destination. Finally, the rail-trail would help protect the San Pedro Riparian National Conservation Area by improving awareness of this rare and critical resource and by eliminating non-compatible uses.

An fiscal year 2008 appropriation of $500,000 from the Land and Water Conservation Fund would assist the Bureau of Land Management in acquiring and protecting this corridor and all of its natural resources for public use and enjoyment for generations to come.

Madame Chairwoman, thank you for this opportunity to submit testimony.

PREPARED STATEMENT OF THE HUMANE SOCIETY OF THE UNITED STATES, HUMANE SOCIETY LEGISLATIVE FUND, AND DORIS DAY ANIMAL LEAGUE

Thank you for the opportunity to offer testimony to the Interior, Environment, and Related Agencies Subcommittee on items of importance to our organizations with a combined membership of more than 10 million supporters nationwide. We urge the subcommittee to address these priority issues in the fiscal year 2008 budget.

POLAR BEAR PROTECTION

We urge the subcommittee to restrict the use of funds by U.S. Fish and Wildlife Service for the issuance of import permits for sport-hunted polar bear trophy hides and heads. Throughout their range, polar bears currently face unprecedented threats from climate change, environmental degradation, and hunting for subsistence and sport. The IUCN (World Conservation Union) Polar Bear Specialist Group announced that polar bear populations could drop 30 percent in the coming 35–50 years and that they may disappear from most of their range within 100 years.

While long-term action is required to address the significant environmental factors negatively affecting polar bear survival, immediate action should be taken to minimize all human-caused mortalities, especially from trophy hunting. Following 1994 amendments to the Marine Mammal Protection Act, the importation of polar bear trophies including bear pelts and parts (excluding organs) into the United States from Canada was allowed. This is a precarious time for polar bear populations. The United States should take a leadership role in protecting polar bears and stop allowing the importation of these magnificent animals killed for sport and entertainment.

BUREAU OF LAND MANAGEMENT—WILD HORSE AND BURRO PROGRAM

The BLM is charged with the management of approximately 32,000 wild horses in 10 Western States. The fiscal year 2008 proposed budget for the maintenance of this herd was reduced by $4.7 million from the previous year. While we support a reduction in the number of gathers, allowing the herd to grow without a humane, non-lethal management plan is a recipe for cruelty and disaster. This inadequate budget is further augmented through the unacceptable practice of selling "unadoptable" animals to individuals who often consider them no more than horsemeat for French and Belgian menus. The massive public outcry resulting from sales of wild horses to slaughter reflects revulsion Americans feel about the brutality and unseemly nature of this practice. The BLM should have only two mechanisms for

dealing with "surplus" wild horses and burros; (1) long-term, humane pasturing and (2) adoption.

The BLM's roundup and adoption program has resulted in an increasing number of wild horses being permanently warehoused in BLM hold centers at a significant cost to taxpayers. Studies show that costs could be significantly decreased by treating more mares with the immunocontraceptive PZP (porcine zona pellucida) and returning them to the range, rather than continuing current practices.

We urge the subcommittee to restore and direct these funds to development and research of PZP and further ask that the subcommittee facilitate and encourage greater cooperation between BLM, EPA and The HSUS to expedite implementation of this very promising alternative solution for wild horse management.

LAW ENFORCEMENT DIVISION OF THE FISH AND WILDLIFE SERVICE

After illegal drugs and arms, trade in wildlife parts is the third most lucrative smuggling enterprise in this country. The United States remains one of the world's largest markets for legal and illegal trade in wildlife and wildlife products. New technology and a full complement of Special Agents are essential if law enforcement is to have any hope of effectively enforcing the Nation's endangered species trade laws. We are disappointed with the administration's $1.4 million decrease for the Law Enforcement Division in fiscal year 2008. We are hopeful that proposed user fee increases will make up the difference. We strongly support an additional increase of $2.7 million over the administration's request for USFWS Law Enforcement Operations and Maintenance, to better house and equip the Wildlife Forensics Laboratory and to hire and train additional Special Agents for enforcement of the Captive Wildlife Safety Act.

The Captive Wildlife Safety Act was signed into law in December of 2003, as Public Law 108–191. It passed unanimously in both the House and Senate and takes aim at the problem of private ownership of big cats as pets. We are pleased that the Service has now proposed regulations and urge USFWS to implement these regulations and enforce the Captive Wildlife Safety Act.

ENVIRONMENTAL PROTECTION AGENCY—OFFICE OF RESEARCH AND DEVELOPMENT

In 2000, the Interagency Coordinating Committee on the Validation of Alternative Methods, ICCVAM Authorization Act (Public Law 106–545), created a new paradigm for regulatory toxicology, by promoting chemical testing methods that are often faster and more economical than existing methods. The new paradigm requires Federal agencies to ensure that new and revised animal and alternative test methods be scientifically validated prior to recommending or requiring use by industry. All 15 Federal regulatory and research agencies that compose the ICCVAM agree on a common definition of validation as "the process by which the reliability and relevance of a procedure are established for a specific use."

In recent years, thanks to the leadership of Representatives James Walsh and David Price, Congress has provided specific funding for research, development and validation of non-animal and other alternative test methods that replace, reduce, or refine the use of animals in toxicity testing. However, EPA has under-funded validation studies of non-animal and other alternatives.

For several years, the budget for the Office of Research and Development (ORD) has hovered at approximately $500 million. We have consistently supported a request for 1–2 percent of this budget to go for research, development, and validation of non-animal test methods. While we are greatly appreciative of this first-ever directive, we have yet to receive a detailed accounting of the expenditure of funds. The agency has stated that funding has been provided for bench science that may have future relevant applications. EPA contends it has used monies from the ORD's Science and Technology Account to fund research and development of non-animal and other alternative test methods, but the funding stops at the stage when a test method must be scientifically validated. Consequently, this approach does little to support the necessary validation studies for non-animal test methods with potential application in reducing costs and increasing efficiency in existing EPA programs. Moreover, no detailed reporting on the actual expenditure of funds under the Computational Toxicology Program to promote alternative methods has ever been submitted to the Congress. Therefore, we respectfully request the following report language be included in the bill:

"The committee recognizes the EPA's commitment to developing a Computational Toxicology Program to reduce the use of animal testing and the cost of such testing. It is the committee's expectation that, commensurate with Committee support for funding of the Computational Toxicology Program for the last several years, EPA demonstrate real progress not only in development of computational toxicology

methods, but importantly, in validation of new and revised test methods, non-animal methods, and alternative methods so that these can be utilized in regulatory program activities. The committee encourages EPA to develop, integrate, and implement specific plans for validation studies of new and revised, non-animal and alternative methods for chemical screening and priority setting within the Agency's Computational Toxicology Program. The committee requests that EPA submit an annual report, due by March 31 of the following fiscal year, detailing results of its Computational Toxicology program, to include a section on EPA's overall activities and itemized expenditures in a manner where both specific activities and specific expenditures devoted to validation of new, revised test methods, non-animal methods, and alternative methods are broken out from expenditures on research and development."

Additionally, finalization of the MOU between the EPA and the FDA, under which the EPA will assume the primary authority to review and register therapeutic and other products geared toward humane methods of population control, should be expedited in order to allow PZP to be utilized in a management capacity, rather than an investigational one.

MULTINATIONAL SPECIES CONSERVATION FUND

We join a broad coalition of organizations in requesting an increase over the administration's request for the Multinational Species Conservation Fund (MNSCF) and Wildlife Without Borders. The MNSCF was established by Congress to benefit African and Asian elephants, rhinos, tigers, great apes, neotropical migratory birds and marine turtles. Congress has been very supportive of these programs in the past. Unfortunately in the past couple years, the funding has been consistently considerably less than the amounts necessary to carry out these valuable missions. We ask that you continue to support these highly threatened mammals and birds in fiscal year 2008 by appropriating $2 million each for the African Elephant Conservation Fund, the Asian Elephant Conservation Fund, and the Great Ape Conservation Fund, and $1.5 million for the Marine Turtle Conservation Fund. We further request $2.5 million for the combined Rhinoceros and Tiger Conservation Fund, $5 million for the Neotropical Migratory Birds Conservation Fund, and $500,000 for Wildlife Without Borders.

While we wholeheartedly support increased funding for the MNSCF, we are concerned about past incidents and future opportunities for funds from these conservation programs to be allocated to promote trophy hunting, trade in animal parts, and other consumptive uses—including live capture for trade, captive breeding, and entertainment for public display industry—under the guise of conservation for these animals. Grants made to projects under the MNSCF must be consistent with the spirit of the law.

PROTECTION FOR WALRUSES

We urge this subcommittee to appropriate $500,000 in fiscal year 2008 to fund the continuation of much-needed research on the Pacific walrus. New promising methodologies for surveying walrus populations have been developed and require sustained funding support. A comprehensive walrus survey was begun in 2005—the effort must receive continued support to maximize the utility of its results. Walruses are targeted by Native hunters for subsistence, despite a paucity of data regarding their current population status or population structure. Hundreds of walruses are killed annually; in some years this number has climbed to as many as 7,000. Moreover, in some hunting villages, females and their calves are preferentially killed, against the recommendation of the USFWS and standard management practice. A portion of the research funds could also be used to improve the Walrus Harvest Monitor Project, which collects basic management data.

ENDANGERED SPECIES PROGRAMS

While the fiscal year 2008 budget for the FWS endangered species program has been increased by over $5 million from fiscal year 2007, this amount still falls short of the funding level of fiscal year 2006.

Candidate Conservation.—This portion of the budget is being increased by almost $600,000 from fiscal year 2007 to slightly exceed fiscal year 2006 funding. However, these increases are primarily focused on coordinating energy development and species conservation actions across areas of mixed land ownership specifically in the Green River Basin of Wyoming. Thus, it is doubtful that these additional funds will actually serve to conserve candidate species as a whole but rather to act as incentives to mitigate the effects of energy development in this one discreet area.

Additionally, general program funds have been cut by $178,000 suggesting that candidate conservation as a whole is experiencing funding declines. Considering that the pre-emptive protection of rare species is the best way to ensure their survival and avoid the dire population reductions that lead to listing it behooves the DOI to increase funding towards this program.

Listing.—Although the funding of this element has been increased by about $500,000 from fiscal year 2007, additional funds are desperately needed. Of the 586 listed animals, only about 181 have critical habitat designations. Additional funds of at least $5 million should be added to alleviate the backlog of animals with no defined critical habitats.

Consultation.—This item of the endangered species budget includes an increase, yet, a substantial portion is to provide for expedited energy consultations in the Green River Basin. Funds for this portion of the program should go towards conflict management and conservation needs, and not towards the approval of permits for natural resource mining and drilling.

Recovery.—This component, while increased from fiscal year 2007, still falls short of the fiscal year 2006 budget by nearly $5.5 million. While funds for grizzly bear and wolf conservation and monitoring have been transferred to the ESA program from other sources, there were no increases in funding for the recovery of any imperiled species.

PREPARED STATEMENT OF THE IMPERIAL IRRIGATION DISTRICT, IMPERIAL, CA

This testimony is in support of funding for the U.S. Department of Agriculture (USDA) with respect to its on-farm Colorado River Basin Salinity Control Program for fiscal year 2008. This program has been carried out through the Colorado River Basin Salinity Control Act (Public Law 93–320), since it was enacted by Congress in 1974. With the enactment of the Federal Agricultural Improvement and Reform Act (FAIRA) in 1996 (Public Law 104–127), specific funding for salinity control projects in the Colorado River Basin were eliminated from the Federal budget and aggregated into the Department of Agriculture's Environmental Quality Incentives Program (EQIP) as one of its program components. With that action, Congress concluded that the salinity control program could be more effectively implemented as one of the components of the EQIP.

The Program, as set forth in the act, benefits both the Upper Basin water users through more efficient water management and the Lower Basin water users, hundreds of miles downstream from salt sources in the Upper Basin, through reduced salinity concentration of Colorado River water. California's Colorado River water users are presently suffering economic damages in the hundreds of million of dollars per year due to the River's salinity.

The Colorado River Board of California (Colorado River Board) is the State agency charged with protecting California's interests and rights in the water and power resources of the Colorado River system. In this capacity, California along with the other six Colorado River Basin States through the Colorado River Basin Salinity Control Forum (Forum), the interstate organization responsible for coordinating the Basin States' salinity control efforts, established numeric criteria in June 1975 for salinity concentrations in the River. These criteria were established to lessen the future damages in the Lower Basin States of Arizona, California, and Nevada, as well as assist the United States in delivering water of adequate quality to Mexico in accordance with Minute 242 of the International Boundary and Water Commission.

The goal of the Colorado River Basin Salinity Control Program is to offset the effects of water resources development in the Colorado River Basin after 1972 as each State develops its Colorado River Compact apportionments. In close cooperation with the U.S. Environmental Protection Agency (EPA) and pursuant to requirements of the Clean Water Act (Public Law 92–500), every 3 years the Forum prepares a formal report analyzing the salinity of the Colorado River, anticipated future salinity, and the program elements necessary to keep the salinity concentrations (measured in Total Dissolved Solids—TDS) at or below the levels measured in the Colorado River system in 1972 at Imperial Dam, and below Parker and Hoover Dams. The latest report was prepared in 2005 titled: 2005 Review, Water Quality Standards for Salinity, Colorado River System (2005 Review). The plan necessary for controlling salinity and reducing downstream damages has been captioned the "Plan of Implementation." The 2005 Review includes an updated Plan of Implementation.

Concentrations of salts in the River annually cause about $330 million in quantified damage in the United States (there are significant unquantified damages as well). For example, damages occur from:

—A reduction in the yield of salt sensitive crops and increased water use for leaching in the agricultural sector;

—A reduction in the useful life of galvanized water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers, and increased use of bottled water and water softeners in the household sector;

—An increase in the use of water for cooling, and the cost of water softening, and a decrease in equipment service life in the commercial sector;

—An increase in the use of water and the cost of water treatment, and an increase in sewer fees in the industrial sector;

—A decrease in the life of treatment facilities and pipelines in the utility sector;

—Difficulty in meeting wastewater discharge requirements to comply with National Pollutant Discharge Elimination System permit terms and conditions, and an increase in desalination and brine disposal costs due to accumulation of salts in groundwater basins, and fewer opportunities for recycling due to groundwater quality deterioration; and

—Increased use of imported water for leaching and the cost of desalination and brine disposal for recycled water.

For every 30 milligram per liter increase in salinity concentrations, there are $75 million in additional damages in the United States. Although the Program, thus far, has been able to implement salinity control measures that comply with the approved plan, recent drought years have caused salinity levels to rise in the River. Predictions are that this will be the trend for the next several years. This places an added urgency for acceleration of the implementation of the Program.

Enactment of the Farm Security and Rural Investment Act of 2002 provided an opportunity to adequately fund the Salinity Program within EQIP. The Colorado River Basin Salinity Control Advisory Council has taken the position that the USDA portion of the effort be funded at 2.5 percent of the EQIP funding but at least $20 million annually. Over the past few years, the Natural Resources Conservation Service (NRCS) has designated 2.5 percent of EQIP funds be allocated to the Colorado River Salinity Control program. The Forum suggests that this is an appropriate level of funding as long as it does not drop below $20 million. Funding above this level assists in offsetting pre-fiscal year 2003 funding below this level. The Colorado River Board supports the recommendation of the Forum and urges this subcommittee to support funding for the Colorado River Basin Salinity Control Program for 2008 at this level.

These Federal dollars will be augmented by the State cost sharing of 30 percent with an additional 25 percent provided by the agricultural producers with whom USDA contracts for implementation of salinity control measures. Over the past years, the Colorado River Basin Salinity Control program has proven to be a very cost effective approach to help mitigate the impacts of increased salinity in the Colorado River. Continued Federal funding of this important Basin-wide program is essential.

In addition, the Colorado River Board recognizes that the Federal Government has made significant commitments to the Republic of Mexico and to the seven Colorado River Basin States with regard to the delivery of quality water to Mexico. In order for those commitments to continue to be honored, it is essential that in fiscal year 2008, and in future fiscal years, that Congress continues to provide funds to USDA to allow it to provide needed technical support to agricultural producers for addressing salinity control in the Basin.

The Colorado River is, and will continue to be, a major and vital water resource to the 18 million residents of southern California as well as throughout the Colorado River Basin. As stated earlier, preservation and improvement of the Colorado River water quality through an effective salinity control program will avoid the additional economic damages to users of Colorado River water in California, Arizona, and Nevada.

PREPARED STATEMENT OF THE INTERSTATE MINING COMPACT COMMISSION

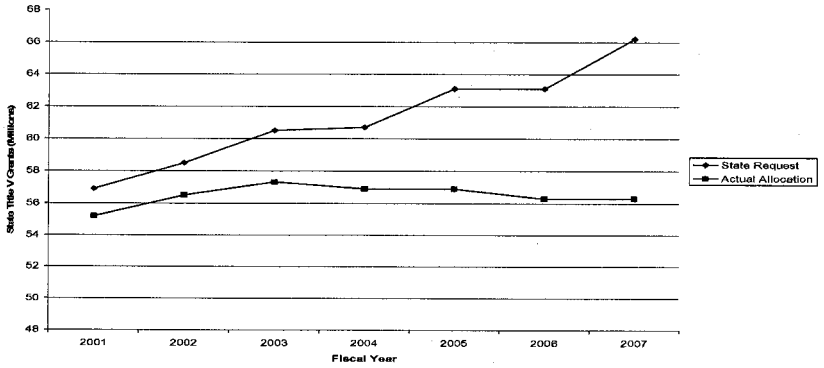
My name is Gregory E. Conrad and I am Executive Director of the Interstate Mining Compact Commission. I appreciate the opportunity to present this statement to the committee regarding the views of the Compact's member States on the fiscal year 2008 Budget Request for the Office of Surface Mining (OSM) within the U.S. Department of the Interior. In its proposed budget, OSM is requesting $60.5 million to fund Title V grants to States and Indian tribes for the implementation of their

regulatory programs and $52.8 million to fund discretionary spending for the Title IV abandoned mine land (AML) program, which includes some State grants. Our statement will address both of these budgeted items.

The Compact is comprised of 24 States that together produce some 95 percent of the Nation's coal as well as important noncoal minerals. The Compact's purposes are to advance the protection and restoration of land, water and other resources affected by mining through the encouragement of programs in each of the party States that will achieve comparable results in protecting, conserving and improving the usefulness of natural resources and to assist in achieving and maintaining an efficient, productive and economically viable mining industry.

OSM has projected an amount of $60.5 million for Title V grants to States, an amount which is matched by the States each year. As you know, these grants support the implementation of State regulatory programs under the Surface Mining Control and Reclamation Act (SMCRA) and as such are essential to the full and effective operation of those programs. For the past several fiscal years, the amount for State Title V grants has been flat-lined. (See figure 1) What this graph does not show is that these grants have been stagnant for over 12 years. The appropriation for State Title V grants in fiscal year 1995 was $50.5 million. Essentially, we have attempted to operate effective, high performance programs with a meager $6 million increase spread over 12 years. By most standards, this is remarkable, and clearly a bargain for the Federal Government. Over this same period of time, coal production has risen substantially and OSM's own budget for Federal program costs has increased by over $25 million. Given the fact that it is the States that operate the programs that address the environmental impacts of coal mining operations, a similar increase would have been expected. But instead, State regulatory grants have remained flat-lined.

Comparison of State Requests to Actual Allocations (FY 2001 - 2007) (Figure 1)



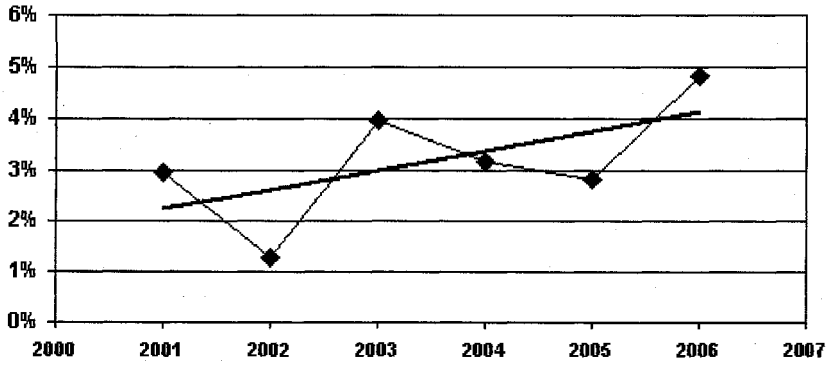
This year, in an attempt to reverse this trend, OSM has proposed a modest increase for State Title V grants. However, it may be too little too late, especially for some States such as Virginia and Utah. In Virginia, for instance, coal production and operating costs have increased, while Federal funding for State-based coal regulatory programs has consistently decreased. The rise in costs associated with wages, employee benefits, and transportation fuels have risen approximately 15 percent over the past 4 years. Due to the loss of Federal funds, Virginia is unable to fill many staff postings, including that of the critical field inspector. Without a full staff of reclamation inspectors, Virginia may not meet Federal inspection guidelines. Virginia is also unable to fill technical support staff positions. This will limit the assistance the Commonwealth can offer to coal companies and significantly delay the review and approval process for surface mining permits. Virginia's situation is symptomatic of what other States are facing—or will soon face—if the debilitating trend for Title V grant funding is not reversed.

It must be kept in mind that State coal regulatory program permitting and inspection workloads are in large part related to coal mine production. In general, as coal production increases, the need for additional permitting and operational inspections also increases. State programs must be adequately funded and staffed to insure that permitting and inspection duties are both thorough and timely as States experience the reality of accelerating coal mine production and expansion activities. As program funding shortfalls continue, States risk the possibility of delayed production and negative impacts to the environment. The situation in Colorado exem-

plifies this reality. From 2002 to 2006, Colorado production increased approximately 10 percent. Permit revision activity increased nearly 50 percent during the same period. This reality has stressed existing program resources and caused the delay or elimination of lower priority program functions.

Just as with the Federal Government, State regulatory programs are personnel intensive, with salaries and benefits constituting upwards of 80 percent of total program costs. And, just like the Federal Government, State personnel costs are increasing. (See figure 2) States must have sufficient staff to complete permitting, inspection and enforcement actions needed to protect citizens of the coalfields. When funding falls below program needs, States may struggle to keep active sites free of offsite impacts, reclaim mined areas, and prevent injuries.

Coal Reguatory Program Personnel Cost Increases



Looking again at figure 1, another disturbing trend is evident. The gap between the States' requests, which are based on anticipated expenditures, and what States are receiving in annual grants, is widening. The numbers in this chart are taken from OSM budget justification documents, OSM's website, and estimates provided to OSM from the States. Please note that these numbers have not been adjusted for inflation—which means the situation is actually more bleak. There is no disagreement about the need demonstrated by the States. In fact, in OSM's own budget justification document, OSM States that: "the States have the unique capabilities and knowledge to regulate the lands within their borders. Providing a 50 percent match of Federal funds to primacy States in the form of grants results is the highest benefit and the lowest cost to the Federal Government. If a State were to relinquish primacy, OSM would have to hire sufficient numbers and types of Federal employees to implement the program. The cost to the Federal Government would be significantly higher." (Page 71 of OSM's Budget Justification)

The enormity of this funding challenge will become increasingly clear as the Federal Government is faced with the dilemma of either securing the necessary funding for State programs or implementing those programs (or portions thereof) themselves—at significantly higher costs. In Virginia alone, for instance, the cost of OSM running the program would likely amount to $8–10 million based on what it currently costs OSM to run the comparable Federal program in Tennessee. For perspective, Virginia has been offered $3.175 million in Federal funding to operate its program (although actual needs amount to $3.6 million—an overall shortfall of nearly $1 million when the State match is factored in). In the end, the increasing gap between the States' anticipated expenditures and actual Federal funding is compounding the problem caused by inflation and uncontrollable costs, undermines our efforts to realize needed program improvements and enhancements, and jeopardizes our efforts to minimize the impact of coal extraction operations on people and the environment. For all these reasons, we urge Congress to increase funding for State Title V regulatory grants in OSM's fiscal year 2008 budget to $67 million, as fully documented in the States' estimates for actual program operating costs.

It must be kept in mind that where there is inadequate funding to support State programs, some States will be faced with either turning all or portions of their programs back to OSM (as in the case of Virginia) or, in other cases, will face potential lawsuits for failing to fulfill mandatory duties in an effective manner (as has occurred in Kentucky and West Virginia in the past). Of course, where a State does,

in fact, turn all or part of its Title V program back to OSM (or if OSM forces this issue based on an OSM determination of ineffective State program implementation), the State would be ineligible for Title IV funds to reclaim abandoned mine lands. This would be the height of irony given the recent reauthorization and revitalization of the Title IV AML program.

With regard to funding for State Title IV Abandoned Mine Land (AML) program grants, recent congressional action to reauthorize Title IV of SMCRA has significantly changed the method by which State reclamation grants are funded. Beginning with fiscal year 2008, State Title IV grants are funded primarily by permanent appropriations. The only programs that continue to be funded through discretionary appropriations are high-priority Federal reclamation programs, State and Federal emergency programs and OSM operations. As a result, the States will receive mandatory funding in fiscal year 2008 of $288.4 million for AML reclamation work. OSM also proposes to continue its support of the Watershed Cooperative Agreement program in the amount of $1.6 million, a program we strongly endorse.

Assuming that permanent appropriations for State AML grants do, in fact, become a reality (and we trust they will), there are three remaining discretionary funding priorities for the States: minimum program funding; Federal emergency programs; and Clean Streams funding. With respect to minimum program States, under the new funding formula, all of the States and tribes will receive funding increases except for minimum program States. They remain stagnant for the next 2 fiscal years at $1.5 million, a level of funding that greatly inhibits the ability of these States to accomplish much in the way of substantive AML work. It is both unfair and inappropriate for these States to have to wait another 2 years to receive funding increases when they are the States most in need of AML moneys. We urge Congress to fund these States at the statutorily authorized level of $3 million in fiscal year 2008 so as to level the playing field and allow these States to get on with the critical AML projects awaiting funding.

We also urge Congress to approve continued funding for emergency programs in those States that have not assumed these programs. Funding the OSM emergency program should be a top priority for OSM's discretionary spending. This funding has allowed OSM to address the unanticipated AML emergencies that inevitably occur each year in States without State-administered emergency programs. Without this funding, it will be up to the States to address the emergencies that occur. In States that have Federally-operated emergency programs, the State AML programs are not structured or staffed to move quickly to address these dangers and safeguard the coalfield citizens whose lives and property are threatened by these unforeseen and often debilitating events. Finally, we urge Congress to approve continued funding for the Clean Streams Initiative. OSM has chosen to eliminate funding for this worthwhile program in fiscal year 2008. We believe this is a mistake. Significant environmental restoration of impacted streams and rivers has been accomplished pursuant to this program, to say nothing of the goodwill that the program has engendered among local communities and watershed groups. For the small investment of money that is appropriated for this program each year (approximately $3 million), the return is huge.

We also urge the committee to support adequate funding for OSM's training program, including moneys for State travel. These programs are central to the effective implementation of State regulatory programs as they provide necessary training and continuing education for State agency personnel. IMCC also urges the committee to support adequate funding for TIPS, a program that directly benefits the States by providing needed upgrades to computer software and hardware. In this regard, we strongly support the proposed amounts for the training program and TIPS in OSM's fiscal year 2008 budget. Finally, IMCC requests continuing support for the Acid Draining Technology Initiative (ADTI), a nationwide technology development program with a guiding principle of building consensus among Federal and State regulatory agencies, universities and the coal industry to predict and remediate acid drainage from active and inactive coal and metal mines. We support continued funding for this vital initiative.

Thank you for the opportunity to present this statement.

PREPARED STATEMENT OF THE INTERTRIBAL BISON COOPERATIVE

INTRODUCTION AND BACKGROUND

My name is Ervin Carlson, a member of the Blackfeet Nation of Montana and President of the InterTribal Bison Cooperative (ITBC). Please accept my sincere appreciation for this opportunity to submit written testimony to honorable members

of the Appropriation Subcommittee on Interior, Environment and Related Agencies. ITBC is a Native American non-profit organization, headquartered in Rapid City, South Dakota, comprised of 56 Federally recognized Indian Tribes within an 18 State region. On behalf of these members of ITBC, I would like to address the following issues: (1) request an appropriation of $4 million for fiscal year 2008, to continue bison restoration efforts, to continue with ITBC's health care initiative, utilizing bison to treat and prevent diet related diseases among Native Americans, to facilitate marketing opportunities for ITBC member Tribes, and to continue providing technical assistance to ITBC member Tribes; (2) explain to the committee ITBC's unmet funding need of $12,344,163, and (3) update the committee on ITBC's present initiatives.

Bison thrived in abundance throughout North America for many centuries before they were hunted to near extinction in the 1800's. During this period of history, bison were critical to survival of the American Indian. Bison provided food, shelter, clothing and essential tools for Indian people and insured continuance of their subsistence way of life. Naturally, Indian people developed a strong spiritual and cultural relationship with the bison that has not diminished with the passage of time.

Numerous Tribes committed to preserving the sacred relationship between Indian people and bison informally organized the ITBC as an effort to restore bison to Indian lands. ITBC formally organized as a corporation in 1992 and began actively restoring bison to Indian lands after receiving funding that same year as an initiative of the first Bush administration. At its inception, ITBC had an aggregate of 1,500 bison between seven Tribes. Since 1992, ITBC has been consistently funded by Congress and with these funds has successfully restored over 17,000 bison to Indian Country.

Restoration of bison to Indian Reservation lands preserves the sacred relationship between Indian people and bison. Further, Indian lands that have not been productive for mainstream agricultural efforts were and still are suitable for bison. Since Indian Tribes have maintained a historical reverence and respect for bison, they have demonstrated a serious commitment for successful bison herd development. With healthy, viable bison herds, opportunities now exist for Tribes to utilize bison for treatment and prevention of diet related diseases among Native American populations and for tribal economic development efforts. A primary focus of ITBC, upon successful restoration efforts, is the development of economically sustainable bison herds. Further, ITBC actively promotes bison as a healthy food source specifically for Native American populations, resulting in Tribes utilizing a culturally relevant resource to promote health and economic self-sufficiency.

FUNDING REQUEST

The InterTribal Bison Cooperative respectfully requests an appropriation for fiscal year 2008 that restores funding to the previous fiscal year 2006 level of $4 million ($3 million that came from congressional actions and $1 million within the BIA's existing Fish and Wildlife budget). This amount will allow ITBC to continue with restoration efforts as well as insure successful maintenance of current Tribal herds. Without a restoration of the previous level of funding, ITBC will be unable to assist Tribes with new bison restoration efforts or effectively maintain existing herds. Restoration of the $4 million funding level will also allow continuation of the successful health care initiative to prevent and treat diet related diseases among Native American populations, and implement Tribal marketing initiatives that will allow Tribes to achieve economically sustainable bison projects.

FUNDING SHORTFALL AND UNMET NEED

ITBC has been consistently funded by Congress since formal organization in 1992. Initially, ITBC was included in the President's budget until fiscal year 2000 when it was written out of the base budget. Since 2000, ITBC funding has been restored/appropriated by Congress on an annual basis.

In fiscal year 2006, ITBC was awarded $4 million. In fiscal year 2007, the Interior Appropriations bill, as reported by the full Appropriations Committee, recommended $2.7 million in funding for ITBC. However, as this committee is aware, that bill never became law and the fiscal year 2007 long term Continuing Resolution did not include much direction to the Bureau of Indian Affairs. ITBC was essentially zeroed out, but we were able to secure $1 million of base funding for direct support to Tribes for on-going tribal herd projects. Thus, in fiscal year 2007, ITBC has no Federal funding for the health initiative, Tribal marketing efforts, technical services to Tribes, job training, or ITBC administration. At the current $1 million level of funding, many ITBC member Tribes will not receive funding to begin or continue bison restoration efforts. If congressional funding is not available in fiscal year 2008,

many ITBC member Tribes will be forced to liquidate their herds. Congress has invested a significant amount of funding in the Tribal bison restoration efforts, over a 15 year period, and to discontinue funds before herds reach self-sufficiency would result in a loss of invested funds for Congress and for Tribes.

ITBC, while formally incorporated, is structured as a member cooperative and 100 percent of the appropriated funds are expended on the development and support of Tribal bison herds and bison product business ventures. A significant portion of awarded funds are distributed to ITBC member Tribes via a project proposal process developed by the consensus of members. Funds are also utilized to assist Tribes with technical services such as the development of herd management plans, identification of assured markets and the health care initiative.

ITBC surveys member Tribes on an annual basis to determine unmet project needs and currently the total unmet need for ITBC member projects is approximately $12,400,000. These needs include fencing, supplemental feed, equipment, land management plans, veterinary services, and herd management staff. Thus, even the $4 million of funding for bison restoration we have requested will fall far short of the actual needs of member Tribes, but we are trying to be realistic in making a budget submission that indicates an understanding of budget realities the Interior subcommittees are faced with.

ITBC GOALS AND INITIATIVES

Restoration Efforts

ITBC's primary goal is to restore bison to Indian Country in a manner that is compatible with the Tribe's cultural and spiritual practices. ITBC remains committed to the concept that a restoration of bison to Indian lands under the management of Tribes will provide the Tribe with cultural, spiritual, economic, and health benefits. ITBC member Tribes have varying sizes of herds and varying goals for entering into bison herd development. Some Tribes have large land bases that allow free-ranging bison herds that may achieve sustainability as agricultural efforts. Other Tribes have small land bases that sustain small herds but have spiritual and cultural significance for the Tribe. Upon achieving restoration of bison to Indian country, ITBC assists Tribes with herd maintenance and promotes the goal of eventual self-sufficient herds, or herds that will generate sufficient income to offset costs of maintenance.

Herd Maintenance and Sustainability

In 1991, only seven Tribes had bison herds on their lands in varying herd sizes and the bison provided little economic benefit to the Tribal owners. Since then, ITBC has proven extremely successful at bison restoration during its relatively short 15-year history. Today, with the support and technical assistance of ITBC, 54 Indian Tribes are engaged in raising bison or developing plans to raise bison, with approximately 17,000 animals currently owned and managed by ITBC member Tribes.

Upon the successful restoration of bison to Indian country, a new reservation industry has resulted that positively impacts reservation economies. Bison production has created jobs, directly and indirectly, related to herd management. As a result, a significant amount of revenue derived from bison products is beginning to circulate through Indian reservation economies.

ITBC provides technical assistance and a job training curriculum to member Tribes to enter into this new emerging industry. Specifically, ITBC has assisted nine (9) member Tribes in the past year with developing comprehensive business plans that include Tribal specific research, data collection and tribal membership meetings. Additionally, ITBC has conducted four (4) herd management training sessions in various locations throughout Indian country. ITBC additionally routinely assisted member Tribes with herd roundups, on-site bison vaccination, ear tagging and disease treatment.

Preventive Health Care Initiative

ITBC is committed to providing bison meat to Indian reservation families both as an economic development effort for Tribal bison producers and, more critically, as a healthy food source for Native Americans. Current research indicates that the diet of most Indian reservation families includes large amounts of high cholesterol, processed meats that contribute to diabetes, heart disease and other diet related illnesses. The epidemic rate of diabetes among Native American populations is well known. Bison meat, a former mainstay of the Native American diet, has been identified as a healthy food source for the prevention and treatment of diabetes.

In April 2006, ITBC began implementation of a Health Care Initiative that provided bison meat to Tribes that had identified a specific population, through coordi-

nation with health care professionals, which would benefit from bison meat consumption. ITBC has since purchased 137,000 pounds of bison meat from member Tribes, processed the meat and redistributed it to 54 of the 56 member Tribes for health care purposes. In turn, Tribes utilized reservation based diabetes programs or the Indian Health Service to identify tribal members who would benefit from the bison meat.

In addition to the purchase and distribution of bison meat to ITBC member Tribes, ITBC plans to develop an educational component to the health care initiative that will educate Native American families of the health benefits of range fed bison meat in their daily diets.

Tribal Bison Marketing Initiative.

Numerous ITBC Tribes have expressed an interest in seeking assured markets for their bison as an economic development effort and to move toward raising self-sustaining herds. ITBC intends to provide funding to assist Tribes with specific projects to market their bison including labeling, packaging, advertising and negotiation of specific contracts with purchasers. Additionally, ITBC hopes to provide technical assistance in areas of meat processing, cold storage facility development, development of distribution systems for bison meat and by-products. In addition to these goals of assisting individual Tribes, ITBC intends to develop an ITBC cooperative brand name with standards and labeling guarantees for Native American produced bison.

CONCLUSION

ITBC has demonstrated success over the years by assisting its member Tribes in restoring bison to their native lands for cultural purposes, to address health needs and for economic development. ITBC will continue to provide technical assistance and funding to its member Tribes to facilitate the development of sustainable bison herds.

ITBC and its member Tribes have created a successful new Indian reservation industry, tribal bison production, resulting in new money for reservation economies. In addition, ITBC continues to implement the health care initiative, provide marketing opportunities, and assist Tribes with achieving economically self-sufficient bison herds.

ITBC and its member Tribes are appreciative of past and current support from the Congress and the administration. I urge the committee to consider a restoration of previous funding at the fiscal year 2006 level to continue, without interruption, the important and successful efforts of bison restoration and the above discussed related benefits.

I would like to thank this committee for the opportunity to present testimony and the members of ITBC invite the honorable members of the committee to visit our Tribal bison projects and experience first hand our successes.

Questions and/or comments regarding any of the issues presented within this testimony may be directed to Mr. Ervin Carlson, President or to Ms. Ivy Allard, Executive Director at (605) 394–9730.

PREPARED STATEMENT OF THE INTERTRIBAL TIMBER COUNCIL

SUMMARY

Mr. Chairman, I am Nolan Colegrove, Sr., President of the Intertribal Timber Council. I am a member of the Hoopa Tribe and serve as the Hoopa Tribal government's Forest Manager. I am pleased to submit the following recommendations for fiscal year 2008 Indian forestry-related activities in the Bureau of Indian Affairs (BIA) and the Office of the Special Trustee (OST):

(1) In BIA Forestry Projects, restore the $1 million cut from the Timber Harvest Initiative,

(2) In BIA Natural Resources Management, provide $4 million for ESA unfunded mandates, including $2.2 million designated for Northern Spotted Owl and marbled murrelet surveys,

(3) In BIA Forestry Projects, increase Forest Development by $5 million,

(4) In BIA Natural Resources Management, direct that Integrated Resource Information Program funding be retained in the BIA Division of Trust,

(5) Support common cost accounting practices for Wildland Fire in Interior and the Forest Service, and

(6) In OST, restore Land Consolidation at the fiscal year 2007 $59.5 million level, and direct consolidation priority for acquisition of Youpee interests and forest and other high value lands.

INTERTRIBAL TIMBER COUNCIL BACKGROUND

The Intertribal Timber Council (ITC) is a 31 year old organization of seventy forest owning tribes and Alaska Native organizations that collectively possess more than 90 percent of the 18 million acres of timberland and woodland that are under BIA trust management. These lands provide vitally important habitat, cultural and spiritual sites, recreation and subsistence uses, and through commercial forestry, income for the tribes and jobs for their members. In Alaska, the forests of Native corporations and thousands of individual allotments are equally important to their owners. To all our membership, our forests and woodlands are essential to our physical, cultural, and economic well-being, and their proper management is our foremost concern.

(1) In BIA Forestry Projects, Restore the $1 Million Cut From the Timber Harvest Initiative

For fiscal year 2008, the ITC urges that the subcommittee reject the administration's proposed cut of $1 million from the BIA Forestry Timber Harvest Initiative and maintain funding at least at the fiscal year 2007 level, adjusted for inflationary and salary cost increases. The Forestry Timber Harvest Initiative provides additional Forestry personnel on reservations where harvest falls short of planned levels under forest management plans. Harvesting a tribe's annual allowable cut pursuant to its forest management plan is an integral part of the trust responsibility of the United States for managing Indian forests. The National Indian Forest Resources Management Act requires Indian forests to be managed for sustained yield and harvest is vital to protect the health of our forests from threats of catastrophic loss from insects, disease, and wildfire. Because these Harvest Initiative funds are targeted primarily at harvest and build upon existing forest program infrastructure, these funds are particularly efficient at moving additional timber out of the woods in the BIA's Northwest and Pacific Regions. The administration's proposed $1 million reduction to the program would affect ten or twelve reservations, would reduce the BIA's annual harvest level by about 52 million board feet (about 10 percent of the total harvest from Indian land nation-wide), and would result in a loss of approximately $7.7 million in revenues to tribal governments, as well as jobs in logging and processing which are important to local communities.

Indian forest lands remain the most productive of Federal forest lands. The Timber Harvest Initiative is a key element in maintaining that productivity and supports forest health. Without it, harvest levels will fall significantly, hazard fuels will build up, and Federal trust responsibility to effectively manage Indian forests for the benefit of the tribes will be compromised, tribal revenues will suffer, and rural jobs and the communities they support will be further strained. The cutting of the $1 million is imprudent, and the funds must be restored.

(2) In BIA Natural Resources Management, provide $4 million for ESA unfunded mandates, including $2.2 million designated for Northern Spotted Owl and marbled murrelet surveys

As part of its trust responsibility to manage Indian forest land, the BIA must consult with the USFWS and NOAA Fisheries under the Endangered Species Act (ESA). The administration's fiscal year 2008 request for ESA-related funding covers just two Central Office personnel. But the ESA affects many activities that must be carried out in the field at the reservation level. In BIA's Pacific Region, for example, there are over 290 federally listed species and 102 federally recognized Indian tribes, but there are no funds provided for surveys or other required ESA field work. To correct this, the ITC requests that BIA ESA funding be increased to $4 million. Within the range of the NSO and murrelet, ESA funding is needed to harvest timber and conduct other forest management activities. At least $2.2 million should be designated in BIA ESA funding to support NSO and murrelet impact assessments. The balance of the $4 million should be available for additional BIA ESA priorities.

BLM gets slightly more than $.08 an acre for threatened and endangered species management on its 262 million acres. At similar funding levels, BIA should receive $4 million a year for the 50 million acres under its management.

(3) In BIA Forestry Projects, increase Forest Development by $5 million

In two reports over the past 12 years, independent national reviews by blue ribbon groups of forestry professionals have recommended that per acre Federal funding for Indian trust forests should be comparable to that provided for the USDA

Forest Service (USFS).[1] Both reports estimate that an additional $120 million would be required. In recognition of the fiscal constraints confronting Congress, we recommend that efforts to reduce the funding gap be directed first at increasing support for the Forest Development budget in Forestry Projects in the Operation of Indian Programs Natural Resources Management budget activity. Forest Development funding is a dedicated national program. Currently, about one-sixth of the 6 million acres of Indian trust commercial forest is in need of either replanting or thinning. This backlog must be reduced to improve the productivity of Indian forest lands.

The BIA's fiscal year 2005 Forest Development budget provided treatment on 58,000 acres. For fiscal year 2008, the goal is just 52,000 acres, a reduction of more than 10 percent over 3 years. In the face of a million acre backlog, more acres must be treated, not less. A $5 million increase to the fiscal year 2008 request will treat an additional 30,000 acres.

Compared to almost any other Federal forest resource, Indian trust forest lands continue to generate significant timber production and should be supported. Investing an additional $5 million to start reducing the BIA Forest Development backlog will help fulfill the Federal trust responsibility by narrowing the funding gap between BIA Forestry and the U.S. Forest Service. Nationally, Forest Development will increase timber harvest and value, improve forest health by reducing the threat of fire, infestation and disease, and, through reforestation, contribute to carbon sequestration. An additional benefit is that this effort will produce woody biomass to advance the Nation's renewable energy initiatives.

(4) In BIA Natural Resources Management, direct that the Integrated Resources Information Program budget be retained in the BIA Division of Trust

ITC asks the subcommittee to direct that the $1.25 million requested by the administration for the Integrated Resources Information Program in BIA Natural Resources Management be retained in the Division of Trust and that those funds not be transferred to the Information Technology budget and the new National Geospatial Resource Center in Albuquerque. These funds are essential for the Division of Trust to retain personnel who can process and apply GIS and remote sensing data for BIA Trust programs—Forestry, Agriculture and Range, Water, Minerals. IT personnel at the new National Geospatial Resource Center (NGRC) simply do not have that capability, yet for the past few years, the Trust Division's Integrated Resource Information Program funding has been stripped from the Division of Trust and transferred to the NGRC. If those funds continue to be stripped from the Trust Division's GIS and remote sensing experts for Forestry and other Trust programs and shipped off to the NGRC, the BIA overall is in danger of losing its capability of processing and applying modern GIS and remote sensing data to trust programs serving tribes.

While some larger tribes are able to establish their own GIS/remote sensing capabilities, the BIA is in danger of losing essential GIS/remote sensing capacity it needs both to serve tribes without that capability and to conduct the BIA's own trust management responsibilities. The ability for tribes and BIA programs to receive, understand and use modern land management data is critical to the trust responsibility, and the new NGRC simply hasn't that capability. Assuring that Integrated Resource Information Program funds stay where they are budgeted and needed will help address this problem.

(5) Support common cost accounting practices for Wildland Fire in Interior and the Forest Service

The ITC supports establishment of common and consistent cost accounting practices and business principles for fire budget administration and tracking by the Department of Interior (DoI) and USFS. Standardization will provide more accurate and consistent costs for all wildland fire activities and would also allow Congress to appropriate fire budgets equitably between all Federal agencies.

Currently, the USFS funds hotshot crews from Suppression Accounts while DoI funds its hotshot crews out of Preparedness accounts. The DoI practice distorts and underestimates actual suppression costs while placing a severe burden on agency Preparedness budgets, and, as a consequence, many DoI agencies are having difficulty attracting, training and retaining the next generation of fire fighters.

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[1] Indian forests receive only about one third of the level provided for U.S. Forest Service. (Fiscal year 1991 BIA per acre: $4.14, USFS per acre: $11.69. See IFMAT 1 Report, November 1993, Table 11, page V–4. fiscal year 2005 BIA per acre: $2.83, USFS per acre: $9.51. See IFMAT 2 Report, December 2003, Table 2, page 9.)

(6) In OST, restore Land Consolidation to the requested $59.5 million level, and direct consolidation priority for acquisition of Youpee interests and forest and other high value lands

The ITC urges that funding for the Land Acquisition program be restored to the fiscal year 2007 request of $59.5 million. Land fractionation is a root cause for many of the Interior Department's difficulties and high costs in trust fund and asset administration. Fractionation must continue to be aggressively addressed. We disagree that funding should be reduced to just $10 million under the administration's rationale that a "pause" in the program is warranted.

The ITC urges that consolidation focus not only on highly fractionated properties, but also on (a) purchase of the so-called Youpee interests to avoid the enormous cost of un-doing the previous acquisition of highly fractionated interests through escheat; and (b) consolidation of high value lands, including forest lands, prior to ownership becoming so severely fractionated that productive use of the property becomes problematic. Consolidating high value lands can generate immediate savings in administrative costs and will enable the United States to fulfill its trust obligations to manage the Indian trust estate.

That concludes the ITC fiscal year 2008 testimony. Thank you.

PREPARED STATEMENT OF THE KENT LAND TRUST

Madam Chairwoman and honorable members of the committee: The Kent Land Trust (KLT) appreciates the opportunity to present this testimony in support of a $770,000 appropriation to the State of Connecticut from the Forest Legacy Program for the second phase of the Skiff Mountain project. KLT is a non-profit land conservation organization with a mission to preserve the rural character of the Town of Kent, Connecticut. Founded in 1989, the KLT owns over 1,000 acres and manages another 941 acres under conservation easement.

Skiff Mountain is our organizations top priority for conservation because of its unique ecological and scenic attributes, and the recurring threat of development on the mountain. In 2003, the KLT purchased over 250 acres of property adjacent to the Appalachian Trail that was slated for residential development and is now managing it for conservation purposes. We have been encouraging private landowners on Skiff Mountain to pursue conservation of their private lands and we are very supportive of the current initiative to manage and protect hundreds of acres of forested land on Skiff Mountain in perpetuity through the Forest Legacy Program.

Strategically located among already existing conservation lands, and immediately adjacent to the Federally protected and world-renowned Appalachian National Scenic Trail, the Skiff Mountain assemblage has been identified by the State as its top priority for Forest Legacy funding this year; this would complete the second and final phase of this outstanding conservation effort. This network of forested properties, totaling 765 acres, straddles the Kent-Sharon town line in Litchfield County, an area under tremendous large-lot development pressures. The protection of Skiff Mountain—part of the newly enacted Upper Housatonic Valley National Heritage Area—would conserve a large tract of unfragmented forest that provides linkages to over 7,000 acres of other protected land.

In fiscal year 2006, Congress appropriated $1.182 million in Forest Legacy funding for the protection of the first 473 acres. In order to complete the project in fiscal year 2008, $770,000 is needed from the Forest Legacy Program to help preserve the remaining 292 acres and keep intact this conservation corridor of the Housatonic River Watershed and four-State Highlands region. These funds will be matched by local funding and land value donation. We hope that you will provide the $770,000 to ensure the success of this effort in the fiscal year 2008 Interior appropriations bill.

Thank you for the opportunity to present this request.

PREPARED STATEMENT OF THE LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

As President of the Lac du Flambeau Band of Lake Superior Chippewa Indians, located in Wisconsin, I am pleased to submit this testimony, which reflects the needs, concerns and issues of the tribal membership arising from the President's fiscal year 2008 Budget.

Congress this year passed a number of new rules aimed at reducing "earmarks," and there is concern among tribal leaders about how these changes might affect tribal programs. We are especially concerned after the fiscal year 2007 budget was

passed without any earmarks, and several critical tribal programs did not receive funding. As you know, many tribal programs are funded each year in the Interior budget only because Congress recognizes their importance an elects to restore them. This is true both for nationwide programs that the Bush administration seems intent on eliminating—like the Johnson O' Malley program—and for the base budgets of smaller regional programs—such as Circle of Flight—that used to be part of the BIA base budget but were inexplicably dropped. These programs are not "earmarks" of the kind Congress and the American people want to see eliminated. They are proven, important programs for which stable funding is critical. Many of these programs will fold entirely if they lose funding for one year. I hope that Congress chooses to exercise its "power of the purse" and does not simply allow the administration's cuts to go unchallenged in the name of earmark reform.

BUREAU OF INDIAN AFFAIRS

Education.—We understand that education funding has been increased in some areas, but the increases are all targeted at improving BIA schools. To balance the increases, the administration proposes to cut education programs that benefit students outside of BIA schools, such as JOM and higher education scholarships. Because the Band's member children attend public schools, this funding forms the core of the Band's education program.

For the second year in a row, the administration has proposed to eliminate JOM funding. The JOM program provides funding for supplemental education programs for Indian students attending public schools, such as academic support programs, counselors or cultural education. The administration attempts to justify this by saying that the Department of Education provides enough funding for all youth attending public school, including Indian children, so JOM funding is "duplicative." This is not true.

There are two types of funding available from the Department of Education, and neither one "duplicates" JOM funding. First, Title I grants are provided to schools based on the number of low-income students. Those funds may be used either for school-wide improvement projects or for targeted programs for children identified as at-risk of failing. Title I funds are directed at services for low-income or low-performing students. These services are important and, like all other public school resources, qualifying Indian students would have access to them on the same basis as other students. However, these grants do not support programs specifically aimed at supporting Indian students. The Department of Education provides some funds for Indian students under Title VII, but the Department has not increased for Indian student programs for several years. If the JOM program were eliminated, the net result would be that less money would be available for Indian student programs.

At Lac du Flambeau, JOM money funds a staff counselor position at the local high school. Most of our children attend an elementary school that is over 90 percent Indian, and transition to a high school in which they are a minority. The counselor provides academic support and assistance with this transition. Without JOM money, this position would be eliminated. The high school provides no comparable services for Indian students and has no money available to fund the position if the Tribe cannot do so.

—We urge the subcommittee to restore full funding ($16.3 million) to the JOM program and to reject the proposed $5.3 million cut to higher education scholarships.

Natural Resources.—Tribes are leaders in natural resource protection and this funding is essential to maintain these programs. The Tribe has a comprehensive Natural Resource Department and dedicated staff with considerable expertise in natural resource and land management. Our activities include raising fish for stocking, conservation law enforcement, data collection on water and air quality, developing well head protection plans, conducting wildlife surveys and administering timber stand improvement projects on the 86,000-acre Reservation. We support the administration's proposal to fully fund the Wildlife and Parks budget, and we thanks the subcommittee for its support of this funding in the past. Lac du Flambeau depends on this funding to conduct wildlife and fisheries management activities, such as to electrofishing and wildlife surveys, and to collect data to support the fish and wildlife populations on the Lac du Flambeau Reservation. However, we strongly oppose any attempts by the administration to further cut back on natural resource funding.

We are especially concerned about the administration's proposal to eliminate the Circle of Flight program. Congress has restored this funding when it was targeted in past years, and the Band would like to thank the subcommittee for understanding how important this program is in restoring and preserving our Nation's

wetlands and waterfowl populations. The preservation and restoration of wetlands is vital to the culture and economy of the Great Lakes region. Moreover, in addition to waterfowl habitat and gathering areas, wetlands are important in providing flood control, clean water and recreation, benefiting residents up and down the Mississippi Flyway. Your strong support of this program is required again.

We also ask the subcommittee to restore funding for Water Management, Planning & Development to fiscal year 2006 levels ($7.4 million). This funding supports tribes in their efforts to establish Clean Water Act standards. The Band is now in the process of applying for "Treatment as a State" status under the Clean Water Act, and this funding is essential to us.

—We strongly urge the subcommittee to restore $600,000 for the Tribal Wetland and Waterfowl Enhancement Initiative (Circle of Flight).

—We ask the subcommittee to provide $7.4 million for Water Management, Planning & Development.

—We urge the subcommittee to reject the administration's proposal to cut $1 million from the Forestry program.

The Band also supports funding for the Great Lakes Indian Fish and Wildlife Commission (GLIFWC) in the amount of $4,174,000 to meet the needs outlined in the Commission's testimony submitted to this subcommittee. The Band is a member of the Commission, which assists the Band in protecting and implementing its treaty-guaranteed hunting, fishing and gathering rights.

Pay Cost Shortages.—Under the Indian Self-Determination Act, many tribes have assumed responsibility for providing core services to their members. If these services were provided by the Federal Government, employees would receive pay cost increases mandated by Federal law. While tribal governments have assumed this responsibility, Congress and Interior have failed to fulfill their obligation to ensure that tribes have the same resources to carry out these functions. Tribes received only 75 percent of the pay cost adjustment in fiscal year 2002, 15 percent in fiscal year 2003 and approximately 30 percent in fiscal year 2004. Funding for the Band's most critical core services, including law enforcement, courts, education, natural resource management and social services, has eroded significantly in recent years because of the lack of appropriate pay cost increases. The requested appropriation would cover a 5 percent cost of living adjustment for the Band's program employees within TPA, Management and Development and Fish Hatchery Operations. This inequity threatens to undermine tribal self-determination.

—We urge the subcommittee to restore full Public Law 93–638 pay cost funding for tribes in fiscal year 2008 and to restore pay cost funding not received in fiscal year 2002–2007 through a special appropriation.

—The Band also requests an appropriation of $70,600 to provide a 5 percent cost of living increase for its employees.

Law Enforcement. Conservation law enforcement officers are a significant part of the Tribe's police force. These officers are primarily responsible for enforcing hunting and fishing regulations related to the exercise of treaty rights, but in reality they have a much larger role in law enforcement. They are often first to respond to an emergency situations, and would be the first line of defense for any meth labs found on or near the Reservation. After overall law enforcement funding was cut in fiscal year 2006, the Department of Justice limited eligibility for tribal law enforcement grants, excluding conservation officers. As a result, our officers are now 100 percent dependent on tribal funds. We appreciate the BIA's proposal to increase law enforcement funds, and we hope that some of this increase can go to conservation law enforcement officer fighting meth on Reservations like Lac du Flambeau.

—We ask that the subcommittee direct a portion of the BIA's proposed law enforcement increase to conservation officers.

ENVIRONMENTAL PROTECTION AGENCY

Clean Water Program.—The Clean Water Program provides grants to tribes under Section 106 of the Clean Water Act to protect water quality and aquatic ecosystems. The Lac du Flambeau Clean Water program maintains and improves water quality as development continues for the tremendous amount of surface water within the exterior boundaries of the Reservation. According to the 2000 Census, the Lac du Flambeau Reservation, with 27.09 square miles of water area, includes nearly one-half of all of the water area (56.34 square miles) within Wisconsin Indian Reservations. The Band's GIS Program indicates that there are 260 lakes covering 15,600 acres within the Reservation. Additionally there are 71 miles of streams, and wetlands cover 24,000 acres. Surface waters cover nearly one-half of the Lac du Flambeau Reservation. We received $171,000 in fiscal year 2005, the minimum required to support the Band's program. In fiscal year 2006, the administration reduced this

to $150,000. Continued operation of the program requires restoration of this $21,000 cut.

—We request restoration of full funding to the Clean Water Program, including restoration of $171,000 from this fund for the Band's Water Resources Program.

Indian Environmental General Assistance Program.—We also request that the committee increase funding for the Indian Environmental General Assistance Program (GAP). GAP funding is the primary Federal mechanism available for tribes to protect our lands. These funds, which provide support for many of our programs, enable tribes to assume environmental responsibilities delegated by EPA. Unfortunately, GAP funding has steadily decreased over the past several years. We ask the committee to increase GAP funding to at least $68.3 million to enable tribes to continue developing environmental management infrastructure. We also ask you to clarify that GAP funding can be used for development, implementation and continued support of tribal environmental programs, not merely "capacity building."

—The Band requests that the subcommittee increase funding for the Indian Environmental General Assistance Program (GAP) to $68.3 million.

NATIONAL PARK SERVICE

Historic Preservation.—In 1995, Congress began encouraging tribes to assume historic preservation responsibilities as part of self-determination. There are currently 64 tribes in the United States—eight in Wisconsin—approved by the Secretary to administer historic preservation programs. These programs conserve fragile places, objects and traditions crucial to tribal culture, history and sovereignty.

As was envisioned by Congress, more tribes qualify for funding every year. In fiscal year 2001, there were 27 THPOs with an average award of $154,000; in fiscal year 2006 there were 58 THPOs, and Lac du Flambeau received $57,374. Paradoxically, the more successful the program becomes overall, the less each tribe receives to maintain professional services, ultimately crippling the programs. The requested appropriation would provide a modest base funding amount of $180,000 per THPO program.

—The Band requests that $10.4 million be allocated within the Historic Preservation Fund for Tribal Historic Preservation Officers (THPOs).

INDIAN HEALTH SERVICE

Contract Health.—Federal funding for health services has fallen dramatically behind the rising cost of health care over the past 5 years. In fiscal year 2000, The Band's shortfall for health care was $1.2 million. We anticipate the fiscal year 2008 shortfall to be in excess of $3 million. This deficit has increased 27 percent annually. Despite rising costs, the administration proposes an increase of only $49 million for contract health service. A much more substantial increase is needed to address the need across Indian county.

—We urge the subcommittee to significantly increase funding for Contract Health Services.

Service Expansion.—In order to offer expanded dental services to tribal members, the Tribe is now working to open our doors to Medical Assistance patients for dental services in the surrounding four-county area. Financial support ($600,000) is needed for new equipment. We also request $200,000 funding to increase availability of on-site optical services in connection with our new clinic, scheduled to be opened in June of 2008. All optical services for tribal members are now contracted to outside vendors.

CONCLUSION

We come before the committee as we have in past years to underscore the importance of these tribal programs and great need at Lac du Flambeau and across Indian country. We would also like to thank the subcommittee for your past support, especially for your support of the Lac du Flambeau Boarding School Project. With help from this subcommittee, our efforts to restore the old BIA boarding school and create a cultural and educational center are well underway, and we have raised additional funds from several outside sources to help with the project.

PREPARED STATEMENT OF THE MASON TOWNSHIP RESIDENTS

Madam Chairwoman and honorable members of the committee: I appreciate the opportunity to provide testimony on behalf of a request for a $550,000 Land and Water Conservation Fund appropriation in fiscal year 2008 to permit the U.S. For-

est Service to acquire the 664-acre Haystack Notch property in the White Mountain National Forest in Maine.

I would also like to commend the chairman and other subcommittee members for your support for Federal land acquisition and urge you to increase funding for the Land and Water Conservation Fund, which is so vital to protecting critical resource and recreation lands nationwide.

The citizens and landowners of Mason Township wish to support this acquisition to the White Mountain National Forest. Over the last 2 years, we have collaborated with conservation groups to protect the Haystack Notch Property. As new comers and 4th generation residents alike, we value the remote and aesthetic qualities of the National Forest and surroundings. Many of us have fond memories of trout fishing, hunting and hiking adventures. We wish for future generations to have the same opportunity. We believe the uniqueness of our rural township, characterized by the rugged mountains, is best suited for Federal ownership and conservation. Preserving acreage for public access is paramount to secure recreational opportunities, which in turn, support our local economy. The White Mountain National Forest will ensure the aquatic and terrestrial habitats are managed and protected in an exemplary fashion.

With 770,000 acres of endless great granite stretching from New Hampshire to Maine and located just over an hour and a half drive north of Boston, the White Mountain National Forest is one of the most popular recreation areas in the highly developed Northeastern area of the United States. The forest contains the majestic Presidential Range, which includes Mt. Washington, one of the highest and most visited mountains in the United States. In addition, the heavily traveled Appalachian Trial runs throughout the forest. Moose, black bear, bald eagles and American peregrine falcons find home in the White Mountains, and a thorough network of trails provides easy access to the forest for the 6.5 million campers, hikers, hunters, fishermen, swimmers, boaters, skiers and other outdoor enthusiasts who annually visit the forest. Over 184 species of birds find habitat in the forest and numerous aquatic species such as the Eastern Brook trout and Atlantic salmon are found in the many pristine rivers that run throughout the forest. A small portion of the WMNF is located in Maine and includes the Caribou-Speckled Mountain Wilderness Area, designated by Congress in 1990 and covering 12,000 acres of public land on the WMNF. It is the largest and one of only two Wilderness areas in Maine, located south of Route 2 near the small town of Gilead.

Immediately adjacent to the Caribou-Speckled Mountain Wilderness Area and surrounded on three sides by U.S. Forest Service ownership is the 664-acre Haystack Notch property available for acquisition in fiscal year 2008 that will provide significant public access into the wilderness area. The property is located in Mason Township in western Maine, where recently a large amount of timber company lands are being disposed of and turned over to development and subdivision. The local public desires that opportunities continue for traditional uses such as hiking, sightseeing, fishing, hunting, trapping and snowmobiling. In particular, the Miles Notch and Haystack Notch trailheads are located on this property and link to other trails, including the Red Rock and Great Brook trails, which also pass through the Caribou-Speckled Wilderness. From a recreational perspective, this acquisition would solidify access to these trails, trailheads, and this part of the wilderness and these opportunities could be lost if the tract is sold to another private entity and the property is subdivided.

This property also provides important wildlife values and has natural wetlands and two key perennial streams, the West Branch of the Pleasant River and Miles Brook, which are tributaries of the Androscoggin River, along with several intermittent streams. The WMNF recently evaluated the West Branch of the Pleasant River and found it to be eligible for Wild and Scenic designation. Lower reaches of the West Branch are believed to have important habitat for the wood turtle, a Regional Forester's Sensitive Species. The river also offers significant fishing opportunities as it contains runs of wild rainbow trout and brook trout. Purchase of the property will provide additional protection for the watershed and the fisheries and aquatic species dependent on high water quality.

The White Mountain National Forest is one of most intensively used national forests in the country and is within a day's drive of over 70 million people. If this land is not acquired and protected by the U.S. Forest Service, it is likely that it will be developed and subdivided soon. Thus, the recreation, watershed, wildlife and fisheries, and vegetation management values would be foregone. The acquisition has support from the community in and around the town of Mason.

An appropriation of $550,000 in fiscal year 2008 from the Land and Water Conservation Fund is needed to ensure the addition of this critical public access property to the forest.

Thank you, Madame Chairwoman, for this opportunity to provide testimony.

PREPARED STATEMENT OF THE MIDDLESBORO INTERMEDIATE SCHOOL

Madame Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of a $1.9 million appropriation from the Land and Water Conservation Fund to allow the National Park Service to acquire the final 1,922 acres of the Fern Lake Watershed property within the Cumberland Gap National Historical Park in Kentucky.

I am a fourth grade social studies teacher at Middlesboro Intermediate School in Middlesboro, Kentucky. As part of our fourth grade curriculum my students study local and State history, including the importance of National Parks and how they help preserve our environment and our past. We are fortunate to be located within five blocks of the Cumberland Gap National Historical Park. As a school, we visit the park often to gain insight into nature, pioneer life and Westward Expansion. The park is often used to enhance our study of social studies. When we found out that the park was attempting to acquire additional land for the park we wanted to offer our support. Immediately my students expressed a desire to assist with the effort to protect this natural resource that is vital to our community. The fact that the new property included Fern Lake, our only water source for the city of Middlesboro, strengthened our commitment to this project. The results of their efforts were letters they produced and sent to our elected officials. This opportunity has allowed us to be active citizens and support our community in protecting a priceless natural resource and national treasure. We are very grateful to Senator Mitch McConnell and Congressman Hal Rogers for their leadership on this project, and we strongly support their efforts to secure additional funding for Cumberland Gap so that we can protect this tremendous natural resource that we benefit from in so many ways.

Cumberland Gap National Historical Park stretches for 20 miles along Cumberland Mountain and contains 20,000 acres of historical, cultural, and natural resources. Located where the State borders of Tennessee, Kentucky, and Virginia meet, this significant break in the Appalachian Mountain chain provided the first transmountain opening to the Mississippi Valley frontier. For thousands of years, large game animals moved through the Gap in their migratory journeys and created well-defined traces. Native Americans followed these trails and in the 17th century established Warrior's Path, which looped southward through the Cumberland Gap and connected the Ohio Valley with the Shenandoah and the Potomac. These rich hunting lands became known to a handful of European settlers and in 1775, Daniel Boone was commissioned to blaze a road through the Gap.

Boone's Trace evolved into Wilderness Road and marked his place in history as a frontiersman and pioneer. Immigration through the Gap began immediately, and during the Revolution, Boone and other settler's secured claim to western lands for the young Nation. From 1775 to 1810, between 200,000 and 300,000 men, women, children crossed the Gap into Kentucky, which concomitantly became the Union's 15 State. Cumberland Gap, the "door to the West," funneled more than a third of a million people from the East to the new lands of the interior.

In addition to its rich history, Cumberland Gap possesses the natural beauty of Appalachian mountain country and supports diverse animal life, including black bear, fox, and wild turkey. The park's resources provide habitat for the endangered Indiana bat and the threatened blackside dace, a small fish found solely in this area. In autumn, hawk migration takes place and as many as 50 to 100 hawks and other birds of prey can be seen lifting off at the Gap on their way to the Gulf States. Lush with vegetation, the Gap also hosts 59 state-listed rare plant species. Further, with 50 miles of hiking trails, visitors can experience spectacular views and trace the footsteps of early settlers.

In 2003, Congress approved the Fern Lake Conservation and Recreation Act. The legislation's goal was to protect Fern Lake and its surrounding watershed lands in order to ensure the drinking water supply for the City of Middlesboro, Kentucky. Among other actions, the act authorized the acquisition of Fern Lake watershed lands and expanded the Cumberland Gap NHP boundary to incorporate the lake and the watershed.

This year, an opportunity exists to implement the goals of the act and take a critical step towards permanent protection of the Fern Lake watershed by acquiring the bulk of the watershed area. Available for acquisition in fiscal year 2008 is the final 1,922-acre parcel of the Fern Lake watershed property acquisition, encompassing all of the ridgelines that surround Fern Lake and containing numerous streams that flow directly into the lake, including over two miles of river frontage along both

sides of Little Yellow Creek. This acquisition would also protect the vista from Pinnacle Overlook, one of the park's most valuable scenic resources and popular attractions, and enhance recreational opportunities at the park. This funding would augment previous LWCF appropriations for the project, including $1 million in fiscal year 2005 and $900,000 in fiscal year 2007. Full funding in fiscal year 2008 will result in the completion of this important project and the protection of the entire 3,795-acre Fern Lake Watershed property.

I thank you, Madame Chairwoman, for the opportunity to submit this testimony and I respectfully request that the subcommittee provide an appropriation of $1.9 million from the Land and Water Conservation Fund account to complete this important acquisition at Cumberland Gap National Historic Park.

PREPARED STATEMENT OF THE MONTANA WATER TRUST

The Montana Water Trust is respectfully requesting that the Senate Interior, Environment and Appropriations Subcommittee to increase funding for endangered species conservation, especially incentive-based ESA conservation programs such as the Landowner Incentive Program (LIP) and the Private Stewardship Grants Program (PSGP). The Federal Budget for fiscal year 2008 submitted to Congress by the Bush administration allocated no funding for either the LIP or PSGP (fiscal year 2006 funding was $6.9 million for PSG and $19 million for LIP). We strongly urge the subcommittee to increase funding in fiscal year 2008 for both the LIP and PSPG conservation programs to aid landowners in voluntary recovery efforts for ESA-listed species.

The LIP and PSGP allow private landowners to voluntarily protect critical habitat, which aids in the recovery and protection of endangered and threatened species. In Montana, these voluntary, incentive-based conservation efforts on private lands are essential for providing connectivity for fish, wildlife, and our celebrated natural resources. The PSGP and LIP programs have successfully contributed to enhancing the economic and ecologic health of Montana's last best places, such as the Rocky Mountain Front and the Big Hole River.

FUNDING FROM PROGRAMS LIKE THE LIP AND PSGP HELP MONTANA RANCHERS KEEP FISH WET AND WATERSHEDS WHOLE

The Montana Water Trust applied to the USFWS Private Stewardship Grant Program in 2007 for cost-share of our project: Streamflow Restoration in the Clark Fork Watershed. We currently manage 20 instream flow agreements in six of Montana's watersheds, restoring over 45 million gallons of water each day to streams important for fish, wildlife, and recreation. We recognize that water is not only vital for fish and wildlife, but is also essential to the success of agricultural communities. That's why we use a variety of incentive-based agreements that benefit landowners, streamflows and communities.

The Montana Water Trust requested that the PSGP provide $40,000 of the total project cost of $288,250. This project will restore and protect streamflows in dewatered tributaries important for spawning and migration of:

—bull trout ("threatened" under the ESA)

—westslope cutthroat trout (a listing candidate for the ESA, a "sensitive" species with BLM and USFS, and a Montana "species of concern")

The PSG grant will allow the Water Trust to sign long-term contracts with willing landowners that transfer senior water rights from consumptive (irrigation) use to instream flow. If funded, our PSG project will keep fish wet and streams flowing in the following prioritized tributaries:

—Middle Clark Fork Basin: Ninemile Creek;

—Bitterroot Basin: Lolo Creek;

—Blackfoot Basin: Keep Cool Creek and Stonewall Creek; and

—Flathead Basin: Dayton Creek and Ronan Creek.

Water is the backbone of a healthy, wild landscape. Yet over 4,000 miles of Montana's streams and rivers are "chronically or periodically dewatered," according to Montana Fish Wildlife and Parks. Dewatering refers to a reduction in streamflow beyond the point where habitat is adequate for fish. Since over 90 percent of surface water is diverted for irrigation, MWT partners with willing landowners to transfer water rights to instream flow. We focus on re-watering small tributaries, during the hottest, driest months of the year, which coincides with the time most irrigators are diverting water from streams.

VOLUNTARY ENDANGERED SPECIES CONSERVATION PROGRAMS, LIKE THE PSG, ALLOW THE MONTANA WATER TRUST TO PARTNER WITH PRIVATE LANDOWNERS TO PROTECT AND RESTORE IMPERILED STREAM HABITAT USING A WIN-WIN APPROACH

Please consider increasing funding for ESA core and conservation programs, especially the PSG and LIP, to allow private landowners the chance to engage in voluntary habitat protection. These programs have provided funding for many excellent cooperative conservation projects in the past. We sincerely hope the subcommittee will create future opportunities for Montanans and all American landowners to protect our Nation's land, water, and wildlife resources. Thank you for your time.

PREPARED STATEMENT OF THE MOTHER LODE CHAPTER OF THE SIERRA CLUB

The Mother Lode Chapter of the Sierra Club supports an appropriation of $2.5 million from the Land and Water Conservation Fund to the U.S. Forest Service to purchase lands along the Middle Fork American River and the Middle Yuba River in Tahoe and Eldorado National Forests, California.

The Chapter also urges the subcommittee to recommend total appropriations from the Land and Water Conservation Fund much larger than the miniscule appropriations in the President's budget. Increased appropriations are urgently needed to reduce the enormous nationwide backlog of critical private inholdings that should be acquired.

Land grants to the Central Pacific Railroad created an irrational square-mile checkerboard pattern of public and private lands around the railroad's route across the Sierra Nevada. The checkerboard pattern of ownership makes efficient and effective management of public lands in the checkerboard to enhance forests, water quality, wildlife habitat, and recreation impossible. There are numerous areas in the checkerboard with exceptional wildlife, recreation, and scenic values. Consolidation of public ownership in these exceptional areas will prevent degradation of their values by development on the intervening private lands.

Consolidation of public ownership in the checkerboard areas with exceptional values has been a high priority of the Mother Lode Chapter for decades.

Thanks to the foresight of past Congresses, thousands of acres of private land in checkerboard areas with exceptional values—the Castle Peak area and the North Fork American Wild River—have been acquired by LWCF appropriations. The Chapter urges you to build on these achievements by recommending the requested appropriations for fiscal year 2008.

Checkerboard parcels along the Middle Fork American River and the Middle Yuba River are available for acquisition in fiscal year 2008.

MIDDLE FORK AMERICAN RIVER

The Middle Fork American parcels, with a total area of about 2000 acres, are located along the river's 25 miles of deep, very rugged, remote, and highly scenic canyon between the French Meadows and Oxbow Reservoirs of the Placer County Water Agency (PCWA).

Most of the canyon is in relatively unspoiled condition because it is so rugged and remote. The pure waters of the Middle Fork American River are a major source of high quality water for the rapidly expanding Sacramento metropolitan area and support an excellent trout fishery maintained by natural reproduction. The canyon provides opportunities for high quality hiking, hunting, camping, swimming, rock climbing, and wildlife observation to the Sacramento and San Francisco metropolitan areas.

Since the river is the boundary between Tahoe and Eldorado National Forests, the parcels available for acquisition lie in both national forests. The Forests manage the public lands along the Middle Fork to maintain old forest habitat, protect the canyon's unique biological and water quality values, and provide recreation. Inconsistent management of the public and private lands in the canyon could significantly degrade the canyon and the Middle Fork's excellent water quality. Consolidation of public ownership in the canyon would promote protection of the Middle Fork's forests, riparian ecosystem, and water quality.

MIDDLE YUBA RIVER

Four parcels in Tahoe National Forest, with an area of nearly 1,000 acres, are available in fiscal year 2008 in the vicinity of the Middle Yuba River in Sierra and Nevada Counties. According to Forest Service biologists, there have been bald eagle sightings near these parcels, and the area has historically served as spotted owl territory. The proposed acquisitions include parcels along and adjacent to the Middle

Yuba River in the first 4 miles downstream from Milton Reservoir. Acquisition of these parcels would help protect the riparian corridor and ensure public access to almost all of this stretch, which is recognized as a good to excellent trout stream. Acquisition of a 640-acre parcel in the Milton Creek watershed north of the Middle Yuba would protect a segment of the Pacific Crest Trail and views from the trail, riparian habitat along Milton Creek, and forest lands in the Milton Creek watershed.

PREPARED STATEMENT OF THE MOUNTAINS TO SOUND GREENWAY TRUST

Madam Chairwoman and honorable members of the committee: Thank you for this opportunity to testify in support of a fiscal year 2008 Land and Water Conservation Fund appropriation that will make possible a big leap forward in protecting a valuable wildlife ecosystem and recreation area in Washington's Central Cascades. This appropriation will permit the U.S. Forest Service to acquire three critical properties with multiple public benefits and further consolidate land-protection investments already made in this region. These properties include three full sections of forestland in the Mt. Baker-Snoqualmie and Wenatchee National Forests at Dandy Pass, Big Creek, and Jim Creek.

I would also like to take this opportunity to thank the Chairwoman and subcommittee members for their leadership in supporting ample funding for the Land and Water Conservation Fund account, which provides critical Federal support for projects of importance to communities across the Nation.

My name is Nancy Keith, I am the executive director of the Mountains To Sound Greenway Trust, located in Seattle, Washington. The Greenway is a broad landscape corridor that stretches along 100 miles of Interstate 90 in Washington State from the waterfront in Seattle and through the Central Cascades to the edge of desert grasslands in Central Washington. The Greenway includes hundreds of outdoor recreation trails, parks and campgrounds, spectacular alpine scenery, critical high country wildlife habitat, historic towns, lakes, rivers and over 700,000 acres of publicly-owned working farms and forests, just outside the Seattle Metropolitan Area.

The Greenway Trust is an award-winning, non-profit coalition that has brought business, government and citizen interest groups together to protect this connected green corridor. Through the Trust's work, today, most of the landscape not already developed along I–90 is protected in public ownership as the Mountains to Sound Greenway. Because the Greenway provides a wide array of public benefits, from habitat, recreation and cultural and environmental values, it is a Federally-designated National Scenic Byway.

By uniting hikers, corporate executives, government leaders, environmentalists and community advocates around shared conservation and quality of life goals, the Trust has built a strong program to encourage public land acquisition along I–90 and support environmental stewardship and educational activities. We provided a visible example of the way cooperation among diverse interests can combine careful planning for growth balanced with preservation of forested open spaces, and clean air and water, for ourselves and for future generations.

The proposed acquisitions in the Greenway are all within the boundaries of the Mt. Baker-Snoqualmie and Wenatchee national forests, which share a common border that runs north and south along the crest of the Cascade Mountains. The Pacific Crest Trail that runs from Mexico to Canada, traverses this area between these two national forests and near the lands we recommend to you for Land and Water funding.

Public acquisition of these lands will bring significant benefits. Most importantly, these acquisitions will continue a decades-long effort by both public and private foresters to consolidate fragmented ownerships and eliminate the checkerboard pattern left on this landscape by railroad land grants that are almost a century old. The original railroad through the Cascades was built by the Northern Pacific Railway, which received land grants from the Federal Government in alternating square miles along the route.

This ownership pattern creates problems for both private and Federal land managers as they work to protect wildlife habitat, water quality and recreation and manage efficient, productive forestry. Fragmented forestlands present difficulties for both public and private forest managers with respect to fire suppression, containment and eradication of invasive species, limits on public access, and protection of watersheds.

Without protection, further fragmentation is likely. The rising cost of housing in King County and the increasing traffic congestion caused by a growing population

makes the Cascades attractive for those seeking less expensive first homes and more extravagant second homes, exacerbating the challenges presented by checkerboard ownership.

Acquisition of parcels in this area is part of an ongoing program of consolidating lands in the central Cascades has long been a Forest Service priority. Forest land and Resource management plans for both the Mount Baker-Snoqualmie and the Wenatchee national forests address the need for significant land acquisition for recreation and ecosystem protection. This program seeks to consolidate Federal land management and prevent future fragmentation due to subdivision and other development. Major land exchanges and previous investments of Land and Water Funds have demonstrated the necessity and broad support for consolidating public ownership in this region.

The 640-acre Dandy Pass property lies predominantly in the Mt. Baker Snoqualmie NF, just south of the Pacific Crest Trail (PCT). Two tributaries of the Green River flow through the area, East Creek to the north and Sunday Creek to the south. The property, which is vegetated with second-growth forest, is available at its appraised price of $725,500 and will complement the 2006 acquisition of two other Dandy Pass parcels, further consolidating public lands in the area and providing additional protection for the landscape visible from the PCT.

The Big Creek and Jim Creek parcels are further south and east of the Pacific Crest Trail in the Wenatchee NF. The Big Creek and Jim Creek parcels are named for the Yakima River tributaries, which flow respectively through each parcel. These properties are not yet appraised, but a total fiscal year 2008 LWCF appropriation of $3 million from the Land and Water Conservation Fund should permit Forest Service acquisition and protection of all of these critical properties in the Central Cascade Ecosystems.

By way of background, the Mount Baker Snoqualmie and Wenatchee national forests are part of the majestic forests of Washington's Central Cascades. The Central Cascade Ecosystems project area is located amid several key landscapes. To the north lie the Alpine Lakes, Glacier Peak, and Pasayten Wilderness areas, providing connectivity as far as Canada. To the south lie the Norse Peak, William O. Douglas, and Goat Rocks Wilderness areas, which connect to Mount Rainier National Park and on down to the Oregon Cascade Range. The snowpack in these mountains is critical to water supplies for Puget Sound metropolitan areas and Central Washington agriculture.

The Mt. Baker-Snoqualmie National Forest extends more than 140 miles along the western slopes of the Cascade Mountains from the Canadian border to Mt Rainier National Park. The forest is rich in diversity with glacier-covered peaks, volcanoes, old-growth stands of timber, wild and scenic rivers, wilderness, and a multitude of plant, animal, and fish species.

The Wenatchee, situated in the heart of Washington State, encompasses 8,000-foot volcanic peaks of basalt, pumice, and ash. These mountains simultaneously shelter secluded alpine lakes and glacier cirques that resemble giant cathedrals of granite and ice. Its shrub-steppe habitat bridges the lush ecosystem of Puget Sound with the rugged high desert of eastern Washington. Sagebrush at lower elevations surrenders to pine-covered slopes and eventually to the sparse vegetation atop the Cascade's volcanic summits. The Yakima, Chinook, and Wenatchee Indians inhabited the forest before they were forced off the land by the gold rush of the 1880s and 1890s.

Because of the checkerboard pattern in the Central Cascades and the relatively limited amount of protected land, this region has acted as a bottleneck for migratory wildlife. A number of threatened or endangered species inhabit the area, including grizzly bear, wolf, spotted owls, marbled murrelets, steelhead, wild salmon, and bull trout. Additionally, the area provides habitat for an abundance of other wildlife—elk, deer, cougar, coyote, bobcat, and an occasional moose. The high wildlife connectivity value of this landscape has been recognized by new Department of Transportation plans that will make major, innovative investments to improve wildlife passage as Interstate 90 is expanded in the next decade.

Because a healthy and accessible ecosystem in the Central Cascades provides such a wide range of benefits that should be protected under public ownership and because private landowners here are willing sellers, we believe these parcels are ideal properties for purchase with Land and Water Conservation Funds.

Madame Chairwoman, we appreciate your long-standing leadership in supporting Federal acquisition and protection efforts for Washington's Central Cascades. Thank you for this opportunity to provide testimony.

PREPARED STATEMENT OF THE NATIONAL ALTERNATIVE FUELS TRAINING CONSORTIUM

Chairman Feinstein and Members of the Interior, Environment and Related Agencies Subcommittee on Appropriations: I am Al Ebron, executive director of the National Alternative Fuels Training Consortium (NAFTC). With this written testimony, the NAFTC requests funding of $2.5 million for fiscal year 2008 to carry out the important work of this organization to improve air quality and decrease U.S. dependence on foreign oil. The NAFTC was recommended for funding in the Senate Report (S. Rept. 109–275) of H.R. 5386, the fiscal year 2007 Department of Interior, Environment and Related Agencies Appropriations Bill for the U.S. Environmental Protection Agency in the Science and Technology Account for $2 million under Programs of National or Regional Significance.

The NAFTC, headquartered at West Virginia University, is a consortium currently consisting of 29 academic institutions known as National Training Centers, or NTCs, located in 26 States (listed in the attached table). The NAFTC is the only nation-wide organization that develops curricula, provides training and conducts education and awareness events for technicians, fleet managers, local & State government officials, industry representatives, and many other current decision makers as well as our future decision makers such as high school teachers and students. Alternative fuel vehicles (AFVs) and advanced technology vehicles are viable alternatives to current gasoline and diesel vehicles and play a vital role in our Nation's quest for cleaner air and energy independence.

The NAFTC has recently been called upon to provide First Responders (firemen, police officers, EMTs and others) with training to handle accidents and extrications involving alternative fuel and advanced technology vehicles. This has become a national safety and training concern for most First Responders. The NAFTC is beginning to develop and provide this training and is the only national organization poised to provide these services in a comprehensive nationwide manner. There is a huge need to expand the NAFTC to provide these services (and existing services), not reduce its role.

The NAFTC's work with consumers who need to understand the growing mix of alternative fuel and advanced technology vehicles is another critical mission for the NAFTC. Rising gasoline prices, energy independence, additional AFVs on the road, climate change concerns and many newer fuels coming online have all contributed to the increased need for the NAFTC. The NAFTC's efforts are directly aligned with President Bush's goal "to reduce gasoline usage in the United States by 20 percent in the next 10 years" as stated in his State of the Union Address, January 23, 2007 and again during the Alternative Fuel Vehicle Demonstration at the White House on February 23, 2007. This is also a truly bipartisan issue in Congress with many congressional members supporting this issue and the NAFTC's efforts.

In the transportation sector, important options include alternative fuel vehicles (AFVs) and advanced technology vehicles. According to the Energy Information Administration, 20 percent of the vehicles sold over the next 20 years will be AFVs and advanced technology vehicles, such as hybrid vehicles. Traditional AFVs increased dramatically in the 1990s. With more hybrid models being offered by automobile manufacturers, thousands of hybrids are now being sold each year.

As the number of AFVs/advanced technology vehicles increase in the United States, the need for trained AFV/advanced technology vehicle technicians and other industry representatives will increase. AFV/advanced technology vehicle trained technicians have greater job opportunities with the promise of higher salaries. The NAFTC has been a catalyst in providing the curricula and training to support this need.

The NAFTC has developed the Alternative Fuel Vehicle (AFV)/Advanced Technology Vehicle training to support the President's and Congress' initiatives on Hybrid, Fuel Cell, Biodiesel, Ethanol, Electric and CNG vehicles as the means to ensure a clean and affordable diversity of fuels for our future energy supply, as well as other alternative fuels and vehicles. Our training and education activities help train and inform Americans on how to reduce our addiction to oil. Trained technicians will ensure the continued use of these vehicles rather than shunting them aside when service or repairs are needed.

The training conducted by the NAFTC and its National Training Centers is directly impacting the shortage of trained technicians to maintain this country's vehicles. Therefore, the NAFTC training programs provide workforce development opportunities in the regional areas of the member National Training Centers. Many in the automotive industry predict a shortage of between 250,000 and 300,000 technicians over the next 10 years.

The NAFTC is making a difference. Since its inception in 1992, the NAFTC has developed over 20 major curricula and workshops, delivered over 775 courses, training almost 8,000 technicians. The NAFTC has conducted over 900 education and awareness events with over 200,000 attendees. The NAFTC, and its NTCs, has nearly a 100 percent placement rate of its graduates due to the demand for technicians being greater than what they can provide.

During the NAFTC's third National AFV Day Odyssey nationwide event conducted on October 12, 2006, the NAFTC reached nearly 40,000 people directly at 60 sites in 34 States and 3 international sites in Canada and Germany. Odyssey 2006 reached over 30 million people through media coverage at all of the events. Odyssey is the largest AFV event in the country to build awareness and promote the use of AFVs and advanced technology vehicles so that we may reduce our dependence on foreign oil, increase our energy security and help protect our environment.

In the next year, the NAFTC plans to:

a. Continue to conduct training on AFVs and advanced technology vehicles across the country. Additional educational institutions will be added to the Consortium to increase access for technicians, and others, to NAFTC training.

b. Continue to develop training for hybrid vehicles highlighting the changes in hybrid technology and providing technicians and others information on the new vehicles available.

c. Continue to develop First Responders Safety Training Course(s) and Workshop(s). Coordinate with Homeland Security, Fire and Rescue Organizations, Police Departments and other organizations for dissemination of this vitally important training.

The funding for fiscal year 2008 will be used to:

a. Continue to build the program's success, conducting AFV and advanced technology vehicle training across the United States. Additional NTCs will be added to the Consortium.

b. Develop new curricula and revise existing curricula in support of AFV and advanced technology vehicle needs. For example, heavy-duty hybrid vehicles are being introduced into cities. Training for these vehicles needs to be developed for the large group of municipal fleet technicians.

c. Conduct the fourth biennial National AFV Day Odyssey in 2008. Preparations will build upon past events. Continued consumer education and awareness of AFVs and advanced technology vehicles is needed to ensure the continued use of these technologies in improving air quality and decreasing U.S. dependence on foreign oil and increasing our energy security.

Next year, these funds will support between 35 and 45 schools, as new schools continue to join the NAFTC. The NAFTC's activities are at the forefront of helping to improve air quality and decrease U.S. dependence on foreign oil. The NAFTC is a strong organization that has developed and can provide the training, education and awareness about AFVs and advanced technology vehicles to the general public, those who work on these vehicles, those who purchase these vehicles, and those First Responders who are exposed to these vehicles during critical situations. This program should be allowed to continue and flourish so the efforts of the past are maximized.

The NAFTC and all of its current and future members respectfully ask that you support a continued appropriation of $2.5 million in the fiscal year 2008 Interior, Environment and Related Agencies Appropriations bill, U.S. Environmental Protection Agency, Science and Technology Account.

Thank You.

CURRENT NATIONAL TRAINING CENTERS

State	Edducational Institution	City
Arizona	Gateway Community College	Phoenix
California	Rio Hondo College	Whittier
Connecticut	Gateway Community College	North Haven
Florida	Traviss Career Center	Lakeland
Illinois	Morton College	Cicero
Indiana	Ivy Tech Community College of Indiana	Gary
	Ivy Tech Community College of Indiana	Lafayette
Iowa	Des Moines Area Community College	Ankeny
Louisiana	Louisiana Technical College	Baton Rouge
Maryland	Com. Col. of Baltimore County (Catonsville)	Baltimore
Massachusetts	Wentworth Institute of Technology	Arlington

CURRENT NATIONAL TRAINING CENTERS—Continued

State	Edducational Institution	City
Michigan	Lansing Community College	Lansing
	Kalamazoo Valley Community College	Kalamazoo
Missouri	Ranken Technical College	St. Louis
Nebraska	Central Community College	Columbus
Nevada	Community College of Southern Nevada	North Las Vegas
New York	Onondaga Community College	Syracuse
North Carolina	Wake Technical College	Raleigh
Ohio	University of Northwestern Ohio	Lima
	Ohio Technical College	Cleveland
Oregon	Portland Community College	Portland
Rhode Island	New England Institute of Technology	Warwick
South Carolina	York Technical College	Rock Hill
Tennessee	Nashville Auto-Diesel College	Nashville
Texas	Tarrant County College	Ft. Worth
Virginia	Northern Virginia Community College	Alexandria
Washington	Shoreline Community College	Shoreline
West Virginia	West Virginia University	Morgantown
Wisconsin	Madison Area Technical College	Madison
POSSIBLE NATIONAL TRAINING CENTERS IN NEAR FUTURE [1]		
Alaska	University of Alaska	Anchorage
Utah	Salt Lake Community College	Salt Lake City
Vermont	Vermont Technical College	Randolph Center
California	San Diego Miramar College	San Diego
California	Shasta Collage	Redding

[1] Additional training centers are being recruited in Alabama, California, Colorado, Idaho, New Mexico, New York, Oklahoma, Pennsylvania and other States.

PREPARED STATEMENT OF THE NATIONAL ASSEMBLY OF STATE ARTS AGENCIES

The National Assembly of State Arts Agencies (NASAA), representing the State and special jurisdictional government arts agencies of the United States, is pleased to submit testimony in support of funding at $176 million for the National Endowment for the Arts (NEA) in fiscal year 2008. Current NEA funding at $124.4 million for fiscal year 2007 amounts to just 41 cents per capita, compared to 69 cents per capita in fiscal year 1992. A total appropriation of $176 million for fiscal year 2008 would restore the agency to its 1992 level.

In addition, NASAA supports the administration's budget proposal to streamline partnership grants to State arts agencies and regional arts organizations by allocating the 40 percent of NEA grantmaking funds to basic plan support and underserved grants, consolidating funds for Challenge America and American Masterpieces. This proposal would give each State greater flexibility in funding projects to address local and statewide artistic and cultural initiatives, and would improve administrative efficiencies for the NEA and the State arts agencies.

APPROPRIATIONS REQUEST

In supporting a budget of $176 million for the NEA, NASAA and the member State arts agencies believe that a steady Federal commitment is important, as a foundation for funding the arts, to help communities maintain their artistic resources. Appropriations at $176 million would enable the NEA to expand its core mission to support and promote the creation, preservation and presentation of the arts, to fund the Challenge America initiative, and to increase funds to the State arts agencies—identified among his priorities by NEA Chair Dana Gioia in recent testimony before the subcommittee. New funding would also support the American Masterpieces initiative, aimed at broadening the availability of America's acknowledged masterpieces through touring, presentation and arts education.

THE FEDERAL-STATE PARTNERSHIP

NEA funds granted to State arts agencies ensure that every State receives a significant share of Federal funds. NEA grants to State arts agencies, representing 40 percent of NEA program money, combine with State legislative appropriations and other dollars to ensure that Federal funding reaches far, broadening access to the

arts for communities throughout the State and strengthening the State's arts infrastructure. This partnership ensures for each State a stable source of arts funding and policy.

The principles of public support for the arts which State arts agencies work to address are a good fit with the objectives of the NEA. State arts agencies help government to achieve broad public policy goals, such as promoting education excellence, stimulating economic growth and strengthening communities. State arts agencies depend on the NEA as a full partner in projects to promote the arts around the country. State arts agencies use Federal funds to increase access to the arts and support the programs of arts organizations and artists in communities. With the level of increase we propose in NEA funding, the State arts agencies, and indeed all arts organizations, can expand on the possibilities to bring to Americans in every corner of the country full opportunities to experience the arts.

In 2007, State arts agencies will manage nearly $426 million in Federal, State, and non-governmental funds for distribution through State arts agency-funded projects. Each year, State arts agencies fund approximately 18,000 organizations, schools and artists in more than 5,300 communities across the United States. Funding from the NEA is an essential form of support for State arts agencies.

We are encouraged that Congress in recent years has voted to support the arts with modest increases in NEA funding. We urge Congress to support a budget of $176 million for the NEA in the fiscal year 2008 Interior Appropriations bill to restore funding for the creation, preservation, and presentation of the arts in America through the NEA's core programs and to build upon the work of the special initiatives, such as American Masterpieces, which serve to highlight the best in American creativity.

STATE ARTS AGENCY GRANT MAKING

State arts agencies, enabled by Federal dollars, provide a wide array of citizen services, including public information, partnership building, technical assistance, research and planning. Among the most important of these services is grant making designed to foster:

—educational success, by investing in arts education opportunities for students;
—arts participation and accessibility, by supporting programs that widen the availability of the arts, especially in rural areas and among underserved populations;
—cultural infrastructures, by investing in operating support for cultural organizations and by supporting the development of grassroots arts networks;
—innovation, by supporting individual artists and development of new creative programs; and
—artistic heritage, by investing in the preservation of cultural traditions.

ARTS IN EDUCATION

All State arts agencies, with assistance from the NEA, support arts education programs, aiming to incorporate the arts into learning, for example, through artist residencies, curriculum development, and teacher training. Communities demand that schools promote higher student achievement, reform the teaching process and improve the environment in which students are expected to learn. The arts address all these needs. Educational research shows that instruction in the arts improves student achievement and arts in education produces the kind of creative problem solvers sought by employers.

The California Arts Council, recognizing the importance of sequential arts instruction in California's schools, supports its Artists in Schools program to integrate community arts resources—artists and professional arts organizations—into a comprehensive, standards-based program that underscores the critical role that the arts play in shaping a student's overall well-being and academic achievement. The North Dakota Council on the Arts supports Schools and Artists as Learning Teams (SALT) with grants for professional development that builds partnerships between North Dakota schools and artists and arts organizations to provide meaningful learning experiences through the arts aimed at improving student achievement. The Arts Learning in Schools Artist Residency program of New Mexico Arts supports guest individual artists teamed with teachers to create programs that promote learning in and through the arts, with a preference given to underserved schools.[1]

[1] Ruppert, Sandra S. (2006). Critical Evidence: How the Arts Benefit Student Achievement. National Assembly of State Arts Agencies, Washington, D.C.

ACCESS TO THE ARTS

State arts agencies use their funds to broaden, deepen and diversify participation in a wider variety of art forms through support for touring and presentation of exhibits and performances within their States, arts festivals and fairs, and distribution of information and artwork through various channels, including broadcast and internet. Public arts spending is especially important, for example, in rural areas which are often artistically underserved due to their geographic and economic isolation. NEA funds to State arts agencies for grants to underserved areas are an important source of this support.

The North Dakota Council on the Arts provides Community Access Grants to nonprofit organizations that present arts programming in small and rural communities in North Dakota, as well as for support of programming that makes a deliberate and focused effort to serve a special constituency or an underserved audience in that community. The Alaska State Council on the Arts through its Community Arts Development Grants, designed to stimulate grassroots arts activity and to encourage arts participation throughout Alaska, helps small nonprofit Alaskan organizations in developing art programs in underserved areas of the State. The West Virginia Commission on the Arts offers Accessibility Services grants to nonprofit arts organizations to support acquisition and installation of ramps, assistive listening equipment, and alternate formats for materials such as large print programs, Braille, cassette tapes, and captioning to improve access to arts and cultural programming in the State. The Tennessee Arts Commission offers support through a variety of programs to improve access to the arts for its citizens, including Arts Access grants, with NEA funds, to support projects of arts organizations of color and organization whose arts programs primarily benefit persons of color; its Rural Arts Project Support which funds quality arts projects located outside a metropolitan area; and Student Ticket Subsidy to supplement student attendance at arts events.

SUPPORTING THE CULTURAL INFRASTRUCTURE

Public spending on the arts is a good investment in the economic growth of every community. State arts agencies recognize that cultural development is a vital part of economic development strategies, attracting businesses and new residents and generating jobs.

The Kansas Arts Commission provides grants for operational support to arts and cultural organizations for programming and administrative costs based on the expense budget of the organization, with a requirement for matching funds. The New York State Council on the Arts Capital Projects offers support for the improvement, expansion, or rehabilitation of existing nonprofit cultural facilities, for such needs as roof replacement, accessible bathrooms, theatrical lighting and sound systems, dance floors, and facade restoration. The Virginia Commission for the Arts offers general operating support to arts organizations, major arts institutions, and local arts agencies with the aim of providing funds to maintain stability and allow organizations to strengthen and expand their programs. The Washington State Commission on the Arts offers financial support to nonprofit arts organizations through operating and project grants for organizations intended to reduce the cost of producing or presenting artistic events for the general public, making them more accessible to the State's residents.

INDIVIDUAL ARTISTS

State arts agencies recognize the vital role that professional artists and traditional artists have in their communities, and the importance of supporting the creativity offered by individual artists in their States. Through fellowship grants and residencies, State arts agencies fund activities to help artists further their work, encourage the excellence of individual artists in their States, promote and showcase the artistic creations of their artists, and acknowledge the diversity of cultural and artistic expression throughout their States.

The Idaho Commission on the Arts offers support through its Writer-in-Residence award, the highest literary recognition and largest financial award accorded an Idaho writer. It carries an obligation to share the literary work at community public readings throughout the State over the 3-year term and seeks to encourage an appreciation for excellence in literature throughout Idaho. The Kentucky Arts Council's support for individual artists includes the Craft Marketing Program which enables craft artists and craft businesses in Kentucky to reach regional, national, and international markets through State-sponsored wholesale and retail promotional venues. The Kansas Arts Commission through its visual arts program provides grants to Kansas arts and cultural organizations to develop new public exhibitions

of works by Kansas visual artists. The Mississippi Arts Commission's All Write! Initiative promotes the South's rich literary heritage as a resource to improve literacy and the opportunities for writers, hiring creative writers to work with adult literacy programs in community centers, colleges, prisons, libraries, or other literacy program, with an effort to reach rural and underserved areas.

CULTURAL HERITAGE PRESERVATION

State arts agencies help to document and preserve cultural heritage by supporting: the work of master folk artists; apprenticeships in the traditional arts; supporting festivals, on-line sites, and heritage trails; and the work of State folklorists.

The Folk Arts Program of the Washington State Commission on the Arts includes the Apprenticeship Program designed to help communities preserve their traditional arts by offering stipends to master artists to instruct students in their culture and artistic skill. Recent recipients have included masters in Salish hide tanning, Cambodian music, the Egyptian oud, and Haida basketry. The California Arts Council, with American Masterpieces program funding from the NEA, highlights California's heritage through residencies and touring performances of jazz tap dance masters to revisit the great dance performances in film of the 1930s and 40s, as well as the African-American roots of the tap dance art form; and Música Festiva de las Misiones, presenting the choral music of the Mexican-Hispano era, to increase the public awareness of California's culture and history. The Maryland State Arts Council in cooperation with the Maryland Historical Trust, and with funds from the NEA, supports Maryland Traditions, enabling communities, cultural institutions and individuals to preserve and sustain the State's traditional arts and culture and to encourage the vitality of living traditions and folk arts.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES

The National Association of Clean Air Agencies (NACAA)—formerly known as STAPPA and ALAPCO—represents the state and local air pollution control agencies in 54 States and territories and over 165 metropolitan areas across the country. The association appreciates this opportunity to testify on the fiscal year 2008 proposed budget for the United States Environmental Protection Agency (EPA), particularly Federal grants for State and local air pollution control agencies under sections 103 and 105 of the Clean Air Act, which are part of the State and Tribal Assistance Grant (STAG) program. Congress has vested State and local agencies with "primary responsibility" for the control of air pollution through the Clean Air Act (section 101(0(3)) and found that "Federal financial assistance is essential for the development" of State and local air pollution control programs (section 101(a)(4)). NACAA is extremely concerned that the proposed fiscal year 2008 budget calls for a reduction of $35.1 million (nearly 16 percent) in grants to State and local air pollution control agencies, compared to fiscal year 2006 levels. Worseyet, this reduction would come on the heels of a $20.5-million decrease that State and local air agencies suffered in fiscal year 2007, and at a time when these agencies, which are already severely underfunded, need additional resources to protect the Nation's air quality and public health. NACAA recommends that grants within the STAG program for State and local air pollution control agencies under sections 103 and 105 of the Clean Air Act be increased in fiscal year 2008 by $80.5 million above the President's request, for a total of $265.8 million. Additionally, NACAA recommends that grants for the particulate matter monitoring program not be shifted from section 103 authority to section 105 authority.

AIR POLLUTION IS A SIGNIFICANT HEALTH THREAT

Tens of thousands of people die prematurely every year as a result of air pollution. In addition, millions more are exposed to unhealthful levels of a variety of air contaminants. In fact, more than 150 million people in this country live in areas that violate at least 1 of the 6 health-based National Ambient Air Quality Standards (NAAQS). For example, fine particulate matter, just one of these pollutants, is responsible for most of the premature deaths each year and results in many other health problems, such as aggravation of existing respiratory and cardiovascular disease, damage to lung tissue, impaired breathing, irregular heart beat, heart attacks and lung cancer.

In addition to the pollutants covered by the. NAAQS, there are many others that threaten public health. EPA's most recent National-Scale Air Toxics Assessment (NATA) provides extensive data about toxic air pollution across the country. According to NATA, when the cancer risks from all toxic air contaminants listed as known,

probable or possible human carcinogens are combined, more than 270 million people are estimated to live in census tracts where the combined upper-bound lifetime cancer risk exceeded 10 in 1 million risk (1 in 1 million risk is generally considered acceptable). Additionally, more than 92 percent of the population in this country lives in areas with "hazard index" values for respiratory toxicity greater than 1.0 (with 1.0 being the level above which adverse effects to the respiratory system occur).

FUNDING FOR STATE AND LOCAL CLEAN AIR PROGRAMS HAS DECLINED SIGNIFICANTLY

Section 105 of the Clean Air Act authorizes the Federal Government to provide grants for up to 60 percent of the cost of State and local air quality programs, while states and localities must provide a 40-percent match. In reality, however, the Federal Government provides only about 25 percent of the total (not including income from Title V permit fees, which State and local agencies collect from major sources and can use to fund only permit-related activities). In a time of limited resources, when State and local agencies face dramatically increasing responsibilities and are straining to maintain existing programs, additional Federal funding is needed to meet the ever-growing challenges and costs associated with implementing the Federal Clean Air Act and achieving and sustaining clean, healthful air.

The total amount needed to fund State and local efforts to implement the Clean Air Act is estimated to be in excess of $1 billion each year. If the Federal Government were to provide 60 percent of that amount, as the Clean Air Act envisions, federal grants would amount to approximately $600 million annually. However, Federal grants have fallen far short of this level—amounting only to about one-third of it in recent years—and are now being cut even more. Further, over the past 15 years, Federal grants for State and local air pollution control agencies to operate their programs (not including the separate fine particulate monitoring program) have decreased by approximately one-third in terms of purchasing power.

FURTHER FUNDING REDUCTIONS IN FISCAL YEAR 2007 HAVE INCREASED THE HARDSHIP

Notwithstanding the fact that Federal grants to State and local air pollution control agencies were already insufficient in fiscal year 2006, there are further devastating reductions this year. For the proposed budget in fiscal year 2007, EPA requested a reduction of $35.1 million in grants. Additionally, EPA's budget request proposed shifting funds for the fine particulate monitoring network from Clean Air Act section 103 authority to section 105 authority, which means that state and local agencies would have to provide additional matching funds in order to accept the grants, pursuant to section 105 requirements.

NACAA was extremely concerned about the adverse effects such a decrease in fiscal year 2007 would have on air quality programs and urged Congress to restore grants to fiscal year 2006 levels. The association was pleased, then, that the Continuing Resolution that was finally adopted for fiscal year 2007 generally called for funds to remain steady at fiscal year 2006 levels. Unfortunately, in its operating plan for distributing the funds that Congress provided through the fiscal year 2007 continuing resolution, EPA included a reduction, from fiscal year 2006 levels, of $20.5 million in the State and local air quality grant program under the STAG account. Since this significant reduction must be absorbed over only a 6-month period, the impact is even more devastating than the original budget cut the administration had recommended for fiscal year 2007.

PROPOSED FISCAL YEAR 2008 REDUCTIONS WOULD SEVERELY HAMPER CLEAN AIR EFFORTS

For fiscal year 2008, the administration has again requested $185.2 million, which is a reduction of $35.1 million compared to fiscal year 2006 levels and would be extremely detrimental to State and local air pollution control progams. If this proposed budget cut is enacted, on average, each State will lose $700,000 compared to fiscal year 2006 amounts (i.e., an average reduction of approximately $340,000 in fine particulate monitoring and $360,000 from the other elements of the air quality program). While some agencies will experience greater or lesser reductions than the average, virtually all agencies will suffer adverse effects.

NACAA analyzed the impacts of the proposed fiscal year 2008 budget cuts, which the association shared with the members of the Senate and House Appropriations Committees in February 2007. The analysis, detailed in the report: Impacts of the President's Proposed Fiscal Year 2008 Budget on State and Local Clean Air Programs, is available at www.4cleanair.org/documents/FY2008budgetanalysisfinal022607.pdf. The severity of the cuts is so substantial that, in many cases, state and local air agencies would have to lay off existing per-

sonnel and/or not fill empty positions. Many agencies would have to cease operating existing monitors or otherwise curtail their monitoring programs. The reductions would impair their ability to inspect sources and carry out enforcement activities, making clean air requirements less effective. Additionally, permits for smaller sources will take longer to process and customer service will diminish.

The funding cuts could seriously impair the ability of State and local air pollution control agencies to prepare new plans for implementing ozone and particulate matter standards. The development of effective State Implementation Plans (SIPs) is essential to ensure that measures will be adopted that reduce air pollution and protect public health. Without funds to develop and carry out the SIPs, some areas currently meeting the standards may no longer attain them. Not only would such areas experience degraded air quality, they would also be subject to the more rigorous requirements applicable to nonattainment areas.

Finally, some smaller agencies might even have to cease operations entirely, posing a terrible loss for those local areas. Overall, these reductions in State and local air quality programs would be extremely detrimental to efforts to reduce air pollution and maintain the improvements that this country has already worked so hard to achieve.

The cuts would be further exacerbated by the administration's proposal to shift grants in the particulate matter monitoring program from section 103 authority (which does not require a 40-percent match from state and local recipients) to section 105 authority. Under the budget proposal, State and local agencies would need to supply additional funds in order to accept the Federal grants. Some agencies do not currently have additional resources for the match and could be forced to turn away some much-needed grant funds.

NACAA urges the subcommittee to review its analysis to learn about the very real adverse effects the proposed fiscal year 2008 reductions would have on state and local efforts to protect public health. This information will make it clear that increases—rather than cuts—are necessary for these programs. Also, the subcommittee may wish to review a report NACAA prepared when similar reductions were proposed for fiscal year 2007. The document, Impact of Proposed fiscal year 2007 Budget Cuts on State and Local Air Quality Agencies (March 14, 2006), provides state-by-state accounts of the serious impacts of such deep cuts on air quality programs. The association shared this report with members of the Appropriations Committee last year. It is also available at www.4cleanair.org/StateandLocalExamplesoflinpactsofCuts.pdf.

BROAD COALITION SUPPORTS INCREASE IN CLEAN AIR GRANTS AND DIESEL RETROFIT FUNDING

NACAA is not alone in seeking increases for State and local air grants. The association is a member of a broad coalition of over 150 organizations, ranging from public-interest groups, such as the American Lung Association, to business organizations, such as the U.S. Chamber of Commerce. This coalition recognizes the importance of adequate funding for State and local air pollution control agencies and has also requested that Congress provide increases to these grants. Additionally, the coalition supports the appropriation of $49.5 million in fiscal year 2008 for programs authorized by the Diesel Emissions Reduction Act (DERA). These programs are designed to reduce the prevalence of harmful microscopic particles in the ambient air. Studies indicate that exposure to these particulates greatly increases the risk of asthma and other respiratory disorders. Initiatives under DERA provide incentives to retrofit the approximately 11 million diesel engines on trucks, buses, locomotives and agricultural vehicles with technologies to limit their emissions. NACAA urges Congress to provide this funding to these important DERA, efforts.

CONCLUSION

Significant increases in Federal grants to State and local air pollution control agencies are necessary if they are to continue efforts to improve and maintain air quality and protect public health. However, NACAA recognizes that Congress faces many competing funding priorities. Therefore, the members are asking for only a fraction of what is really needed. When the President issued the fiscal year 2008 budget request for EPA, NACAA originally recommended an increase of $25 million above fiscal year 2006 levels for State and local air grants under sections 103 and 105 of the Clean Air Act—for a total of $245.3 million. Since EPA unexpectedly reduced fiscal year 2007 grant levels by $20.5 million, a cut that State and local air agencies must absorb over a mere 6-month period, NACAA is now recommending that those funds be restored in fiscal year 2008 as well. Therefore, the association recommends that fiscal year 2008 grants within the STAG program for State and

local air pollution control agencies under Sections 103 and 105 of the Clean Air Act be $265.8 million (an increase of $80.5 million above the fiscal year 2008 request). Additionally, NACAA recommends that grants for the particulate matter monitoring program not be shifted from section 103 authority to section 105 authority.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE ENERGY OFFICIALS

Mr. Chairman and members of the subcommittee, I am Peter Smith of New York, and Chair of the National Association of State Energy Officials (NASEO). NASEO represents the energy offices in the States, territories and the District of Columbia. NASEO is submitting this testimony in support of funding for the Energy Star program (within the Climate Protection Division of the Office of Air and Radiation) at the U.S. Environmental Protection Agency (EPA). NASEO supports funding of at least $90 million, including specific report language directing that the funds be utilized only for the Energy Star program. We were extremely disappointed with the $43.5 million fiscal year 2008 request and the $45 million funding level established in fiscal year 2007. At the present time, Congress is seriously considering new energy legislation and is also intending to address climate change. The Energy Star program is successful and cost-effective. It should be expanded, not reduced.

The Energy Star program is focused on voluntary efforts that reduce the use of energy, promotes energy efficiency and renewable energy, and works with States, local governments and business to achieve these goals in a cooperative manner. NASEO has worked very closely with EPA and over 40 States are Energy Star Partners. In 2005, EPA and NASEO announced a new Clean Energy and Environment State Partnership program, which already has 15 State members, including California, Colorado, Hawaii, New Mexico and Utah. We are working closely with EPA on the new National Action Plan for Energy Efficiency, the Energy Star Challenge, Home Performance with Energy Star, etc. We worked with EPA to have over half the States declare "Change a Light" Day. With very limited funding, EPA's Energy Star program works closely with the State energy offices to give consumers and businesses the opportunity to make better energy decisions, without regulation or mandates.

Energy Star focuses on energy efficient products as well as buildings. In 2006, 300 million Energy Star products were purchased. The Energy Star label is recognized across the United States. It makes the work of the State energy offices much easier, by working with the public on easily recognized products, services and targets. In order to obtain the Energy Star label a product has to meet established guidelines. Energy Star's voluntary partnership programs include Energy Star Buildings, Energy Star Homes, Energy Star Small Business and Energy Star Labeled Products. The program operates by encouraging consumers, working closely with State and local governments, to purchase these products and services. Marketplace barriers are also eradicated through education.

In addition to the State partners, the program has more than 9,000 company partners. More than 750,000 families now live in Energy Star homes, saving $170 million annually. The "Home Performance" with Energy Star activity allows us to focus on whole-house improvements, not simply a single product or service. This will be extremely beneficial to homeowners. Pilots have already been undertaken in New York, Illinois, Texas and Wisconsin. We are also working closely with EPA in the implementation of the Energy Star Challenge, which is encouraging businesses and institutions to reduce energy use by 10 percent or more, usually through very simple actions. We are working with the building owners to identify the level of energy use and compare that to a national metric, establish goals and work with them to make the specified improvements. A variety of "benchmarking" tools have been developed by EPA, which have now been used to evaluate energy use in 30,000 buildings, representing 5 billion square feet. Again, this is being done without mandates.

The State energy offices are very encouraged with progress made at EPA and in our States to promote programs to make schools more energy efficient, in addition to an expanding Energy Star business partners program. This expansion will continue. EPA has been expanding the technical assistance work with the State energy offices in such areas as benchmark training (how to rate the performance of buildings), setting an energy target and training in such areas as financing options for building improvements and building upgrade strategies.

The State energy offices are working cooperatively with our peers in the State environmental agencies and State public utilities commissions to ensure that programs, regulations, projects and policies are developed recognizing both energy and environmental concerns. We have worked closely with this program at EPA to ad-

dress these issues. The level of cooperation from the agency has been extraordinary and we encourage these continued efforts.

STATE EXAMPLES

In Alaska, there are 22 companies and public entities participating in Energy Star. Investments already made will save more than $200 million and will prevent the emissions of 720,000 metric tons, which is equivalent to eliminating the vehicle emissions from 480,000 cars.

In California, businesses and residents will save more than $14 billion through investments already made in Energy Star products. This will prevent the emissions of 30 million metric tons. Over 750 companies and public entities participate in Energy Star. Over 110,000 homes in the State have earned the Energy Star.

In Colorado, over $2 billion will be saved through Energy Star investments thus far. Colorado has focused on investments in building energy efficiency, with a robust energy performance contracting program. More than 240 companies and public entities have been Energy Star participants.

In Idaho, more than 190 companies and public entities have been actively involved in Energy Star. The investments thus far will save $300 million for consumers and will reduce emissions of 790,000 metric tons. The State energy office has been working to expand the Energy Star program for homes.

In Maryland, residents will save more than $2 billion through Energy Star investments made thus far, which will prevent emissions of 8 million metric tons. With State legislation passed this year, additional State and utility investment in energy efficiency and renewable energy should allow the expansion of the program beyond 140 public entities and companies.

In Massachusetts, businesses and residences will save $3 billion in Energy Star investments that have already been made, which will also reduce emissions by 9 million metric tons. Energy Star products are sold at 870 locations within the State, 12,000 homes have earned Energy Star and 260 companies and public entities directly participate in the program.

In New Hampshire, over 70 companies and public entities are participating in the program. There are already 6 manufacturers of Energy Star products within the State. Emissions reductions from investments made thus far will exceed 1.5 million metric tons.

In New Mexico, businesses and residents will save more than $500 million through Energy Star investments that have already been made. This will reduce emissions by 1 million metric tons. Thirty companies participate in Energy Star and over 3,300 homes are Energy Star compliant.

New York has been one of the most aggressive States in implementing Energy Star, tailored to the unique needs of the State. Residents and businesses in the State will save more than $9 billion through Energy Star investments that have already been made. These investments will prevent the emissions of 24 million metric tons of greenhouse gases (equivalent to eliminating 16 million vehicles). Within the State, 9,000 homes have earned Energy Star ratings, and 670 companies and public entities participate in Energy Star. The New York State Energy Research and Development Authority (NYSERDA), the State energy office, has contributed more than $12 million to promote Energy Star within the State. NYSERDA's unique air-conditioning bounty and buy-back program in New York City, utilizing Energy Star air-conditioners, resulted in a complete market transformation. Approximately 200,000 high efficiency air-conditioners were sold, with the disposal of older, inefficient units. This produced a measurable drop in peak demand. Companies with extremely active Energy Star programs in the State include Canon U.S.A., Eastman Kodak, Starwood Hotels and Verizon Communications.

Over 60 manufacturers of Energy Star products are located in Pennsylvania. The State and EPA have been focusing efforts on improving the energy performance of schools. Over 900 retail locations throughout the State carry Energy Star qualified products. Recent developments have included evaluation of the energy performance of almost 800 buildings in order to facilitate the implementation of energy improvements.

In Rhode Island, more than $390 million will be saved with the Energy Star investments already initiated, which is equivalent to eliminating 1 million metric tons of emissions and 700,000 vehicles. Thirty-nine companies are involved and 1,900 homes have already earned Energy Star.

In Tennessee, more than 120 companies and public entities are involved in the program. More than 8 million metric tons of emissions will be reduced through these efforts.

In Utah, H.B. 351, passed by the State legislature this year, will create a $5 million revolving loan fund for energy efficiency investments in schools. The State also reauthorized residential and commercial energy tax credits.

In Vermont, over 600,000 metric tons of emissions will be reduced and customers will save $200 million from Energy Star investments that have already been made. Fifty-eight companies and local governments are involved in the program and 4,600 buildings have earned the Energy Star.

In Washington State more than 320 companies and public entities are participating in Energy Star, with significant small business participation. The State energy office, working with the Northwest Energy Efficiency Alliance, businesses and utilities throughout the region, has been promoting market transformation activities focused on Energy Star. In 2002 alone, the savings attributed to improved residential lighting was 45 megawatts.

In West Virginia, over $400 million will be saved through Energy Star investments. Over 1.5 million metric tons of emissions will also be avoided through the program.

In Wisconsin, almost 500 companies and local governments (including 42 manufacturers) are involved in Energy Star. This will lead to emissions reductions of 5 million metric tons. Over 8,000 Wisconsin homes have earned the Energy Star.

We can provide a myriad of other State examples at your request.

CONCLUSION

Increases in funding for the Energy Star programs are justified. NASEO endorses these activities and the State energy offices are working very closely with EPA to cooperatively implement a variety of critical national programs.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE FORESTERS

The National Association of State Foresters (NASF) supports sustainable forests managed for the public interest.[1] We are pleased to submit the following testimony on the proposed fiscal year 2008 U.S. Forest Service Budget for the programs that fund the State and Private Forestry programs. NASF recommends that the fiscal year 2008 budget for the State and Private Forestry programs of the USDA Forest Service be increased by $230.9 million from the fiscal year 2007CR of $351.7 million to $582 million in fiscal year 2008. One-third of the Nation's landscape is forested and 57 percent of these forests (290 million acres) are privately owned and over 7 percent are owned by State and local governments. These programs are directed at that ownership. Working collaboratively with Federal, State, and private forest landowners improves the effectiveness of forest conservation and management programs and provides substantial environmental, economic and social benefits to society.

Over 200 million acres of Federal forests are at increased risk for catastrophic wildfire caused by the buildup of biomass fuel loads which pose a significant increased threat to adjacent private forestlands, air and water quality, and wildlife habitat. Insect epidemics and invasive plant species have now covered millions of acres of forests, which create additional risks to private forestlands, increase catastrophic wildfire risks, and if left unmanaged could virtually eliminate the carbon sequestration capacity of the United States.[2]

Fragmentation and parcelization of private forest ownership increase the challenge of effectively addressing these threats to sustainable forest resource management. More importantly, adequate and necessary resources through the State and Private Forestry Programs need to be provided to focus on active management strategies to maximize the public benefits, such as air and water quality, wildlife habitat, carbon sequestration, timber and fiber, and human health and well being, of this critical natural resource.

While the President has proposed a 26 percent reduction in the State and Private Forestry Program from the 2007 CR budget level, the NASF endorses a 38 percent increase in these essential programs. For the State and Private Forestry programs

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[1] NASF is an association that represents the State Foresters of the 50 States and the 9 directors of forestry in the U.S. territories and the District of Columbia.

[2] Fearing the effects of forest fires and tree-destroying insect infestations, the Canadian Federal government has decided against using Canada's forests in its calculations for totaling up Canada's greenhouse gas emissions. In fact forests could become a net source if projections for 2008–2012 are realized. In contrast, the United States takes a 13 percent reduction in its emissions due to sequestration with 93 percent of this sequestration from forests. From 1990 to 2004 the total sequestration in forests has declined by 14 percent. Source: EPA Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2004, 2–20–2007.

within the Wildland Fire Management budget, the President has proposed reducing these programs by 14 percent from the 2007 levels, and the NASF recommends a 59 percent budget increase to address the ever increasing risks from growing fuel loads and insect infestations. The President's proposal offsets a 10 year running average increase in the wildland fire suppression costs of $220 million by slashing other program areas.[3] This budgeting requirement necessitates a fundamental reform in the budget rules and the resultant budget structure and priorities.

Efficiency gains in management can provide funds for some of the program enhancements discussed below. At the national office, regional offices, and fire management level there are opportunities to improve productivity without jeopardizing program deliverables. The current effort to "Redesign" the State and Private Forestry Programs led by the USDA Forest Service and the National Association of State Foresters represents a significant effort to achieve these opportunities.

State Fire Assistance (SFA) is the primary program that delivers Federal funding to States to support local firefighting preparedness, capacity building, and fire mitigation for wildland fire management. This program aids in initial attack success and helps reduce overall Federal fire costs. It's effective. Ninety-four percent of wildfires are suppressed during the initial attack and another 4 percent are suppressed during extended initial attack. Funds are used to assist communities prepare Community Wildfire Protection Plans and SFA is the only Federal program that targets the wildland-urban interface issues, which is a large component of the 10-year National Fire Plan. There are 11,000 communities adjacent to Federal forestlands and another 45,000 communities at risk to wildfires. SFA has only helped a fraction of these at-risk communities and drastic cuts in these programs only increases their risk to catastrophic fires. Federal funds are also matched dollar-for-dollar from States and other sources, including businesses at the local level. While wildfire risks are increasing, public policy should not reduce the preparedness capacity to address these risks or reduce programs that focus on mitigating these risks.

NASF recommends funding SFA at $50 million under State and Private Forestry and $95 million under Wildland Fire Management. An exclusive focus on Federal lands is an incomplete solution and will ultimately undermine success by not taking a landscape-scale approach to planning and implementation of hazardous fuels reduction projects.

Forest Stewardship is the program that provides technical, educational and related services to family forest landowners to help them better protect, maintain, restore and preserve forest lands. Funding has been relatively consistent for the past 9 years but significantly lags demand. To date, the program has assisted over 2.5 million landowners and fostered the development of 272,677 Stewardship Plans covering 31.2 million acres.

There are 290 million acres non-industrial private forest lands owned by 9.6 million private owners in the U.S. Stewardship Plans assist these landowners to manage their forests in a sustainable way which maximizes public benefits for air and water quality, wildlife habitat, carbon sequestration, timber, recreation, and open space. NASF recommends funding this program at $45 million which is a $3.1 million increase over the 2007 budget level and $25 million more than the President's proposed 2008 budget.

Forest Health.—Cooperative Lands serves to minimize the spread of established invasive species and lessen the damage of native insects and diseases. Over 27 million acres of non-Federal lands are at risk of insect and disease damage. There are now more than 400 non-native insects and 24 non-native pathogens permanently established in North American woodlands. With no specialized predators or resistant hosts to keep them under control, these pests can spread aggressively and raise havoc with our forests. Damaged, unhealthy forests increase the corresponding risks for wildland fires. Dead or damaged trees don't sequester carbon. State and Private Forestry funding provides States with support for prevention, detection, and suppression of harmful insects and diseases. Funds from Wildland Fire Management are used primarily for forest insect and disease mitigation in high hazard areas. NASF recommends a total of $66 million for this program, divided between S&PF ($53 million) and WFM ($13 million). This represents a $9 million increase over the 2007 CR budget and $17.9 million over the President's budget proposal.

Urban and Community Forestry provides technical assistance and cost-share grants to States, local governments, and non-profit organizations to enhance environmental services provided from urban trees (energy cooling and flood protection, for example) and the quality of life for citizens in urban and rural communities.

[3] The Forest Service wildfire suppression budget over the last 16 years has increased from 13 percent of the total agency's budget to 45 percent, and it is predicted to increase.

Projects can include funds to plant and maintain urban forests, disease and insect mitigation, tree ordinance development, drought resistance studies, riparian restoration and many more. Demand for these programs exceeds the available funding. Cities and particularly towns do not have the ability to fund full time urban forestry expertise and rely on the State forestry agencies with Federal funding to provide technical, education, and financial assistance. These programs efficiently reach the vast majority of a State's residents. Urban forests account for over 11 percent of the total carbon sequestered in the U.S. NASF recommends that this program be funded at $36 million, a $5.9 million increase over the 2007 CR budget, and $18.6 million more than the President's proposal.

Forest Inventory Analysis (FIA) is the ongoing census of America's forests. Using current ecosystem data to project how the forests will appear 10–15 years in the future, FIA reports on the status and trends in forest area using a variety of indicators over time. These data are critical to provide the metrics to assess the effectiveness of resource management programs and provide important information on current and emerging threats to this natural resource which is vital to human health. FIA funding is managed by the USFS Research and Development branch with additional funds provided by States which support State inventory crews and work with forest landowners to participate in these inventories. NASF recommends total funding of FIA at $73.4 million and maintaining the State and Private Forestry component at $5 million to ensure an all-lands approach to this program. The President's proposed budget is $62.3 million.

The Forest Legacy program identifies and protects important private forestlands that are threatened by conversion to non-forest uses. Fragmentation of the ownership base is not only a significant management challenge for sustainable forest resource management, but this growing trend severely impacts eco-system regimes for wildlife, water quality, and air quality. This program promotes the use of conservation easements from willing landowners to sustain the integrity and traditional uses of private working forestlands that provide substantial public benefits. Until a robust eco-system benefits market trading system is in place, the Forest Legacy program provides a critical means to continue the production of public benefits absent an alternative compensation system. Currently 46 States and territories qualify for Forest Legacy funding and 5 other States are in the process of qualifying. In fiscal year 2007, 31 projects were submitted for Federal funding of over $61.5 million and their total project costs of almost $220 million. Of those, 24 projects were selected with $57.2 million funding made available. NASF supports fully funding this program at $75 million compared with the 2007 CR level of $56.5 million. The President's proposal is $29.3 million.

Volunteer Fire Assistance and the related Rural Fire Assistance (DOI's related program) is targeted at assisting rural communities with populations of 10,000 or less to establish new fire departments and to upgrade fire suppression capabilities of existing departments. As industrial forestlands have been sold or transferred to other owners, the fire fighting infrastructure supported by those industrial owners has disappeared but the need has not gone away. Rural communities apply for cost-share grants to aid them in purchasing firefighting equipment, training personnel, or supported related needs. Requests for funding every year exceed available resources. This program is one of the Federal Government's most cost effective programs. NASF proposes funding this program at $35 million. The 2007 CR level is $13.7 million and the President proposed an increase to $17 million.

The Watershed Forestry Assistance Program seeks to maximize the benefits of sound forestry for the improvement of water quality in priority watersheds. Forested watersheds produce high quality water and active forest management can resolve a variety of environmental problems associated with agricultural and developed land uses. Riparian forests can be a cost effective solution to thermal impacts on aquatic wildlife, particularly when compared to capital intensive technology alternatives. NASF recommends funding this program at $30 million.

Budget reform for wildfire suppression costs is critical. There is a need to meet this Nation's wildland fire protection needs in a reliable, consistent, and cost effective manner without decimating other active forest management programs that address threat reductions and optimization of public benefits of forests. The rising costs of fire suppression exacerbate this conundrum.

Conclusion: NASF appreciates the opportunity to provide testimony to the Senate subcommittee regarding the fiscal year 2008 budget. Non-industrial private forestland is invaluable to the economic, social, and environment quality of our country providing more fish and wildlife habitat, more watershed protection, and produces more direct economic benefits than all of the other forest ownerships combined.

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PREPARED STATEMENT OF THE NATIONAL CONGRESS OF AMERICAN INDIANS

On behalf of the tribal nations of the National Congress of American Indians, we are pleased to present written testimony on the fiscal year 2008 Interior and related agencies appropriations bill. We include our funding recommendations for programs in the Bureau of Indian Affairs, Office of Special Trustee, and the Indian Health Service.

Tribal leaders, through consultation with various agencies and through NCAI convenings, have identified the following areas for meaningful Federal investment in Indian Country: public safety and justice, health care, education, and natural resources. However, NCAI would like to emphasize that, although tribal leaders have developed the above priority areas for fiscal year 2008, the unconditional underpinnings for all of the funding recommendations in this testimony are tribal self-determination and self-governance. NCAI's support for areas in the Federal budget that support self-determination and self-governance is uncompromising.

Although tribal people in the United States have inherited the challenges stemming from centuries of unjust policies and broken agreements, a promising resurgence in self-government and self-determination has allowed tribes to flourish in ways unimaginable 50 years ago. When tribes are able to operate as governments responsible for their own people and resources, which is the essence of tribal sovereignty, the resulting achievements have led to reversing the poor conditions created by centuries of injustice. Accordingly, before addressing our various programmatic funding recommendations, we would like to call attention to the very alarming proposal for reductions to the very category at the Bureau of Indian Affairs (BIA) that directly supports tribal self-determination and represents the Federal trust responsibility to tribes: Tribal Priority Allocations (TPA).

NCAI understands that the administration and Congress must make difficult budget decisions this year and must support the most efficient and worthy programs in the Federal budget while taking into account efforts to reduce the national deficit. While tribes will advance the priorities detailed in this testimony, the priority initiatives cannot come at the expense of Tribal Priority Allocations. In the Bureau of Indian Affairs budget request, TPA would be reduced by $20.5 million from the fiscal year 2007 CR amount, which constitutes the majority of the cuts proposed to the BIA Operation of Indian Programs. TPA has long been one of the most important funding areas for tribal governments, as they have the flexibility to use these funds to meet the unique needs of individual tribal communities, making TPA the main resource for tribes to exercise their powers of self-governance. The current proposed reductions undermine the very self-determination policy that has driven Indian Country's success in addressing the long enduring socio-economic disparities.

PUBLIC SAFETY AND JUSTICE

A primary role of tribal government is to ensure the security and safety of Indian communities and families, tribal lands and resources, and the United States through law enforcement, detention, and strong judicial systems. Tribal governments serve as the primary instrument of law enforcement for the more than fifty million acres of land that comprise Indian country. On April 24, 2007, Amnesty International issued a report, "Maze of Injustice: The failure to protect Indigenous women from sexual violence in the USA," which detailed disproportionately high rates of rape of Native women due, in addition to the complex maze of jurisdiction, to chronic under funding of law enforcement and the Indian Health Service. This report highlights the results of under resourced tribal justice systems that tribal leaders have been attempting to address for years.

Law Enforcement.—Current funding for tribal law enforcement and first responders lags well behind that for non-tribal law enforcement. According to a gap analysis the BIA performed in 2006, Indian Country has 2,555 law enforcement officers, yet needs a total of 4,409, resulting in a gap of 1,854 officers, or a 42 percent unmet staffing need. This gap in police to service population is based on the FBI's 2004 Uniform Crime Report (UCR) and recent BIA preliminary data. Excluding tribal policing, BIA has 358 officers overall, yet needs 1,153, resulting in a gap of 759 officers, or a 69 percent unmet staffing need. This gap is based on the UCR rate of 3.3 officers/1,000 inhabitants for rural areas under 10,000. The current police force of 358 officers provides 0.9 officers/1,000 inhabitants. In any attempt to bring law enforcement officers up to par with non-Indian communities' coverage, it's also important to consider that the Community Oriented Policing Services grants at the

Department of Justice are expiring. These grants have provided direct funding to tribes on a government to government basis, but between 2004 and 2006, more than 700 officer positions expired. On the ground at Standing Rock, for instance, this shortfall means there are six or seven patrol officers and two investigators to patrol 2.3 million acres of land. Sometimes there is only one officer on duty for the whole reservation.

Tribal Courts.—Tribal judicial systems are the primary and most appropriate institutions for maintaining order in tribal communities. However, tribal court systems frequently are overburdened due to lack of Federal funding. A recent Wall Street Journal article highlighted some of the issues resulting from inadequate resources.[1] The front page article illustrated how the laws that protect the rights of Indian people cannot be effectively enforced due to lack of funding. The article included an example from the Tohono O'odham Nation. After the attacks of Sept. 11, 2001, the Federal Government clamped down on illegal immigration in the urban areas of the Mexican border. As a result, the Tohono O'odham reservation saw a huge increase in illegal immigration, drug smuggling, and related crime. Tribes, including the Tohono O'odham Nation, have repeatedly asked for additional Federal resources to help them govern their international borders. Yet, Indian tribes are not eligible to directly receive any of the billions that the Federal Government distributes to State governments to help them patrol the borders and combat drug-trafficking. Thus, these tribes are forced to allocate their scarce resources among many competing priorities. Any discussion of public safety in Indian Country is inextricably tied to the strength of tribal courts to maintain order in tribal communities. Although police and detention centers have received funding increases in recent years, tribal court funding has remained flat or decreases, which poses a significant obstacle to truly improving the safety of Indian people on tribal lands.

Detention Facilities.—In September 2004, the U.S. Department of Interior Inspector General's Office issued a report, "'Neither Safe Nor Secure': An Assessment of Indian Detention Facilities," which outlined the deplorable and life-threatening conditions of Indian jails.

Funding Recommendations.—NCAI commends the Secretary of Interior's departmental Safe Indian Communities Initiative which includes a $16 million increase for public safety programs at BIA. This initiative is congruent with the tribal leaders' priority to strengthen public safety and justice in Indian Country. Tribal leaders have prioritized public safety and justice, which includes tribal courts, as the top priority for fiscal year 2008. NCAI urges Congress to help Indian Country law enforcement resources reach levels comparable to non-Indian communities. NCAI supports sustained 10 percent annual increases for Indian Country public safety program and especially urges this increase for tribal courts as part of making Indian communities safer.

INDIAN HEALTH

Poor health continues to inhibit the economic, educational and social development of all of Indian Country. A vast range of public health indicators show that American Indians continue to suffer disproportionately from a variety of illnesses and diseases. Indians have a shorter life expectancy and have higher rates of disease than the general population. One of the key recommendations from the Amnesty International report "Maze of Injustice," was to permanently increase funding for the IHS to ensure adequate levels of medical attention. The fiscal year 2008 budget request for IHS is contrary to tribal consultation and would not maintain current services for basic health programs.

Fund the Urban Indian Health Program.—President Bush has proposed the elimination of the Urban Indian Health Program within the Indian Health Service. Health problems associated with the Indian population can only be successfully combated if significant funding is directed at the urban Indian population as well as the reservation population. Rather than the President's proposal, NCAI recommends increased funding for Urban Indian Health Programs by 10 percent. This increase will elevate the Urban Indian Health Program funding from $32.7 million to $36 million and represents a necessary step towards closing the funding gap for urban programs. While this in no way addresses the total need, it will make a difference in access to and quality of care for American Indians/Alaska Natives living in urban areas.

Maintain Existing Service.—American Indians and Alaska Natives receive life or limb service under current conditions, meaning funds are only available to treat the

[1] "Native Americans on Trial Often Go Without Counsel," Wall Street Journal, February 1, 2007.

most life threatening illnesses leaving other serious health needs unaddressed. Failing to fund mandatory costs for pay costs, inflation, and population growth results in lost purchasing power and in even less services for Indian people. The administration reports a $212 million increase for mandatory costs in its justification, however, the increase is financed at the expense of the Urban Indian health program, a loss which tribes resoundingly oppose. The President's fiscal year 2008 budget would not fund $350 million in mandatory costs. NCAI urges Congress to fund IHS at least to maintain current services.

$150 Million for Contract Support Costs.—In 2005, the United States Supreme Court issued a unanimous decision in *Cherokee Nation and Shoshone-Paiute Tribes* v. *Leavitt* lawsuit, which powerfully reaffirms the enforceability of government contracts between Indian Tribes and agencies such as IHS and BIA. The Court's ruling compels corrective action from Congress, where historically insufficient funds have been appropriated to pay government contracts with Tribes, while all other government contracts are fully paid.

INDIAN EDUCATION

Effective and culturally relevant educational systems are critical for nurturing strong, prosperous tribal youth and lay the foundation for healthy communities. A dangerous pattern has developed in recent years where Indian programs receive smaller increases in years where overall funding is up and bigger cuts in years when overall funding is down, and the proposed budget for fiscal year 2008 continues this trend in the Department of Education and Department of Interior. Although NCAI supports Interior Secretary Kempthorne's proposal to increase funding for the Bureau of Indian Education as part of an Indian Education Initiative, many of the education programs supported by tribal leaders were eliminated or reduced in the fiscal year 2008 budget request, such as scholarships and adult education (reduced by $5 million) and the Johnson O'Malley program (proposed to be eliminated).

Johnson O'Malley Program.—: The President proposes to completely eliminate the Johnson O'Malley program (JOM) in fiscal year 2008. Once again, the administration justifies eliminating JOM stating other government programs can provide this funding. JOM is not duplicative of Department of Education programs. The U.S. Department of Education oversees the Title VII Indian Education Act programs which the President considers "a similar funding" source for Indian Education. The Title VII program is run directly through the school districts and is not subject to tribal control. The tribes have no actual authority over the design or implementation of the Title VII programs. NCAI urges Congress to restore the funding for this critical Indian education program.

NATURAL RESOURCES

Tribal communities maintain significant spiritual, economic, cultural, and material relationships with their natural environment. Natural resource programs are of immense importance to tribal cultures, including resource development, fish and wildlife, conservation, wetlands protection, and water resources. Protection of these resources form an integral part of the Federal Indian trust responsibility.

BIA Natural Resources.—At the Bureau of Indian Affairs/Tribal Budget Advisory Council, tribal leaders and bureau representatives placed natural resources in the top four funding priorities for tribes and the BIA in fiscal year 2008. However, a partial list of disinvestments from fiscal year 2004 proposed in the President's fiscal year 2008 budget include: a $1.9 million cut, an 88 percent reduction, for Endangered Species from fiscal year 2004 levels; a $5.4 million cut, a 55 percent reduction, for Tribal Management/Development; $2 million, a 52 percent reduction, for Noxious Weed Eradication; a $6.2 million reduction for Rights Protection Implementation; and complete elimination of the Wetlands and Waterfowl Management program. Such diminishing resources leads to the dismantling of both the tribes' abilities to manage their natural resources and the Interior Secretary's trust responsibility to protect them. Overall, BIA natural resources funding should be restored to at least their fiscal year 2004 enacted levels.

Indian Land Consolidation.—Tribal leaders continue to stress that Indian land consolidation is critical for addressing the problem of fractionation, which creates an accounting nightmare for the Federal Government and enormous difficulties for Indian land owners in putting land to economic use. Land consolidation will improve Federal administration and management, and saves substantial Federal dollars that currently go to tracking tiny interests. The administration proposed $10 million for Indian land consolidation for fiscal year 2008, $24.5 million below the enacted amount for fiscal year 2006. NCAI understands that the reduction to land consolidation may have been proposed at a time when Cobell settlement legislation, which

included further measures to address fractionation, was anticipated to be passed during the 109th Congress. Considering that the Cobell settlement legislation was not enacted, NCAI urges Congress to fund the Indian Land Consolidation program in the very least at the fiscal year 2006 enacted level of $34.5 million. However, NCAI would encourage Congress to fund ILCP at the level proposed by the administration in fiscal year 2007, $59.5 million. Our understanding is that the Land Consolidation Office can effectively utilize these funds without the need to scale up the size of the office, and that land transactions costs are decreasing as the new title system is implemented. This investment in land consolidation will do more to save on future trust administration costs than any other item in the trust budget.

OTHER

Data Management.—A persistent problem affecting all areas of Indian Country is the lack of efficient and effective data management and reporting. Tribes and Federal agencies badly need to improve capacity to identify existing needs and deficiencies and NCAI urges Congress and the President to invest in improved data management for programs affecting American Indians. For instance, in the Department of Interior, Indian Affairs programs do not maintain collected data in a ready access fashion for instant analysis and reporting, resulting in weeks or months to compile a report on standard program practices. The Bureau's lack of data management also leads to duplicate data calls, missed deadlines, and incomplete reporting. It appears that all programs collect standard program data on a regular basis, but fail to maintain it. NCAI urges an increased investment in data management to more efficiently and effectively use program funding; improve justification for budget formulation, budget allocations, and fund distribution; enhance data credibility and analysis for use by decision makers in critical processes (including GPRA and PART).

Housing Improvement Program.—The President proposed complete elimination of the $18.8 million that funds the Housing Improvement Program in Tribal Priority Allocations. HIP serves the poorest of the poor in Indian Country by reducing substandard housing and homelessness through providing housing repairs and renovations of existing homes, construction of a modest replacement home, or construction of a modest home. NCAI urges Congress to restore this critical program in the fiscal year 2008 budget process.

CONCLUSION

NCAI realizes Congress must make difficult budget choices this year. As elected officials, tribal leaders certainly understand the competing priorities that you must weigh over the coming months. However, the Federal Government's solemn responsibility to address the serious needs facing Indian Country remains unchanged, whatever the economic climate and competing priorities may be. We at NCAI urge you to make a strong, across-the-board commitment to meeting the Federal trust obligation by fully funding those programs that are vital to the creation of vibrant Indian Nations.

PREPARED STATEMENT OF THE NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS

Request: $50,000,000 State Historic Preservation Programs and $10,000,000 competitive grants to States for historic site survey digitization and emergency preparedness from U.S. Department of the Interior, National Park Service, Historic Preservation Fund

The National Conference of State Historic Preservation Officers presents a two-part request: 1. $50,000,000 for the State Historic Preservation Offices (SHPOs) to fulfill the Federal commitment to historic preservation in the National Historic Preservation Act 2 (16 U.S.C. 470) and 2. $10,000,000 for SHPOs for historic site survey digitization and emergency preparedness.

$50,000,000 STATE HISTORIC PRESERVATION OFFICES

The $50,000,000 withdrawal from the $150,000,000 deposited into the Historic Preservation Fund in fiscal year 2008 constitutes formula matching grants to State Historic Preservation Offices to carry out the National Historic Preservation Act. This is a $14,283,324 increase over the administration's request.

The National Historic Preservation Act sets out goals for the preservation of America's heritage: find every historic place, nominate significant places to the National Register, establish formal partnerships with local governments, review every

Federal project for impacts on historic properties, advise project sponsors on historic rehabilitation, provide historic preservation education to all, conduct statewide planning, make matching grants for restoration, monitor covenants and easements. Since 1981, the administration budget requests have fallen woefully short of the need without a concomittant reduction in State responsibilities. $50,000,000 will bring the financial reality to the program demands.

$10,000,000 COMPETITIVE GRANTS TO SHPOS FOR DIGITIZATION AND IDENTIFICATION

Partly as a result of the Preserve America Summit—a national gathering of preservation experts in New Orleans in October 2006—the administration included a request for $5,000,000 in its budget for the digitization of historic site survey information. The National Conference commends the administration for acknowledging the need and for committing to a 7-year funding stream. We fully support $5,000,000 in competitive grants to State Historic Preservation Officers to convert existing data on historic sites into electronic databases tied to a geographic information system.

This effort will benefit the Federal Government. Federal agencies are required to take historic properties into account in project planning. The "taking into account" cost is dramatically reduced if agencies have on-line access through a GIS system to the location of historic properties. The administration's approach is realistic and doable. National Park Service's staff studies indicate that the digitization of paper records in State Historic Preservation Office files will require a $25,000,000 Federal commitment. (All HPF withdrawals are matched.) The administration's 7-year commitment will meet that goal.

However, more is needed. The Katrina experience taught SHPOs that completing the identification of America's historic places is essential. The lack of information on the location of historic places significantly and unnecessarily delayed recovery. Had information on the location of historic places in the impact area been available in an electronic geographic information system, the historic preservation component of recovery could have begun virtually immediately.

A second $5,000,000 would go for competitive grants to States for new field work to identify historic properties in areas prone to impact from disasters. Just as EMT's need addresses in responding to 9–1–1 calls, when disaster strikes, agencies need to know the "addresses" of historic properties.

BACKGROUND

Forty years ago, the National Historic Preservation Act of 1966 (NHPA) established the Nation's historic preservation program to be carried out through State Historic Preservation Offices (SHPOs). States continue to struggle to achieve bare minimum NHPA mandates as funding—in real dollar terms—declines. HPF withdrawals dropped by over 25 percent from fiscal year 2001 to fiscal year 2003 and has been essentially flat since then. Our request would return the national program to levels comparable to fiscal year 2001, adjusted for inflation.

Declining HPF withdrawals continue to force SHPOs to prioritize and frequently lay aside the preservation needs of their States to respond to Federal requirements. Economic Research Associates, an internationally economic consulting firm, analyzed SHPO's activity and concluded.[1]

Section 106 is a paradox in that it is an un(der)funded Federally mandated program that States are required to complete, whether or not sufficient budgets are available; as such, reallocation of funding from other program areas to cover the costs of section 106 funding have a negative effect on other historic preservation priorities.

Historic preservation is and has been an effective domestic policy tool that both addresses key priorities for the conservation of our priceless heritage and generates significant economic benefits to the Nation. At $50,000,000, SHPOs could achieve much more as illustrated below.

BENEFITS OF A $50,000,000 HPF WITHDRAWAL

Economic Impact.—Aside from its incalculable cultural benefits, historic preservation also provides an opportunity to generate local, regional and national economic growth by revitalizing valuable historic neighborhoods and communities, enticing private capital investment and fostering heritage tourism. HPF programs such as the Rehabilitation Tax Credit have proven their worth using the modest Federal operating funds to stimulate as much as $3 billion in construction annually.

[1] Economic Research Associates, "Section 106 Cost Assessment," for NCSHPO, January 2006, ERA Project No. 15755. Copies available through NCSHPO.

Heritage Tourism.—Historic preservation is the foundation of heritage tourism, which is a multi-billion dollar industry ($200 billion annually by 2005). Heritage tourists stay longer and spend more than other tourists do ($623 per historic/cultural trip as compared to $457 for an average U.S. trip), providing local jobs and creating local, State, and Federal tax revenues. SHPOs promote heritage tourism through historic site survey and National Register programs, and they further American history education by generating interest in urban and rural landmarks across America.

Sample of State-Specific Benefits.—Here is a sampling of new tasks SHPOs would take on with a $50,000,000 appropriation.

Alabama and New York: tackle their dual problems of rural depopulation and urban sprawl

California: address the hard questions about significance of buildings from the recent past—the key period in California's history

Idaho: combat looting of archeological sites; educate about historic buildings and energy conservation and handicapped accessibility

Washington: cultivate the young generation with a keen interest in the architecture of the recent past

Rhode Island: address the structural deficit in the human capital needed to promote the credit and assist developers to rehab rotting industrial complexes into a new, property tax-paying life

New Mexico: famous for historic preservation around Santa Fe, most of the State needs advice on how retain its varied culture and historic homes and businesses.

WHY $50,000,000?

The National Park Service Historic Preservation Fund Grants Manual in Chapter 2 Apportionment Formula determines that $50,000,000 is the appropriate amount (when matched) to run the basic national historic preservation program. The program components, all of which are mandatory, include identification of historic places; maintenance of historic site survey information and making it available for preservation use; National Register nomination process; consultation with Federal agencies on every action in the State; education for Federal agencies and the public; assistance to and entitlement funding for local government partners; statewide historic preservation planning; advising owners about and reviewing plans for historic rehabilitation tax credit applications; and on-going monitoring of easements and covenants for Historic Preservation Fund restoration grants from the 1970s. In addition to these mandated responsibilities, SHPOs coordinate and oversee Preserve America and Save America's Treasures grant projects.

The HPF Fund allocations to State Historic Preservation Offices are operational funding, not a discretionary grant program. Unlike the Land and Water Conservation Fund grants for acquisition projects, the Historic Preservation Fund covers operational costs—salaries and benefits, office space, telephone, supplies, etc. Inflation and fixed costs directly impact State Historic Preservation Offices just as they do the National Park Service. A reduction in a LWCF appropriation results in doing fewer projects. State Historic Preservation Officers do not have that flexibility. Fixed costs are fixed. A flat HPF appropriation in dollar terms means an absolute reduction, a decrease.

HPF ALLOCATIONS TO THE STATES—MONEY WELL SPENT

Under the administration's Program Assessment Rating Tool, management of Historic Preservation Programs receive a score of 89 percent indicating exemplary performance of mandated activities.[2] The National Conference is disappointed that this success is not reflected in an increase in program funding in the administration's budget request.

CONCLUSION

The National Conference of State Historic Preservation Officers appreciates the opportunity to present the States' HPF case to the Congress. We urge your careful consideration of the States' request ($50,000,000 and $10,000,000, see p. 1) and that of Tribal Historic Preservation Officers ($12,000,000) and Preserve America ($10,000,000 and Save America's Treasures ($30,000,000). The total request of the national historic preservation community is $112,000,000, $3,000,000 less than the 2006 total (with emergency expenditures).

Thank you.

[2] State LWCF grants, in contrast, received a review score of 43 percent.

PREPARED STATEMENT OF THE NATIONAL COOPERATORS' COALITION

SUMMARY

The National Cooperators' Coalition (NCC) urges the subcommittee to increase the operational budget of the U.S. Geological Survey's Cooperative Fish and Wildlife Research Units (CFWRUs) by $5 million above the fiscal year 2008 request, and to provide additional funding of $20 million in subsequent years to initiate a competitive, matching fund program for support of high priority research and training by the CFWRUs. These increases above the fiscal year 2008 request are essential to successfully address the natural resource management challenges posed by climate change, energy development needs, invasive species, infectious diseases, wildfire, increased demand for limited water resources, and retirement and replacement of an unprecedented number of natural resource professionals over the next 10 years.

The National Cooperators' Coalition is an alliance of more than 60 nonfederal CRU program cooperators and other supporters of the CFWRU program. Its members include State wildlife agencies, universities, and non-governmental organizations. The mission of the NCC is to build a stronger and more coordinated base of support to serve research, education, and technical assistance needs of the non-Federal CFWRU program cooperators.

FUNDING THE NCC VISION FOR NATURAL RESOURCES RESEARCH AND TRAINING

The State agencies, universities, and organizations of the NCC have worked together to develop a Vision and Strategies for the Future of the CFWRUs, which identifies our most pressing natural resource challenges and outlines how greater use of the CFWRUs can help meet these needs. The CFWRUs are crucial to successfully addressing the natural resource management challenges posed by climate change, energy development needs, invasive species, infectious diseases, wildfire, and increased demand for limited water resources. These challenges also include replacing the unprecedented number of natural resource professionals who will be retiring over the next 10 years.

As you know, each of the CFWRUs in 38 States is a true Federal-State-university-private partnership among the U.S. Geological Survey, a State natural resource agency, a host university, and the Wildlife Management Institute. The CFWRUs build on these partner contributions to leverage more than $3 for every $1 appropriated to the program by Congress.

Finding workable solutions to our natural resource challenges requires the CFWRU's management-oriented, community-based approach to research, which relies on interdisciplinary efforts and fosters collaboration and accountability. The CFWRUs also are well positioned to help replace our retiring workforce. They have an established record of educating new natural resource professionals who are management-oriented, well-versed in science, grounded in State and Federal agency experience, and able to assist private landowners and other members of the public.

To begin meeting these high priority research and training needs in fiscal year 2008, the NCC asks you to begin implementation of the NCC Vision by establishing a competitive, matching fund program within existing CFWRU legislative authority that eventually would make available $20 million annually in new funds beyond base operational costs. These new funds would support future cooperative, high priority research efforts and essential training of new natural resource professionals to replace the large number who will retire within the next decade.

The fiscal year 2008 USGS appropriation also needs to provide approximately $5 million more than the fiscal year 2006/2007 funding levels for the CFWRUs to restore seriously eroded operational funds for each CFWRU, enhance national program coordination, and fill current scientist vacancies. This additional funding would restore necessary capacity in the CFWRU program for it to meet the Nation's research and training needs. Importantly it also would ensure that the Interior Department provides the Federal scientist staffing agreed to with partners so that the return on their continuing investment in the CFWRUs is realized and fully leveraged. Without an infusion of funds, one fifth of all CFWRU scientist positions (24) will need to be vacant by the end of fiscal year 2008 to remain within allowable spending levels.

The NCC urges you to make greater use of this important research and training partnership, which already brings together State fish and wildlife agencies, State universities, and Federal agencies around a local, applied research agenda. With your assistance, the Cooperative Fish and Wildlife Research Units can become even more effective in using science and collaboration to address the natural resources challenges facing the Interior Department and other Federal, State, and local agencies.

This effort is supported by the following hunting, angling, and conservation organizations: Archery Trade Association, Bear Trust International, Boone & Crockett Club, Bowhunting Preservation Alliance, Congressional Sportsmen's Foundation, Ducks Unlimited, Foundation for North American Wild Sheep, Izaak Walton League, National Trapper's Association, North American Bear Foundation, North American Grouse Partnership, Pheasants Forever, Pope & Young Club, Quail Forever, Quality Deer Management Association, Safari Club International, Theodore Roosevelt Conservation Partnership, Wildlife Forever, The Wildlife Society, and the Wildlife Management Institute.

Thank you for consideration of this request. With your assistance, the CFWRUs can become even more effective in using science and collaboration to address the natural resources challenges facing the Interior Department and other Federal, State, and local agencies.

University of Arkansas; University of Arizona; Arizona Game and Fish Department; Humboldt State University; Colorado State University; Colorado Division of Wildlife; University of Florida; Florida Fish & Wildlife Conserv. Comm.; University of Georgia; Georgia Dept. of Natural Resources; University of Hawaii; University of Idaho; Idaho Dept. of Fish and Game; Indiana Dept. of Natural Resources; Purdue University; Iowa State University; Iowa Dept. of Natural Resources; Kansas Dept. Wildlife and Parks; Louisiana State University; Maine Dept. Inland Fisheries & Wildlife; University of Maryland Eastern Shore; University of Minnesota; Minnesota Dept. Natural Resources; University of Missouri; Missouri Dept. of Conservation; University of Montana; Montana State University; Montana Fish, Wildlife and Parks; University of Nebraska-Lincoln; Nebraska Game and Parks Commission; University of Nevada, Reno; New Mexico Dept. of Game and Fish; New Mexico State University; North Carolina State University; North Carolina Wildlife Resources Commission; Oklahoma Dept. of Wildlife Conservation; Oklahoma State University; Oregon State University; Pennsylvania Game Commission; Pennsylvania Fish & Boat Commission; Clemson University; South Dakota Game, Fish and Parks; South Dakota State University; Tennessee Wildlife Resources Agency; Texas Parks and Wildlife Department; Texas Tech University; Utah State University; Virginia Tech University; Vermont Fish and Wildlife Department; Wisconsin Dept. Natural Resources; University of Wisconsin—Madison; Wyoming Game & Fish Department; University of Wyoming; Ducks Unlimited, Inc.; Association of Fish and Wildlife Agencies; Izaak Walton League of America; Midwest Assoc. Fish & Wildlife Agencies; Western Assoc. Fish & Wildlife Agencies; National Association of University Fish and Wildlife Programs; North American Grouse Partnership; The Wildlife Society;and Wildlife Management Institute.

PREPARED STATEMENT OF THE NATIONAL COUNCIL FOR SCIENCE AND THE ENVIRONMENT

SUMMARY

The National Council for Science and the Environment (NCSE) urges Congress to appropriate $1.2 billion for the U.S. Geological Survey (USGS) in fiscal year 2008. NCSE recommends a minimum appropriation of $700 million for EPA's Office of Research and Development (bringing it back to fiscal year 2004 levels), including at least $150 million for EPA's Science to Achieve Results (STAR) research grants program and $20 million for EPA's STAR graduate fellowship program. NCSE recommends a total of $900 million for EPA's Science and Technology account. NCSE also urges Congress to restore full funding for the Office of Environmental Education at a level of at least $10 million.

The National Council for Science and the Environment is dedicated to improving the scientific basis for environmental decisionmaking. We are supported by over 500 organizations, including universities, scientific societies, government associations, businesses and chambers of commerce, and environmental and other civic organizations. NCSE promotes science and its essential role in decisionmaking but does not take positions on environmental issues themselves.

U.S. GEOLOGICAL SURVEY

The U.S. Geological Survey provides essential services for the Nation yet suffers from a long-term funding shortfall. In real terms, funding for the USGS is currently at its lowest level since fiscal year 1996, when the National Biological Service was first integrated into the USGS (Figure 1). The USGS budget has declined in real dollars for 5 consecutive years and is targeted for another budget cut in fiscal year

2008. The President's budget request would cut funding for the USGS by approximately $8 million or 1 percent to $975 million in fiscal year 2008.

As a founding member and co-chair of the USGS Coalition, NCSE joins with numerous other organizations in recommending an appropriation of $1.2 billion for the U.S. Geological Survey in fiscal year 2008. This increase would enable the USGS to restore the science cuts proposed in the budget request, accelerate the timetable for deployment of critical projects, launch new science initiatives that provide the scientific basis for addressing emerging national needs, and begin to reverse the cumulative effects of the long-term funding shortfall that has left the USGS budget stagnant for the past decade. After years of stagnant funding and absorption of uncontrollable cost increases, the USGS has a large and growing backlog of science and monitoring needs.

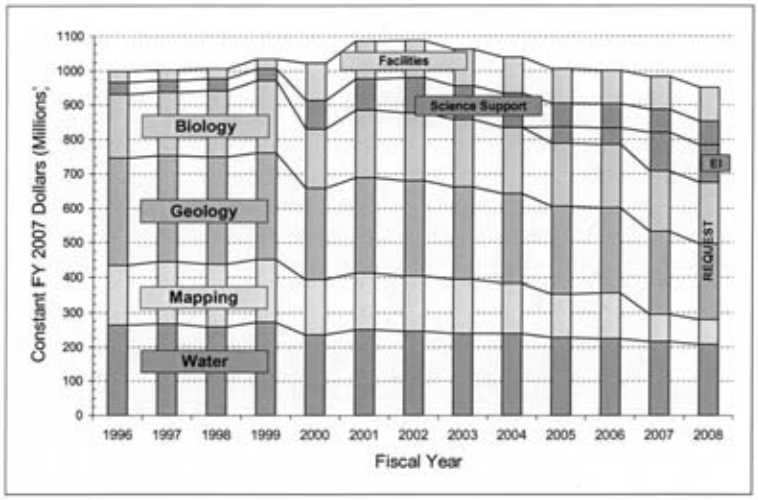

Figure 1. USGS funding in constant dollars, FY 1996 – FY 2008. EI is the Enterprise Information account
Data source: USGS Budget Office.

The USGS provides essential services that address many of the Nation's highest domestic priorities. A few examples are provided below:

—In the wake of recent floods, wildfires, earthquakes and hurricanes, there is a growing appreciation of the role of USGS science in preventing natural hazards from becoming natural disasters.

—As the Nation grows increasingly concerned about energy, water, mineral and biological resources, it will rely increasingly on the USGS for resource assessments and under-standing to improve the scientific basis for managing our natural resources.

—The potential for an avian flu pandemic remains a global concern, and the USGS is conducting targeted surveillance of birds for avian flu in North America. The USGS provides information necessary to track and respond to other infectious diseases that can be transmitted from wildlife to people. It also monitors the spread of invasive species that can pose significant economic threats.

—The USGS is poised to make greater contributions to climate change science by taking advantage of its unique multidisciplinary expertise and distributed geographic infrastructure to interpret the consequences of climate variability to the Nation's ecosystems and land and water resources.

—The USGS is producing a new generation of digital geospatial data products that provide a virtual infrastructure for resource management, science, commerce, recreation, and homeland security.

Proposed budget cuts would adversely affect the ability of the USGS to achieve its mission. For example, more than $20 million would be cut from the Mineral Resources program, a devastating decrease of more than 40 percent. The entire budget ($6.4 million in fiscal year 2006) for the Water Resources Research Institutes, which are located in all 50 States, would be eliminated. We encourage Congress to restore these and other cuts proposed in the fiscal year 2008 budget request, but this funding should not come at the expense of other high priority programs elsewhere in the USGS.

The USGS benefits every American every day. It deserves the continued support of Congress. NCSE is grateful to Congress for its past support of the USGS and for restoring proposed budget cuts. More investment is needed to strengthen USGS partnerships, improve monitoring networks, produce high-quality digital geospatial data and deliver the best possible science to serve the needs of the Nation.

ENVIRONMENTAL PROTECTION AGENCY

EPA's research and development portfolio has declined while the Nation's environmental challenges continue to grow. In order to fulfill its mission, EPA needs increased investments in both its intramural and extramural science programs, as well as such associated services as environmental education and information. EPA's strategic plan calls for science-based decisionmaking, but the agency will be unable to achieve this goal if its capacity to conduct science is not improved.

EPA's funding for R&D is at its lowest level in nearly two decades in real dollars and would fall even further under the President's budget request for fiscal year 2008 (figure 2). After several years of steady declines, EPA's R&D funding level in fiscal year 2008 would be 27 percent below the fiscal year 2004 funding level in real dollars, according to data compiled by the American Association for the Advancement of Science. EPA's extramural research grants program has suffered disproportion-ate budget cuts since fiscal year 2002.

NCSE recommends a minimum appropriation of $700 million for EPA's Office of Research and Development (bringing it back to fiscal year 2004 levels), including at least $150 million for EPA's STAR research grants program and $20 million for EPA's STAR graduate fellowship program. NCSE recommends a total of $900 million for EPA's Science and Technology account. NCSE also urges Congress to restore full funding for the Office of Environmental Education at a level of at least $10 million.

EPA created the extramural Science to Achieve Results (STAR) program as part of a set of reforms proposed by the National Academy of Sciences in the 1990s. The STAR program provides EPA with an opportunity to take better advantage of the intellectual and scientific resources of the academic community and apply these resources to the challenges faced by EPA. The STAR program has been widely praised. The National Academies issued a laudatory report, The Measure of STAR, which concludes that the program supports excellent science that is directly relevant to the agency's mission. According to the report, the STAR program has "yielded significant new findings and knowledge critical for regulatory decision making." The report says, "The program has established and maintains a high degree of scientific excellence." It also concludes, "The STAR program funds important research that is not conducted or funded by other agencies. The STAR program has also made commendable efforts to leverage funds through establishment of research partnerships with other agencies and organizations." The National Academies report says, "The STAR program should continue to be an important part of EPA's research program."

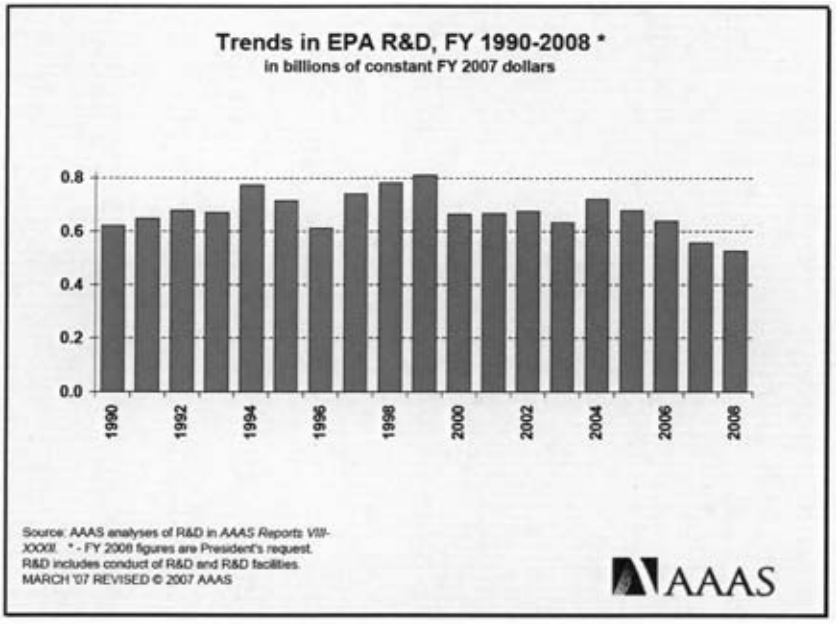

Figure 2. Trends in EPA R&D, FY 1990-2008 in constant dollars

Funding for the STAR program has been cut repeatedly over the past several years. The fiscal year 2008 request for the STAR programs (including fellowships) is $61.9 million, which is approximately 44 percent below the fiscal year 2002 level of $110 million and 28 percent below the fiscal year 2004 level of $85.5 million. NCSE proposes that the STAR research budget be increased to $150 million, which would allow expansion of areas and scientists supported and would send a signal that Congress is serious about merit-based science for environmental decision-making.

EPA created the STAR graduate fellowship program to ensure a strong supply of future environmental scientists and engineers. It is the only Federal program aimed specifically at students pursuing advanced degrees in environmental sciences. According to the National Academies, "The STAR fellowship program is a valuable mechanism for enabling a continuing supply of graduate students in environmental sciences and engineering to help build a stronger scientific foundation for the Nation's environmental research and management efforts."

The STAR Graduate Fellowship program has been repeatedly proposed for budget cuts, only to be restored by Congress each year. The budget for the fellowship program has been slightly under $10 million for much of its 10 year history. NCSE recommends doubling the funding for STAR fellowships to $20 million, which can be accomplished without any decrease in the quality of the awardees.

The fiscal year 2008 budget request again proposes no funding for the EPA Office of Environmental Education. NCSE strongly encourages Congress to restore full funding of at least $10 million to support the congressionally mandated programs administered by this office. These programs provide national leadership for environmental education at the local, State, national, and international levels, encourage careers related to the environment, and leverage non-Federal investment in environmental education and training programs.

Prepared Statement of the National Endowment for the Arts

I am honored to report on the state of the National Endowment for the Arts (NEA) and the President's fiscal year 2008 budget request for $128,412,000. We are pleased that the President's budget contains an increase of $4 million for the NEA.

BACKGROUND

As I begin my second term as chairman of the National Endowment for the Arts, I am proud to report that the NEA is currently operating with high artistic standards, unprecedented democratic access, inclusive partnerships, and improved efficiency. We have made remarkable progress in recent years and today have a strong sense of confidence in our public mission, reputation and record of service.

The Arts Endowment's programs now reach into every corner of our Nation—bringing the best of the arts and arts education to the broadest and most varied audiences possible. While maintaining the highest artistic and educational standards, the agency has effectively democratized its programs, while also keeping them relevant to the needs of diverse communities. This expanded reach has been made possible by national initiatives such as Shakespeare in American Communities, NEA Jazz in the Schools, Operation Homecoming, Great American Voices, Poetry Out Loud, The Big Read, and American Masterpieces that together reach thousands of communities, classrooms, and military bases—collectively serving millions of Americans.

Meanwhile our grants process has been broadened through our Challenge America: Reaching Every Community program that helps to ensure that direct grants reach arts organizations in every congressional district in the United States in addition to our State arts agency and regional arts organization grants. In 2007 we will achieve for the third consecutive year our goal of reaching every community in the United States—with many grants once again going to organizations that have never before received Endowment support.

FISCAL YEAR 2008 BUDGET REQUEST

The National Endowment for the Arts (NEA) is proud to support the President's budget request for fiscal year 2008 and to report on our progress during the past year. To support our vital mission, we are requesting a budget of $128,412,000, which includes $102.942 million for grant-making activities with $61.765 million committed to American Masterpieces, Challenge America, and basic grant programs and $41.177 million allocated for State and regional partnerships.

AGENCY GOALS AND ACCOMPLISHMENTS

The past 4 years have been a period of enormous innovation, sustained energy, and meaningful renewal at the NEA. We have made a series of significant changes that enable the agency to serve the Nation more efficiently and effectively.

NEA grants are producing economic benefits throughout the country by nurturing local arts groups and enhancing local economies. With each dollar awarded by the NEA generating on average $6–$7 from other sources, the NEA is triggering an investment of approximately $600 million for the arts from private donors and non-Federal sources.

We welcome this opportunity to showcase the following programs that exemplify NEA's commitment to excellence, broad geographic reach and arts education.

Challenge America: Reaching Every Community

The creation of the Challenge America program in 2001 marked a turning point in NEA history. This program built upon the agency's strengths in supporting the arts and arts education but challenged the NEA to broaden its service to Americans outside established cultural centers. The program quickly broadened the geographic distribution of grants, but it did not fully realize its original goals of reaching the entire Nation. In an average year, direct grants reached only about three quarters of the Nation (as measured by congressional districts). Consequently, areas of the Nation representing more than 70 million citizens received limited service from the agency.

Four years ago, we set the goal of delivering a direct grant to every congressional district in the United States. In 2005, and again in 2006, the NEA realized 100 percent coverage with direct grants awarded to high-quality organizations in all 435 districts. In 2007 the NEA will again achieve that 100 percent coverage goal. The Arts Endowment considers the new Challenge America program one of its central achievements.

International Initiatives

When I came to the NEA, I was dismayed to learn how little was done in international cultural exchange. Over the past few years, the NEA has focused on developing several programs that showcase America's artistic creativity and excellence abroad. We now provide assistance to U.S. music and dance ensembles invited to perform in international festivals abroad. We have joined with the Open World

Leadership Program to support short-term residencies for Russian artists and arts administrators with U.S. arts groups.

Most recently, as a partner in the State Department's Global Cultural Initiative launched in September, the NEA has begun a series of International Literary Exchanges. In partnership with other countries and U.S. independent presses, the NEA is providing American readers with access to literary works by contemporary writers of other countries and providing foreign readers with access to the work of highly talented living American writers. Building on the success of a United States-Mexico poetry anthology published in 2006, the NEA is currently developing similar projects with Russia, Northern Ireland and Pakistan.

NATIONAL INITIATIVES

The Arts Endowment's national initiatives allow the agency to create partnerships with hundreds of local arts organizations, schools, and public institutions to achieve common goals. Creating these partnerships allows Federal dollars to be spent more effectively. Over the past 4 years these widely applauded initiatives have reached millions of Americans with programs of the highest quality and truly egalitarian reach. Managed through the regional arts organizations, the initiatives have provided hundreds of grants to arts organizations and employment to thousands of actors, singers, writers, musicians, and artists as well as directors, designers, stagehands, and technicians—all directed at providing cultural services greatly needed and appreciated by local communities and schools.

American Masterpieces

Many adults and young people are unfamiliar with the significant artistic and cultural achievements of our Nation. They have few opportunities in school or daily life to learn about the arts or acquire skills to appreciate or participate in them. To address this challenge, the Arts Endowment established American Masterpieces: Three Centuries of Artistic Genius. It vividly embodies the goals of excellence and outreach and features educational programs along with presentations of artistic works themselves.

Now in its third year, American Masterpieces is fully under way with five major components—visual arts, dance, choral music, musical theater, and literature. American Masterpieces grants have enabled 27 museums in 14 States to tour exhibitions to 136 cities across the Nation, reaching an estimated audience of 4.1 million. Choral music grants have supported the creation of eight regional festivals celebrating American choral music in seven States and the District of Columbia. Fifty dance companies are reviving and touring American choreographic masterpieces nationwide. In Musical Theater, 13 theater companies in 11 States are reviving and touring significant works of American musical theater. All these programs are reaching into underserved rural and urban American communities and introducing new generations to their rich artistic legacy.

The Big Read

The National Endowment for the Arts' widely discussed 2004 report, Reading at Risk, identified a critical decline in reading among American adults. Drawn from a U.S. Census sample of 17,000 Americans, Reading at Risk established an especially alarming fact: literary reading is rapidly declining among Americans of all ages, races, genders, income and levels of education.

Challenged to stem the decline in reading, the NEA developed a literary component of American Masterpieces called The Big Read. With Mrs. Laura Bush as its honorary chair, the Endowment is uniting communities and generations through the reading and discussion of a common book. To make the Big Read work, communities are creating new partnerships involving schools, libraries, literary centers, arts councils, dance and theater companies, symphony orchestras and museums, television and radio stations, as well as mayor's offices and chambers of commerce to broaden the reading of quality literature in every segment of the community.

Piloted in 10 cities in 2006, Big Read programs are underway in 72 towns and cities across the country during the Spring months of 2007. Our goal is for Americans to reconnect to the pleasure of reading great American novels in 200 communities across all 50 States in 2007 with 400 communities participating in 2008.

We have an opportunity to impact America profoundly with The Big Read. With additional funds for the Big Read requested by the President, we believe that we can make a significant difference in making the United States a better place to live for individuals, for families and for communities. The decision to expand The Big Read into 400 communities is a pivotal moment in connecting Americans to their culture.

Shakespeare in American Communities

The NEA's Shakespeare program is now in its fourth year with Shakespeare for a New Generation, a program that focuses on providing American students an opportunity to see a live professional performance of Shakespeare. Since the program began in September 2003, the Endowment has awarded 100 grants to 59 theater companies that have brought new productions of Shakespeare to more than 1,400 communities in mostly small and mid-sized cities, and to 18 military bases. More than 2,000 actors have performed for students attending 2,500 middle and high schools.

The award-winning NEA Shakespeare classroom toolkit has been distributed free to 20,000 schools—32 percent of which are located in rural communities—reaching 15 million students. The NEA's Shakespeare program has reached deeply into all 50 States with an overwhelming positive response from teachers and students alike.

NEA Jazz in the Schools

The Arts Endowment's long-standing support of jazz was broadened in 2006 with the NEA Jazz in the Schools program, an engaging and substantive introduction to jazz created for high schools. Developed with Jazz at Lincoln Center and with support from Verizon and the Verizon Foundation, an academic tool-kit, made available in January 2006, has already been provided free to 8,800 classrooms across all 50 States. Used by teachers during Black History Month, some 4.5 million students have participated in the program, which introduces jazz as a distinctively American art form as well as a powerful and positive force in African-American social history. This new educational program was added while the agency maintained all of its 50 State NEA Jazz Master touring, and radio and awards programs.

Operation Homecoming and Other Programs for the Military

Operation Homecoming was created by the National Endowment for the Arts to help U.S. troops and their families write about their wartime experiences. We are proud to report that the program achieved its goals well beyond our expectations. Operation Homecoming began in 2004 with 50 writing workshops conducted by some of America's most distinguished writers on 30 military installations here and abroad. In response to a call for submissions, military personnel and their families submitted more than 12,000 pages of written material that was judged by an NEA panel of distinguished writers, editors and historians. With Andrew Carroll as editor, Random House published an anthology of the best 100 literary works in Operation Homecoming: Iraq, Afghanistan, and the Home Front in the Words of U.S. Troops and Their Families.

The program now draws to a close with the production of two films showcasing wartime writing and the creative process. This initiative was supported by the Boeing Company, which also funded Great American Voices that sponsored performances by 24 opera companies on 39 U.S. military bases with visits to neighboring schools. The response has been excellent, and the performers have consistently played to packed houses.

CONCLUSION

As we contemplate the future of the National Endowment for the Arts, we remain dedicated to our stated mission of bringing the best of the arts—new and established—to all Americans. Too few Americans, especially younger Americans, have the opportunity to know and experience the best of our Nation's rich artistic legacy. Too few students have access to arts education in their schools and communities. The Arts Endowment's mission is to enrich the civic life of the Nation by making excellent art and arts education truly available throughout the United States. A great Nation deserves great art.

PREPARED STATEMENT OF THE NATIONAL ENVIRONMENTAL SERVICES CENTER

Chairwoman Feinstein, ranking member Craig, and members of the subcommittee: The National Environmental Services Center provides technical services, distributes information, and develops and delivers training programs to small and rural communities in the areas of drinking water, wastewater, and municipal solid waste. We accomplish our mission through two major programs, the National Small Flows Clearinghouse (Clearinghouse) and the National Environmental Training Center for Small Communities (Training Center). We seek your continued support for the Clearinghouse and the Training Center.

NEED

Small and rural communities (populations less than 10,000) require assistance in developing, maintaining, and managing their infrastructure for municipal wastewater treatment facilities. Well-managed facilities protect public health and meet environmental regulations. Many communities use decentralized technologies such as septic systems or small water treatment systems. Small and rural communities generally have few financial resources and are overseen by elected officials who have limited time for hands-on management of treatment system, and limited staff support to assist in administering and maintaining their infrastructure.

The Environmental Protection Agency (EPA) recognized that septic and small wastewater treatment systems are a significant component of the Nation's wastewater infrastructure. In 2005, EPA developed its Decentralized Wastewater Treatment Systems Program Strategy in response to Congress' 2003 request that EPA help small and rural communities make more efficient use of the limited funding available for wastewater infrastructure. EPA observed that the deployment of decentralized wastewater treatment systems also extends to suburban areas near larger cities where water treatment systems are too expensive to install. Approximately 40 percent of new developments use decentralized treatment systems. There are over 13,000 communities in the United States which fit the definition of small flow systems (less than 1 million gallons of wastewater per day) compared to 533 systems serving our largest communities (more than 10 million gallons of wastewater per day). EPA's strategy addresses the largest number of systems and communities which have the least ability to pay for services.

EPA requires the assistance of programs such as our Clearinghouse and Training Center to execute its strategy and attain our national goals in wastewater management. To that end, EPA has entered into a Memorandum of Understanding with nine other national water organizations, including the National Small Flows Clearinghouse, under which all participants are working cooperatively to meet strategic goals in the Decentralized Treatment Program.

EPA has continually relied on the Clearinghouse and the Training Center to provide information services, technical assistance, and training for small and rural community officials and for service providers who work with these communities. However, the administration routinely does not request financial support for such programs in the EPA budget. Consequently, congressional action is required each year to support Clearinghouse and Training Center services. Other major providers such as the National Rural Water Association, the Rural Community Assistance Partnership, and the Groundwater Protection Council must also obtain congressional support on an annual basis because their programs are also not included in the administration budget request.

We recommend that Congress continue to support the larger national effort in wastewater programs, including support for our Clearinghouse and Training Center. Without such congressional action, our small communities would suffer environmentally and economically from poor water treatment systems.

ABOUT THE CLEARINGHOUSE AND THE TRAINING CENTER

Our programs assist agencies, organizations, and industries that focus on decentralized wastewater treatment. Theses technologies are referred to as "decentralized" because they do not require the large infrastructure investment common to centralized municipal collection and treatment systems. Because decentralized systems do not usually have dedicated operating personnel, specialized technologies and specialized training are needed to ensure safe and effective operation.

Congress mandated the creation of a national small flows clearinghouse through the Federal Water Pollution Control Act of 1977 under section 1254(q)(3). In 1991, Congress established the Training Center to expand the mission of the Clearinghouse to include training in addition to information dissemination. The Clearinghouse provides a comprehensive body of information and technical assistance services unique to the wastewater industry. Users of these services include individual homeowners, small town officials who do not have staff support to address regulatory requirements, developers, State regulators, and professionals who install and service alternative treatment systems. The training center develops curricula, trains trainers, and sponsors educational courses for these users.

Accomplishments and services under the Clearinghouse and Training Center programs include:

—Toll-free phone service providing technical assistance from our staff of engineers and information experts to operators, engineers, scientists, regulators, manufacturers, and homeowners;

—Magazines and newsletters, including Small Flows Quarterly, a related publication called Pipeline, and a newsletter called E-train, that cover and drinking water and wastewater issues for small communities, with a combined mailing list of 70,000 individuals or organizations nationwide;
—More than 1,000 information products such as pamphlets, "how-to" guides and handbooks, design manuals, videos, checklists, equipment manufacturers catalogs and an outreach resource guide, directories of various water and wastewater experts nationwide, informational posters, case studies, and related information;
—Comprehensive web site and searchable online databases featuring water, wastewater, security, and emergency preparedness resources for communities of 10,000 or fewer residents;
—Demonstration projects at more than 100 sites in 27 States showing the latest onsite sewage treatment technologies and management strategies at work;
—The intensive State Onsite Regulators Conference: a one-of-a-kind annual event for wastewater regulators and industry professionals;
—An annual week long national environmental training institute for small communities and service providers;
—The Nation's only Wastewater Vulnerability Assessment Guide for small communities;
—A "Top Ten" list of security and emergency preparedness actions for small wastewater systems.

With the support of Congress and cooperation and guidance from EPA, both programs have expanded their capabilities and level of service over time to address the ever increasing complexity of infrastructure issues as they pertain to smaller systems.

REQUEST

Congressional support to continue the work of the Clearinghouse and Training Center is imperative because the State agencies and communities these programs assist cannot pay on a fee-for-service basis. Neither can State allocations for water and wastewater infrastructures pay for these programs' services. By virtue of the congressional appropriation, we are able to offer most of our services free of charge. Without congressional support, these programs will be unable to attain sufficient funding to continue. We request an appropriation of $2.25 million in fiscal year 2008 to continue the combined programs of the Clearinghouse and the Training Center. As in the past, we will confer extensively with EPA to develop a plan of work responsive to national needs and the goals of the EPA program.

Thank you for considering our request.

PREPARED STATEMENT OF THE NATIONAL FISH AND WILDLIFE FOUNDATION

Madam Chairman and members of the subcommittee: I appreciate the opportunity to submit testimony regarding the fiscal year 2008 funding request for the National Fish and Wildlife Foundation (Foundation). The Foundation respectfully requests that the committee fund these efforts at the following levels:
—$9 million through the U.S. Fish and Wildlife Service's Resource Management General Administration appropriation;
—$3 million through the U.S. Fish and Wildlife Service's Resource Management Endangered Species appropriation to conserve and restore Pacific salmon in Washington State;
—$4 million through the Bureau of Land Management's Management of Lands and Resources appropriation; and
—$4 million through the Forest Service's National Forest System appropriation.

This request lies well within the authorized levels and will allow the Foundation to better meet the demand for new or expanded strategic conservation programs. The appropriations provided by the committee are also used by the Foundation to attract additional funding for conservation projects through mitigation, settlements, and direct gifts.

These dollars will be focused on mutually agreed upon projects across the country. Furthermore, the appropriated $20 million will be turned into a minimum of $40 million, according to the Foundation's Congressional Charter which requires a minimum of a one-to-one match. We have been operating on a three-to-one match historically, which means that the $20 million has the potential to turn into $80 million or more for on-the-ground conservation. One other note of special interest is that according to the Foundation's Charter, all directly appropriated funds have to

be obligated to grants as they are not available to the Foundation for any direct or indirect expenses.

Since our inception in 1984 through fiscal year 2006, the Foundation has supported over 8,865 grants and leveraged over $374 million in Federal funds for more than $1.2 billion in on-the-ground conservation. This has resulted in more than 18.35 million acres of restored and managed wildlife habitat; new hope for countless species under stress; new models of private land stewardship; and stronger education programs in schools and local communities. We recognize that without the seed money this committee provides many of these conservation benefits would not be realized.

Our efforts encompass many boundaries and missions of our U.S. Fish and Wildlife Service (FWS), Bureau of Land Management (BLM) and USDA-Forest Service (FS) partners. Whether it involves habitat conservation, species management, conservation education or international conservation, the Foundation strategically invests the Federal funds entrusted to us in sound projects. In fiscal year 2006, we received three times as many good project proposals as we could fund. With our FWS, BLM, and FS appropriations, we were able to fund 339 projects representing over $11.6 million in Foundation Federal funds, leveraging it with $1.7 million in other Federal funds and $51.7 million in non-Federal funds to commit $65 million to on-the-ground conservation. This will result in thousands of acres of vital habitat being enhanced, restored, and protected as well as hundreds of stream miles improved. The remaining $1.5 million in appropriated funds was held back to support our spring special grant programs; when these pending projects are approved, it will bring our total on-the-ground conservation to more than $69 million.

In fiscal year 2006, the FWS, BLM and FS partnerships we forged with our appropriated dollars are anticipated to help the Foundation permanently protect 2,362 additional acres; restore 14,149 acres; better manage 939,472 acres of public and private lands; and aid the restoration of 92 river and stream miles, as well as management of 175 miles of rivers and streams. As our grantees continue to report to us on their restoration and management efforts, we expect to see increases for all of these performance measurements by year's end.

The National Fish and Wildlife Foundation continues to be one of, if not the most, cost-effective conservation program funded in part by the Federal Government. Congress established the Foundation 23 years ago, and since that time the Foundation's vision for more healthy and abundant populations of fish, wildlife, and plants has flourished through the creation of numerous valuable partnerships. The breadth of our partnerships is highlighted through our active agreements with 14 Federal agencies, as well as numerous corporations, foundations and individual grantees. Through these unique arrangements we are able to leverage Federal funds, bring agencies and industry together, as well as produce tangible, measurable results. Our history of collaboration has given way to programs and initiatives such as the North American Waterfowl Management Plan, the Neotropical Migratory Bird Conservation Program, the National Fish Habitat Initiative, the Chesapeake Bay Small Watershed Grants Program, and the Pulling Together Initiative. With the support of the committee in fiscal year 2008, we can continue to uphold our mission of enriching fish, wildlife and the habitat on which they depend.

Working Landscapes and Healthy Habitats.—The Foundation places one of our highest priorities on projects integrating conservation practices on ongoing agricultural, ranching, and forestry operations, with the goal of improving the ecological health of working lands.

—*Great Lakes Watershed Restoration Program (GL)*.—A multi-agency partnership between the Environmental Protection Agency, FWS, the National Oceanic and Atmospheric Administration, FS, and the Natural Resources Conservation Service to promote ecosystem restoration within the Great Lakes. The program provides grants to State and local governments, as well as community organizations, working to improve the conditions of their local watersheds, while building citizen-based resources stewardship. In fiscal year 2006, the Foundation awarded 22 projects throughout the Great Lakes basin that leveraged over $1 million in Federal funds to more than $3 million for on-the-ground projects through the GL program.

Conserving Fish, Wildlife, and Plants.—With our FWS, BLM, and FS appropriations, the Foundation also leveraged resources to fund projects that directly benefit diverse fish and wildlife species, including sage grouse in the intermountain west, cutthroat trout in the west and quail in the south. We also measure our success in part by preventing the listing of species under the Endangered Species Act, as well as by stabilizing and hopefully moving others off the list. We invested in common sense and innovative cooperative approaches to endangered species, building bridges between the government and the private sector.

—Species benefiting from Foundation grants in fiscal year 2006 include the golden-cheeked warblers, whooping cranes, black-footed ferrets, California condors, cerulean warblers, northern swift foxes, cutthroat trout, Chinook salmon, sage grouse, Atwater's prairie chickens, sea turtles, Delmarva fox squirrel, and red-cockaded woodpeckers.

—*Bring Back the Natives (BBN)*.—A longstanding Foundation grant program is being modified to directly assist our agency partners in implementing the National Fish Habitat Action Plan. The BBN program is a public-private partnership, including FS, BLM, FWS, Trout Unlimited and the Foundation; it is focused on restoring native populations of sensitive or listed aquatic species. Priority is provided to aquatic joint ventures and to those projects that directly implement the recommendations of the National Fish Habitat Action Plan. In fiscal year 2006, the Foundation awarded 18 projects that leveraged over $1.2 million in Federal funds to more than $4.7 million for on-the-ground projects through the BBN program.

New Strategic Plan.—During 2006, the Foundation underwent a detailed self-evaluation, which resulted in the development of a new strategic plan for the organization. The strategic planning process revealed that the Foundation maximizes conservation benefits when it targets a series of grants towards a specific geographic region, habitat type, or conservation challenge. To ensure that future grants achieve a sustainable and measurable conservation impact, the Foundation is establishing targeted Keystone Initiatives around the core conservation investment areas in which the Foundation has historically specialized. The Keystone Initiatives represent the new core portfolio of the Foundation's grant making with clearly defined long-term goals, well-articulated strategies, and defined budgets to reach desired outcomes.

The four initial Keystone Initiatives, launched by the Foundation in 2007, include Birds; Wildlife and Landscape Scale Habitats; Freshwater Fish and Habitats; and Marine and Coastal Life and Habitats. Additional Keystone Initiatives being developed include Wildlife and Agriculture, Wildlife and Energy Development, Invasive Species, and Future Conservation Leaders. Each grant approved under a Keystone Initiative will be designed to provide a measurable outcome that brings us one step closer to the final long-term conservation goal of the Initiative. Where appropriate, the strategies and outcomes of the Foundation's Special Grant Programs, such as the Great Lakes Restoration Fund, Bring Back the Natives, and the Coral Reef Conservation Fund, will be designed to directly contribute to the long-term Keystone Initiative goal. Through our targeted grants, the Foundation seeks to achieve measurable success in "moving the needle" on these critical conservation objectives over the next 5 to 10 year period.

Accountability and Grantsmanship.—During the strategic planning process, Foundation staff spent time listening to feedback from our agency partners and grantees. Choke points in our grant making process were identified, and the Foundation is in the process of revising portions of our grant review and contracting process to ensure we maximize efficiency while maintaining strict financial and evaluation-based requirements. The Foundation has also launched a new website that is more user-friendly and content rich than the previous version. This new interactive tool will allow the Foundation to improve communication with our stakeholders and will help streamline our grant making process.

To ensure that only those grants with the greatest likelihood of obtaining conservation outcomes directly related to a Keystone Initiative are funded, the Foundation has implemented a thorough review process. Applicants are required to submit a pre-proposal which allows staff to proactively work with applicants to refine and improve their application before submitting a full proposal. All full proposals are then submitted to a peer review process which involves five external reviews representing State agencies, Federal agencies, affected industry, environmental nonprofits, and academics. Grants are also reviewed by the Foundation's Keystone Initiative staff, as well as evaluation staff, before being recommended to the Board of Directors for approval. In addition, the Foundation provides a 30-day notification to the Members of Congress for the congressional district and State in which a grant will be funded, prior to making a funding decision, according to our congressional Charter.

Basic Facts About the Foundation.—The Foundation is governed by a 25-member Board of Directors, appointed by the Secretary of Interior and in consultation with the Secretary of Commerce. At the direction of Congress, the Board operates on a nonpartisan basis. Directors do not receive any financial compensation for service on the Board; in fact, most all of our directors make financial contributions to the Foundation. It is a diverse Board, and includes the Director of the U.S. Fish and Wildlife Service, the Administrator of the National Oceanic and Atmospheric Ad-

ministration, as well as corporate and philanthropic leaders with a tenacious commitment to fish and wildlife conservation.

None of our Federally appropriated funds are used for lobbying, litigation, or the Foundation's administrative expenses. By implementing strategic real-world solutions with the private sector, while avoiding regulatory or advocacy activities, we serve as a model for developing cooperative solutions to environmental issues. We are confident that the money you appropriate to the Foundation is making a positive difference.

PREPARED STATEMENT OF THE NATIONAL HUMANITIES ALLIANCE

This testimony is submitted on behalf of the National Humanities Alliance and its 91 member organizations in support of the National Endowment for the Humanities (NEH). The National Humanities Alliance respectfully urges the subcommittee to support funding of $177 million for fiscal year 2008 for the National Endowment for the Humanities, an increase of $36 million above the fiscal year 2007 level and the President's request. This increase would represent an important step forward in restoring NEH funding to its historic levels of demonstrated effectiveness.

While we are pleased that the President continues to voice support for the humanities, we are disappointed that the administration has again recommended flat funding for the agency, at a level of $141.355 million for fiscal year 2008. The President's budget proposal not only fails to address inflationary costs, it would cut funding for NEH core programs by an estimated $1.1 million to meet administrative and overhead increases.[1]

The National Humanities Alliance supports an increase for all NEH program funds to help reverse the effects of budgetary cuts and inflation and ensure the long-term effectiveness of the agency. We are particularly concerned about recent declines in the capacity of the NEH core programs, which have suffered disproportionately from these downward forces. These programs are Research, Education, Challenge Grants, Preservation & Access, Public Programs, and the Federal/State Partnership. We propose that restored funding be routed through these core programs, and that it be directed, in so far as possible, in support of a new emphasis on the global context of the American experience. This new emphasis would reflect the country's need to comprehend the broader world we engage in such complex ways. The effort would complement both the agency's We the People initiative to promote study and understanding of American history, culture, and civic institutions, as well as the agency's recently launched Digital Humanities Initiative, which supports projects that develop innovative information technologies in humanities education and scholarship.

We support the administration's request of $15.2 million for continued funding of the NEH We the People initiative, and $1.4 million to extend the Digital Humanities Initiative in fiscal year 2008.

RENEWING THE FEDERAL INVESTMENT IN THE HUMANITIES

Our members, and the thousands of teachers, scholars, organizations and institutions they represent, use NEH grants to maintain a strong system of academic research, education and public programs in the humanities. Even at an ebb, NEH is, today, the single largest source of support for the humanities in the United States.[2] As such, NEH plays an important leadership role in the education of our Nation's citizens; the creation and dissemination of new knowledge; and the preservation and enrichment of American intellectual and cultural life. The significance of NEH funding is multiplied by the ability of NEH grants, and the high regard in which they are held, to stimulate additional project support. Since its founding, NEH has leveraged more than $2 billion in direct, non-Federal giving for humanities projects across the United States. Though a relatively small agency, the NEH is nevertheless critical to the humanities infrastructure of the United States.

The combined impacts of inflation and budget cuts on the agency raise serious concerns about NEH's long-term ability to carry out the mandate for which it was established. The funding table below illustrates the decline, both in nominal and constant dollars, in the agency's operational capacity. NEH reached its nominal

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[1] This estimate is based on allocations outlined in the President's fiscal year 2007 and fiscal year 2008 budget proposals.

[2] According to data compiled by the Foundation Center and the American Academy of Arts and Sciences, the NEH provides almost six times the support for humanities programs as the largest private funder, and more than the top fifteen combined. Foundation Funding for the Humanities: An Overview of Current and Historical Trends, June 2004.

funding peak of $177.5 million in fiscal year 1994, which when adjusted for inflation, would be equivalent to $241 million today. Reinstituting the 1994 budget level would constitute a significant reversal of this trend, and put the agency on a path toward full restoration of its grantmaking capacity.

NEH APPROPRIATIONS, FISCAL YEARS 1977–2007

[in millions of dollars]

	Fiscal year										
	1977	1979	1980	1990	1994	1995	2000	2004	2005	2006	2007
Nominal $	99.4	145.2	150.1	156.9	177.5	172.0	115.3	135.3	138.1	140.9	141.0
Constant $ (2006 $)	330.6	403.3	367.2	242.0	241.4	227.5	134.9	144.4	142.5	140.9	141.0

Note.—Constant dollar values are adjusted for inflation according to the annual CPI–U.

THE GLOBAL CONTEXT OF THE AMERICAN EXPERIENCE

NEH's We the People initiative has been a noted success. We propose complementing that success in the study of the American experience with an extended effort aimed at support for understanding of cultures around the world. The increase we advocate—$36 million—would help support programming designed to enhance Americans' understanding of the world and our place within it. Like We the People, this emphasis on global cultural perspectives could be routed, administratively, through the core programs named above. This would restore those core programs to a level at which need has been demonstrated, while focusing the new funding primarily on issues of contemporary urgency.

The well-being of this country depends now, as perhaps never before, on our ability to understand the ways of life and thought of peoples in disparate cultural traditions within and without our borders. One cannot understand the American experience without knowledge of the historical and cultural experiences that have informed the lives of new Americans arriving to this country from around the world. Moreover, we cannot succeed in aiding those we wish to assist or in defending ourselves against those who wish us ill, unless we bring insights cultivated uniquely and effectively in the humanities.

FUNDING ANALYSIS

In the legislation establishing NEH more than 40 years ago, Congress found that "An advanced civilization must not limit its efforts to science and technology alone, but must give full value and support to the other great branches of scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future." Yet today, this vision remains unfulfilled. Federal funding for the humanities through NEH has failed to keep pace with either our Nation's economy, or its investment in science and engineering.

In fiscal year 1979, the year in which NEH funding reached its real historical peak, Congress funded NEH at a level of more than $400 million (2006 constant dollars)—a level equivalent to about 16 percent of the budget for the National Science Foundation. In 2007, NEH funds represent only 2.5 percent of the NSF budget. Over the last 30 years, Federal funding for NSF has grown by over 200 percent and has kept pace with the Nation's economic output. In contrast, NEH funding has declined by nearly 60 percent over the same time period, and, today, NEH is operating at less than half of its demonstrated funding capacity of 30 years ago.[3]

While we applaud the advances made in research and development in science and engineering, we cannot forget the importance of the humanities to our country's workforce and civic institutions. Our Nation faces many challenges in the 21st century. The information and skills imparted by study of the humanities—critical thinking and analysis, knowledge of world history, literature and cultures, and multiple language proficiency—are vital to our citizens' success in an increasingly complex and competitive global environment. The humanities are the vehicle through which our students and the public learn about and reflect on our Nation's history and civic institutions. They are equally an important conduit for promoting knowledge of our culture and institutions abroad. A greater investment in the humanities is necessary to ensure the knowledgeable citizenry upon which the preservation of

[3] Data sources include: NEH Office of Strategic Planning (NEH Annual Appropriations), NSF Office of Budget, Finance & Award Management (NSF FY Actuals), U.S. Department of Commerce Bureau of Economic Analysis (Real Gross Domestic Product).

our country's democratic ideals and long-term economic strength depends. It is time to renew our Nation's commitment to the education and enrichment of its citizens in all areas of learning.

FUNDING SHORTFALL IN NEH CORE PROGRAMS

The NEH core programs are at the center of the agency's mission to create, preserve, and disseminate knowledge in the humanities. Yet, since 1994, these programs have suffered disproportionately from budget cuts and inflation. In fiscal year 1994, NEH awards in the core program divisions of Research/Fellowships, Education, Preservation & Access, Public Programs and Challenge Grants totaled $126.8 million (not adjusted for inflation).[4] In fiscal year 2006, awards in these divisions totaled only $80.8 million—a 36 percent decline.[5]

While we recognize that Congress continues to face difficult choices this year, we are asking the subcommittee to recommend a funding increase for the agency of $36 million, signaling that the 110th Congress is ready to make a significant new investment in the Nation's education and research infrastructure through the National Endowment for the Humanities.

Thank you for your consideration of this request.

Founded in 1981, the National Humanities Alliance is a coalition of more than 90 national, State, and local nonprofit organizations and institutions dedicated to the advancement of humanities education, research and public programs. Membership includes associations of: scholars and scholarly societies, libraries, museums, State humanities councils, historical societies, higher education associations, university-based and independent humanities research centers.

Phi Beta Kappa is the Nation's oldest academic honor society. Founded in 1776, it has chapters at 276 institutions and half a million members throughout the country. Its mission is to champion education in the liberal arts and sciences, to recognize academic excellence, and to foster freedom of thought and expression. Among its programs are academic and literary awards, lectureships, a fellowship, a professorship, and publication of The American Scholar, an award-winning quarterly journal.

PREPARED STATEMENT OF THE NATIONAL INSTITUTES FOR WATER RESOURCES

Mr. Chairman, last December Congress unanimously passed Public Law 109–471 which reauthorized Water Resources Research Act program for grants to States for water resources research institutes and for research focused on water problems of a regional or interstate nature through fiscal year 2011. The National Institutes for Water Resources respectfully request the addition of $8,775,000 to the 2008 budget of the U.S. Geological Survey to continue support for the Water Resources Research Act program.

I would like to take this opportunity to thank you and the subcommittee members for your longtime support of the program and your support for the reauthorization. You have recognized the importance of university cooperation with local, State, and Federal Government agencies to produce new knowledge, and to ensure the education and training of the professionals who design and manage our water systems.

The Water Resources Research Act of 2006, which reauthorizes the original Act of 1964, authorized the establishment of a water resources research institute at the land grant colleges in all 50 States, and in the Virgin Islands, Guam, the District of Columbia, and Puerto Rico. The program is administered by United States Geological Survey in the Department of Interior. The institutes were charged with: (1) arranging for competent research that addresses water problems or expands understanding of water and water-related phenomena; (2) aiding the entry of new research scientists into the water resources fields; (3) helping to train future water scientists and engineers; and (4) getting results of sponsored research to water managers and the public.

The Water Research Institutes are uniquely positioned to address the interdisciplinary challenges of sustaining the reliability of water supplies in the face of new challenges and uncertainties. For more than 40 years, the Institutes have conducted applied research that links science to innovative and cost-effective policies to increase the preparedness of water supply systems to withstand hazards.

In administering the water resources research program the U.S. Geological Survey, distributes appropriated funds equally among the institutes. The institutes, in

[4] NEH FY 1994 Annual Report.

[5] NEH Summary of Grants and Awards, fiscal year 2006. Division totals include We the People funds.

turn, award research funds through a competitive, peer review process. Each institute maintains one or more advisory panels comprised of local, State, and Federal water officials, representatives from water user groups, and other interested parties. Annually, these groups develop research priorities for their States and review the allocation of funds among various competing projects. In this way, each institute is able to focus grants on the most pressing water problems and issues affecting their State.

The grants that support this water resources research, as well as information transfer and the training of research scientists, engineers and technicians must be matched with $2 non-Federal for each Federal $1. Thus, the Federal appropriation results in a larger pool of research funding. In Wisconsin, for example, the Federal dollars are matched with State dollars allocated to the University System to address groundwater issues. These Federal and State dollars in turn attract additional funding from Wisconsin Department of Natural Resources, Department of Health, and Department of Agriculture and Consumer Protection, all administered by the Wisconsin Water Resources Institute. This Federal/State/university effort would most likely not exist without the modest seed funding from the Water Resources Research Act.

A second component of the act provides competitive Federal grants focusing on regional and interstate water resources problems beyond those affecting a single State and must be matched on a dollar-for-dollar basis. By continuing and enhancing these collaborative efforts, the Institutes can better address critical issues on long-term water planning and supply that may exceed the resources of any one State.

REQUEST

The requested $8,775,000 to the 2008 budget of the USGS for the Water Resources Research Act Program would be allocated as follows: $7,000,000 in base grants for the water institutes, as authorized by Section 104(b) of the act, for competitive research seed grants and outreach; $1,500,000 to support activities authorized by section 104(g) of the act, the national competitive grants program; and $275,000 for program administration.

The increase from the fiscal year 2007 appropriation that is recommended herein would partially offset the sharp increase in university costs of the last 3–5 years, especially the cost of tuition.

JUSTIFICATION

"At the dawn of the 21st century the United States faces a panoply of water problems that are significantly more numerous, complex, and larger in scope than those of the past." So stated an expert committee of the National Research Council in 2004, in an assessment that was initiated by this subcommittee and reported in Confronting the Nation's Water Problems: The Role of Research. These problems, paradoxically, stem from our Nation's progress and success. As the U.S. population grows and its economy drives forward, demands on water resources intensify. As the built environment expands, more value is jeopardized by each flood and drought. As we learn more about natural processes, we strive to bring our water management practices into alignment with our new understanding. As our general prosperity increases, we raise our expectations—for drinking water quality, the availability of irrigated farm produce and the abundance of wild fish. Meeting these demands requires high levels of research, outreach to water managers and water users, and education of future specialists.

Federal agencies support and conduct a great deal of water research and training. But, as the NRC report points out, these are driven and constrained by agency missions, which means that important topics are often neglected—most notably the institutional aspects of water management, where important economies and innovations may be realized. Furthermore, other Federal research funding agencies—for example, NSF, EPA, USDA—while often focused on various themes, are mainly investigator initiated and dissemination of results often have to rely on peer reviewed journal articles and professional conferences. The Water Resources programs do that as well. However, there is value added. The Water Resources Institutes, most of them administered and situated on our Nation's premier research universities, work to integrate local, regional, national, and often global water research priorities on a network basis, train students, and get involved in outreach activities. As an extra value added, the institutes cooperate with USGS in a number of ways, making it a win-win situation for both the States and our Federal Government. It is our united vision that our institutes would be the "go-to" educational resource network and that our Nation would fully use the vast intellectual resources of our universities for the coming challenges on water resources issues.

In response to the National Academy report on water research issues, NIWR has developed a national strategic plan. The plan basically articulates a research, outreach and education plan for our major research universities and how they can contribute to priorities presented in the report. Each of NIWR's eight regions was asked to prioritize research outreach and education issues, these were then incorporated into a national plan with metrics and measures of success.

According to the NRC's 2004 report, private organizations and State natural-resource agencies need water research, education and training but seldom have the capacity to conduct these activities themselves. We maintain that it is necessary to tap the intellectual capacity that resides within universities and that these universities must play a major role. The question is: by what characteristics should the Water Resources Research Act Program be judged worthy to fill this role, at a time of unprecedented demand on the Federal budget? We propose four criteria: relevance, quality, efficiency and need.

Congress was quite deliberate in originally directing the establishment of water institutes at land grant universities. These are the schools that specialize in identifying problems within their States, developing solutions, and conducting technology transfer. The institutes' research and outreach are further tuned to State needs, because the institutes are required by the act to consult with panels of advisors representing the water interests in their States. Regional and national priorities are addressed when the institutes collaborate on larger projects. Examples of past and present activities at different scales include:

—The University of California Center for Water Resources is sponsoring research to advance the monitoring of California water resources from space. This work will allow monitoring of water storage changes within the major drainage basins and mountain ranges of the State, for the first time.

—Collaborating with the USGS and Washington State University, investigators from the Idaho Water Resources Research Institute have constructed a water budget for the Spokane Valley/Rathdrum Prairie aquifer and defined its implications for water management. The project responds to the need to understand the interaction between surface and ground water, and to develop tools to predict how changes in water resources management within the region will impact flows in the Spokane River.

—Investigations of the causes of changes in groundwater recharge rates in southeast Wisconsin.

The President's budget recommends the water institute program for elimination in fiscal year 2008. This recommendation is justified by stating that the institutes generally have been successful in obtaining other sources of funding and should be able to support themselves. In fact, it is the congressional designation as a focal point of water investigation and outreach as well as the ongoing Federal support, that enable the institutes to exist and to augment their base grants from other funding sources. It is very likely that some of the institutes would cease to exist without the Federal base grant. Others would greatly curtail their activities. In my own State, it is doubtful that the university system would be such a strong contributor to the water resources knowledge base without the seed money provided by Congress.

The investments the subcommittee makes in the USGS and its programs underpin responsible natural resource stewardship and contribute to the long-term health, security and prosperity of the Nation. Together, the Survey and the water resources research institutes meet important public needs and are a reasonable priority within a responsible appropriations bill.

I thank you for your past support, and hope that the institutes have earned your continued confidence.

PREPARED STATEMENT OF THE NATIONAL MINING ASSOCIATION

DEPARTMENT OF THE INTERIOR

U.S. Geological Survey (USGS)—Mineral Resources Program (MRP). Reject the proposed $25.6 million reduction in funding for the MRP, including the $5.1 million proposed cut for the Minerals Information Team (MIT).

Bureau of Land Management (BLM)—Mining Law Administration. Support the administration's request of $35 million to support administration of the mining law.

Office of Surface Mining (OSM). An increase of $7 million is recommended for the Surface Mining Control and Reclamation Act (SMCRA) Title V State grants program.

Asia-Pacific Partnership on Clean Development and Climate (APP)—Support the $5 million request for EPA's participation in this effort.

Center for the Study of Metals in the Environment (CSME). $1.175 million is recommended for the continuation of this program.

BACKGROUND

Mineral Resources Program

The USGS is the only source for most of the United States' statistical data on mining and minerals commodities. The proposed reduction of $25.6 million in MRP funding (from the enacted fiscal year 2006 budget) would result in the elimination of more than 210 full time employees (FTEs). The $5.1 million reduction proposed for the Minerals Information Team will result in the discontinuation of data collection and analysis for 100 mineral commodities in 180 countries and more than 50 reports. The reduction will also result in the loss of employees with invaluable expertise in global and domestic production and consumption of mineral commodities. As a result, information on United States and international minerals will no longer be available to the: (1) U.S. Department of Commerce's Bureau of Industry and Security, which uses the data and analyses to resolve trade disputes; (2) the Federal Reserve Board, which uses global minerals information in preparation of economic forecasts; and (3) U.S. intelligence agencies that must understand the effect changes in natural resource markets have on economic and political stability of developing countries.

Information provided by USGS is the basis for informed policy decisions and is extensively used by government agencies, by members of Congress and by State and local governments, as well as industry, academia and nongovernmental organizations. Mineral resource supply and demand issues are global in nature, and our Nation is becoming more dependent upon foreign sources to meet our metals and minerals requirements.

The MRP is the leading source of unbiased research on the Nation's mineral resources. The guidance and research the program provides is important in maintaining the growing value of processed materials from mineral resources that accounted for $542 billion in the U.S. economy in 2006 as well as assessing the environmental impacts of mining.

Mining Law Administration Program

NMA supports the BLM fiscal year 2008 request to increase the Mining Law Administration Program (MLAP) budget by $2 million. NMA remains concerned, however, that the increase will be insufficient to meet the agency's obligations to process notices and plans of operations necessary for domestic exploration and mining projects. The number of mining claims filed over the past 5 years has increased by more than 300 percent. In 2001, only 13,561 new mining claims were filed as compared to 57,494 in 2005. During the same time frame, the number of full-time equivalent (FTE) employees assigned to the program fell from 397 to 332.

Additional staffing and other resources are necessary in order to process the notices and plans of operations required for expanding our domestic mineral supplies. Delays in obtaining permits and other authorizations remain a substantial impediment to the financing and development of mining projects in the United States. To that end, it is worth noting that the National Academy of Sciences has found that the permitting of domestic mining projects entails an inordinate amount of time and resources. According to Behre Dolbear, the United States ranks among the worst of the top 25 mining nations in terms of time and expense for obtaining required permits for mineral exploration and development.

The consequence of this State of affairs is substantially longer lead times to get projects up and running so that they begin to generate a return on investment. As a result, permitting delays discourage companies from exploring in the United States and impair the ability to attract the capital investment required for mine development. In short, investment capital will flow to areas where investors experience a quicker return on their investment.

In a 2005 report to the Congress, BLM identified insufficient staffing as one cause of permitting delays, noting that many BLM offices were not backfilling positions as they were vacated. BLM recommended that a portion of the increased location and maintenance fees could be used to maintain adequate staffing levels needed to review, analyze and approve plans of operations. NMA agrees that the increased location and maintenance fees should be used to address MLAP budget needs. In fact, BLM's budget request acknowledges that its $2 million increase can be recouped

from the increased fees. To address this regulatory bottleneck that impairs our Nation's economic growth and security, NMA provides the following recommendations:

—Location and maintenance fees collected that exceed the MLAP budget should be dedicated to the MLAP instead of being deposited in the General Fund. In 2005, the amount collected from such fees exceeded the budgeted amount by approximately $15 million. Such funds would allow the hiring by BLM State offices of approximately 100 FTEs to allow either backfilling of currently vacated positions or new hires and;

—Allocation of funds to the State offices should be prioritized based on number of notices and plans filed in each office and current unfilled openings in MLAP.

OFFICE OF SURFACE MINING

NMA recommends an increase of $7 million for the SMCRA Title V grants to the States. The increase is justified due to anecdotal evidence that States are not always receiving their full 50 percent match in funding to which they are entitled for their Title V regulatory programs under SMCRA. In some cases, this is caused by the Federal Government not accepting State estimates of operating costs and substituting their own, usually lower, estimates. NMA urges the Congress to ensure that State regulatory programs are provided matching funds at the full 50 percent rate of their actual costs. Failure to address this problem could eventually result in some States returning their regulatory authority back to the Federal Government, which would then lead to even higher costs for the U.S. Treasury.

ASIA-PACIFIC PARTNERSHIP ON CLEAN DEVELOPMENT AND CLIMATE

NMA supports the administration's request of $5 million to fund EPA's participation in APP and specifically their role in efforts to reduce greenhouse gas emissions. The APP will spur development of cutting edge technologies and practices that support economic growth while reducing emissions, including greenhouse gas emissions. It will result in expansion of market opportunities for U.S. mining and equipment companies and other U.S. businesses. The APP, involving the United States, Australia, China, India, Japan and South Korea, is important for a number of reasons:

—It will result in real emissions reductions: With the participation by China and India, APP is the only international agreement addressing rapid emissions growth in the developing world, which is forecast to surpass emissions of industrialized nations in 2010. APP is a voluntary, technology-based approach to emissions reduction geared towards future economic growth and energy security and will be more effective than unrealistic mandates or treaties.

—It builds on Methane-to-Markets and other successful programs that reduce greenhouse gas emissions: The U.S. coal industry has captured and re-used 308 billion cubic feet of coal mine methane—the equivalent of removing 40 million automobiles per year from the roads. APP, working with the EPA's Methane-to-Markets program will use U.S. experience and expertise to accelerate large-scale capture and recycling of methane in China and India.

—It helps preserve coal as an important energy source: The United States, China, India, and Japan will be at the center of a significant rise in population, economic activity and energy use in the next 50 years. Coal is essential to sustaining America's competitiveness and vitality in a changing world, as it is in China and India. APP supports improvements in efficiency in both coal mining and use through the acceleration of clean coal technologies, industrial technology strategic planning and energy efficiency best practices.

—It creates new markets for U.S. companies in the emerging economies of China and India.

CENTER FOR THE STUDY OF METALS IN THE ENVIRONMENT

The CSME is a multi-investigator team of scientists and engineers from the University of Delaware and Pennsylvania State University. The purpose of the CSME is to further the understanding of processes affecting the fate and effects of metals in aquatic and terrestrial ecosystems.

NMA recommends $1.175 million in funding for the CSME. A sound understanding of the chemistry, toxicology and fate of metals in the environment is critical to the development of appropriate regulatory programs. The CSME will use the requested funding to develop quantitative tools for understanding and predicting the fate and effects of metals in soils and water. This work will include: understanding and modeling the fate of metals in streams, rivers and lakes; and conducting research into metal sequestration in soils, a natural process that can lower the risk of metals in soil and, thereby, decrease cleanup costs at mining, military and industrial sites.

The National Mining Association (NMA) represents producers of over 80 percent of the coal mined in the United States. Coal continues to be the most reliable and affordable domestic fuel used to generate over 50 percent of the Nation's electricity. NMA members also include producers of uranium—the basis for 20 percent of U.S. electricity supply. NMA represents producers of metals and minerals that are critical to a modern economy and our national security. Finally, NMA includes manufacturers of processing equipment, mining machinery and supplies, transporters, and engineering, consulting, and financial institutions serving the mining industry.

PREPARED STATEMENT OF THE NATIONAL PARKS CONSERVATION ASSOCIATION

The National Parks Conservation Association (NPCA) works to protect, preserve, and enhance America's national parks for present and future generations. On behalf of NPCA's 325,000 members, we appreciate the opportunity to share our funding priorities and respectfully request the committee consider these views as the fiscal year 2008 Interior budget is developed. NPCA strongly supports the administration's request of $1.97 billion for the Operations of the National Park System (ONPS), an increase of more than $200 million above current fiscal year 2007 funding levels. However, other National Park Service accounts are woefully inadequate in the President's budget request, most notably, funding for land acquisition. Funding for Park Service land acquisition under the Land and Water Conservation Fund (LWCF) is requested at only $22.5 million, a cut of more than 50 percent from current fiscal year 2007 levels, and over $100 million below levels only 5 years ago. NPCA recommends at a minimum restoring funding for Park Service land acquisition to current fiscal year 2007 levels, and working toward restoring LWCF to its historic levels.

OPERATIONS OF THE NATIONAL PARK SYSTEM

A top NPCA priority is to significantly increase funding for Park Service operations. NPCA strongly supports the $1,969,010,000 requested for ONPS, an increase of $206 million above current fiscal year 2007 levels. This budget increase was supported by 40 Senators in a recent bipartisan letter sent to the committee.

If enacted, the requested increase of $206 million would greatly benefit our parks across the country. In particular, this budget would provide:

—Nearly 500 permanent full-time employees
—1,000 new seasonal maintenance employees
—1,000 new seasonal interpretive rangers
—1,000 new seasonal visitor and resource-protection rangers

As the subcommittee is well aware, the Park Service faces a significant operational shortfall, estimated to exceed $800 million annually. In recent years, unbudgeted cost-of-living increases, un-reimbursed storm damage, and insufficient funding for new responsibilities such as homeland security, have stretched park budgets thin. Since 2001, the Park Service has absorbed $149 million for unbudgeted pay increases alone.

Another significant shortcoming has been the across-the-board cuts required to appropriations bills as a result of insufficient allocations to the committee. Since fiscal year 2001, across-the-board cuts have cost the Park Service $111 million.

We know that the subcommittee is aware of these shortcomings and welcomed the Chairman's efforts in the fiscal year 2007 Continuing Resolution to focus an extra measure of attention on them.

Park Service operations funding is not keeping pace with park needs. As a result, the Park Service cannot provide adequate resource protection and services for millions of visitors to our Nation's 390 national parks every year. Securing a substantial increase for park operations funding in fiscal year 2008, and building upon it in the years ahead toward 2016, will help to restore our parks by their centennial.

NATIONAL PARK CENTENNIAL INITIATIVE

When the Eisenhower administration launched Mission 66, it made a 10-year commitment of $1 billion ($7 billion in today's dollars) in preparation for the 50th anniversary of the National Park System. Today, the American people are united around the idea of fully addressing the needs of the parks in time to celebrate the 100th anniversary of the National Park System and Park Service in 2016.

The proposed National Park Centennial Initiative offers an opportunity to restore our parks, but this will require a sustained and comprehensive effort by the American public, Congress, and the White House. The central element of such an effort

must involve the Federal Government meeting its primary stewardship responsibility to protect and fund our national parks.

There are five key areas in which the Centennial Initiative can make a measurable difference to help our parks:

—*Restore*.—Restore the health of the cultural and natural resources of our national parks by taking action to overcome external and internal threats.

—*Reinvest*.—Reinvest in our national parks by establishing reliable sources of sustainable public funding and strategic private investments.

—*Reinvigorate*.—Reinvigorate the management capacity and efficiency within the National Park Service by facilitating mission-driven decision-making, encouraging innovation, and stimulating stakeholder collaboration.

—*Research*.—Ensure that the parks have current science and active research to inform decisions about park protection, as these decisions should be based on science and informed expertise to the greatest extent possible.

—*Represent*.—Ensure that the National Park System continues to grow and evolve to represent and interpret nationally significant landscapes, ecosystems and the full range and diversity of American history and culture, and reflects and engages all Americans.

LAND ACQUISITION

Federal funding for national park land acquisition under the Land and Water Conservation Fund (LWCF) program has decreased dramatically in recent years. In 2001, Federal land acquisition was funded at $125 million, and benefited 46 national park sites; by 2007, Federal funding for land acquisition had dropped 81 percent to only $22 million for one park.

This drastic cut could not come at a worse time. Unplanned development in and around national parks threatens park resources, scenic views, and air and water quality. Today, the Park Service estimates that more than 11,000 tracts or 1.8 million acres are in need of funding for acquisition, with an estimated value to developers of $1.8 billion. For instance, at Gettysburg National Military Park, the Park Service does not own nearly 20 percent of the land within its boundary.

From the world-class paleontolgical resources at Petrified Forest National Park in Arizona to the historical resources associated with the encampment of General Washington's Continental Army at Valley Forge National Historical Park, parklands across the Nation are threatened. We must provide adequate LWCF funding to protect these national treasures.

The consequences of insufficient land acquisition funding are dramatically illustrated at Petrified Forest National Park—a site of top concern to NPCA and the Park Service. Petrified Forest contains more than 500 archaeological and historical sites that reflect 10,000 years of human history, and a rich fossil record of the Triassic Period. The site's significance was underscored last week when the Department of the Interior nominated it among 36 U.S. sites for UNESCO World Heritage status. Despite support from the Park Service, and 3 years after Congress authorized expanding Petrified Forest, little Federal funding has been appropriated for this important project, and the willing sellers in the area are growing increasingly impatient as years pass and developers offer greater and greater incentives to sell.

In fiscal year 2001, Congress appropriated $2 million for the Bureau of Land Management to acquire lands now within the boundary of the park, yet these monies were reprogrammed in fiscal year 2002 for fire suppression activities. We request at a minimum that these monies be restored. Additionally, we appreciate that the 110th Congress recognized the importance of this land acquisition need, adding Petrified Forest to the list of projects in the final fiscal year 2007 Appropriations bill. Unfortunately, only $135,000 was allocated, which is not sufficient to purchase any of the congressionally-approved 125,000 acres of private and public land.

NPCA is seeking $4 million in fiscal year 2008 as a down payment. With land values rapidly increasing in the Sunbelt, further delay will only add to the cost of acquiring these lands.

Other examples of Park Service priority land acquisition projects that NPCA would like to see funded in fiscal year 2008 include:

—$1.5 million for acquisition of 440 acres in the Carbon River Gateway at Mount Rainier National Park in Washington to enhance visitor access to the park and conserve lands along the Carbon River that provide habitat for fish and wildlife;

—$3.5 million for Valley Forge National Historical Park in Pennsylvania to acquire lands within the boundary of the park that preserve and interpret the encampment of General Washington's Continental Army in one of the fastest-growing areas in the State; and

—$1.9 million for Fern Lake at Cumberland Gap National Historical Park in Kentucky and Tennessee to protect both a historical landscape, scenic viewshed, and critical water supply in the park.

Finally, NPCA supports greater LWCF funding the Emergency Hardship, Deficiency, and Relocation Fund—key to the acquisition of inholdings, particularly in Alaska's national parks. The Hardship Fund is used effectively by the Park Service's Alaska Regional Office to secure critical inholdings in national parks from willing sellers. Through the Hardship Fund, remote parcels have been secured, thus removing the threat of heirs of original allotees subdividing and selling their lots for commercial use in the middle of Alaska's premier wilderness parks. Currently, the Hardship Fund is funded at $2.3 million. NPCA is seeking $4.6 million in fiscal year 2008 for the fund.

UNDERGROUND RAILROAD NETWORK TO FREEDOM

The Park Service's Underground Railroad Network to Freedom (NTF) program is the only national program dedicated to the preservation, interpretation, and dissemination of Underground Railroad history. Established by Congress in 1998 to increase public knowledge and awareness of the Underground Railroad and the desperate struggle by enslaved people to resist slavery through escape and flight, the NTF has 285 members (institutions, programs, and facilities) in 27 States and the District of Columbia.

The NTF program is an excellent public-private partnership program—a proven success and one of the best diversity-enhancing initiatives ever developed by the Park Service. Staff matches Park Service resources with local expertise to enable communities, scholars, and park sites across the United States to more capably tell their part of the Underground Railroad story.

Funding woes, however, threaten the future of this dynamic program. Originally funded at $500,000 annually, the NTF has suffered from a woefully inadequate budget since its inception. At its current funding level of $479,000, the NTF cannot cover staff salaries, benefits, nor pay for basic programmatic services. In November 2006, the Park Service's own core budget projections indicated that without assistance, the NTF budget will be reduced by 72 percent by the year 2011, effectively terminating the program.

NPCA is seeking a modest $2-million increase to the annual operating budget of the NTF program. This important funding would resolve its financial needs and ensure the survival of this important program. Representatives Hastings and Castle have introduced bipartisan legislation (H.R. 1239) in the U.S. House of Representatives to reauthorize the National Underground Railroad Network to Freedom Act to provide funding and staffing levels more appropriate to the actual needs of the program. NPCA supports the passage of H.R. 1239 to increase the authorization for this important program.

GREAT LAKES

There are 18 popular national parks in and around the Great Lakes watershed. Like the Grand Canyon and Everglades, the Great Lakes define the soul of a region and the landscape of our Nation. But this invaluable resource—which provides economic and recreational benefits, as well as drinking water for 30 million Americans—needs greater support.

NPCA co-chairs the Healing Our Waters coalition, which is calling on Congress to fully fund the Great Lakes Legacy Act with $54 million, and the Great Lakes Fish and Wildlife Restoration Act with $16 million, among other programs. These programs, when funded in tandem with the Park Service, will help our parks, restore the Great Lakes watershed, and protect vital wildlife habitat.

PREPARED STATEMENT OF THE NATIONAL WILDLIFE FEDERATION

Mr. Chairman, members of the Subcommittee: On behalf of the National Wildlife Federation, our nation's largest conservation advocacy and education organization, and our more than 4 million members and supporters, I thank you for the opportunity to provide funding recommendations for Department of the Interior and USDA programs for fiscal year 2008. The purpose of this testimony is to recommend levels of funding for specific programs we believe are vital to NWF's mission to inspire Americans to protect wildlife for our children's future.

State and Tribal Wildlife Grants

The State and Tribal Wildlife Grants program is the nation's core program for preventing wildlife from becoming endangered in every State. It is a mission-critical element of the Interior Department's budget as no other Federal program is focused solely on this goal. It provides State wildlife agencies and their partners a broad suite of proactive conservation tools to allow for meaningful, proactive and cost-effective species conservation. When Congress created the program in fiscal year 2001, every State wildlife agency was asked to complete a State wildlife action plan. In the 6 years since, this program has yielded detailed strategies for protecting wildlife in each State and territory across the country, called Wildlife Action Plans. With the creation and recent final approval of State Wildlife Action Plans, we now have a national conservation blue-print in place for wildlife for the first time in history. This is truly a landmark for wildlife conservation. The National Wildlife Federation supports these plans and is actively working in several States as a partner to State wildlife agencies to promote these plans as foundations for State wide conservation agendas. We urge Congress to honor its commitment to this effort and to protect its own investment in the State Wildlife Grants Program by providing the Federal share of support as the program enters this new phase of implementation. The Administration's request for $69.5 million in the fiscal year 2008 budget is a slight increase relative to the 2006 enacted level, but is insufficient to meet the large and growing needs of this program. We respectfully request that the subcommittee restore State Wildlife Grants funding to $85 million, or the fiscal year 2002 level, which represents the highest level of funding for this program to date.

National Wildlife Refuge System Operations and Maintenance

The President's budget request of $394.8 million for the National Wildlife Refuge System Operations and Maintenance budget, although a modest increase over fiscal year 2007 levels, fails to reverse severe erosion in the Refuge System budget in the last 4 years. We note with concern that when inflation and increases in salaries, rents, cost-of-living adjustments, energy prices, and increasing levels of visitor services and wildlife management requirements are taken into account, this would be an effective cut in refuge funding, and thus a significant decrease in refuge services. NWF supports the Cooperative Alliance for Refuge Enhancement (CARE) recommendation of $451.5 million, which would equal the fiscal year 2004 Refuge System budget ($391 million) when adjusted for inflation. This level of funding would ensure a "no-net-loss" budget which would allow the Refuge System to avoid layoffs and reductions in services, maintain protections for wildlife and habitat, and provide for addressing the backlog in coming years.

Endangered Species Program

The Endangered Species Act (ESA) is a safety net for wildlife, plants and fish that are on the brink of extinction. The ESA has been almost 100 percent effective in preventing the extinction of plants and animals. However, the U.S. Fish and Wildlife Service (FWS) needs more funding in order to implement the ESA effectively and get more species on the road to recovery. The Service has lost 600 staff members in the last 2 years alone. Each of the programs responsible for implementing the Act is missing at least thirty percent of the staff it once contained. In order to recover more species, Congress must provide the Service with the funds it needs to do its job. We urge the subcommittee to appropriate at least $185.2 million toward the Endangered Species Program in order for FWS to meet its ESA implementation responsibilities through the following critical activities:

—*Listing Program*.—This program will require $25.2 million for 2008 (the President's budget request is 18.3 million) in order to allow the FWS to address both new species and the backlog of species awaiting action on proposed listings and critical habitat designations.

—*Recovery Program*.—Despite the fact that Congress repeatedly States that recovery is the most important element of the ESA, recovery funding has remained almost stagnant in recent years. For an effective recovery program, FWS needs $84.8 million. This is $16.7 million more than the President's request.

—*Consultation Program*.—Under provisions of section 7 of the ESA, a Federal agency that permits, licenses, funds, or otherwise authorizes activities must consult with the FWS as appropriate to ensure that its actions will not jeopardize the continued existence of any listed species. In 1999, FWS participated in 40,000 consultations and received $36 million in funding. In 2006, FWS participated in approximately 77,000 consultations—with only $48 million. While

the amount of work almost doubled for FWS staff, funding to ensure consultations are done accurately and efficiently has not. To ensure an accurate and efficient consultation program, FWS needs $63.2 million. The President's request is only $51.6 million.

—*Candidate Conservation*.—Candidate species are plants and animals for which the service has sufficient information on their biological status and threats to propose them for listing as endangered or threatened under the Endangered Species Act, but for which listing is precluded due to a lack of resources and other higher priority listing activities. To allow species to gain the full protections of the ESA—and start moving towards recovery—FWS needs $12 million in 2008. This is a $3.4 million increase over the President's request.

In addition to the core endangered species programs, FWS needs $134.6 million to increase incentives for cooperative conservation in order to protect endangered wildlife. The Bush Administration recently zeroed out funding for two successful land owner incentive grant programs. NWF would like to see the programs adequately funded. The Private Stewardship Program provides grants and other assistance on a competitive basis to individuals and groups engaged in local, private and voluntary conservation efforts that benefit federally listed, proposed, or candidate species, or other at-risk species. We would like to see this program receive $11 million in 2008.

The Landowner Incentive Program (LIP) provides States with grants for incentive programs. These grants are designed to establish or supplement landowner incentive programs that protect and restore habitats on private lands to benefit federally listed, proposed or candidate species or other species determined to be at-risk. NWF would like to see it funded at $27.4 million (the President's request is $0).

The Cooperative Endangered Species Conservation Fund (authorized under section 6 of the Endangered Species Act) offers grants to States for participation in a wide array of voluntary conservation projects for candidate, proposed, and listed species. These funds may in turn be awarded to private landowners and groups for conservation projects. Section 6 grants include: Recovery Land Acquisition Grants; Habitat Conservation Plan (HCP) Land Acquisition Grants; HCP Planning Assistance Grants; and Grants to States. We would like to see this program receive $96.2 million. This would be a $16.2 million increase over the President's budget.

BUREAU OF LAND MANAGMENT

National Landscape Conservation System (NLCS)

The National Landscape Conservation System is an American treasure that consists of 26 million acres of some of the last best places where one can experience the history and wild beauty of the American West. Since its creation in June 2000, however, the System has been chronically under-funded and starved for adequate resources to meet its core responsibilities and manage the growing number of visitors. The President's fiscal year 2008 budget is the lowest level of funding ever proposed for the National Landscape Conservation System: $49.2 million, or less than $2 an acre. This constitutes a destructive cut of almost $3 million from the already inadequate fiscal year 2007 enacted budget, and nearly $10 million, or more than 16 percent, from the insufficient fiscal year 2006 enacted level of $59 million. When accounting for inflation alone, and not normal uncontrollable operating increases, the President's proposal is over 20 percent below average funding over the last 5 years. The total proposed budget of just $49.2 million would leave critical BLM responsibilities and needs unmet, including law enforcement, management of illegal off-road vehicle traffic, archaeological site protection, control of invasive species, and the implementation of new Resource Management Plans. We urge the committee to increase the System's fiscal year 2008 budget by $19.76 million, for operations and maintenance, to provide a total of $69 million to conserve the unique National Monuments, Conservation Areas, Trails, Rivers, and other areas that comprise the 26 million acre System. This would bring the System's funding only modestly above historic levels when adjusting for inflation. Priority unmet needs include additional rangers and field staff, investments in monitoring and restoration, cultural and historical site protection, and volunteer program support. We also ask the committee to support any member requests for additional funding for Conservation System units in their districts. To promote greater management transparency and accountability for the System, we urge the committee to request expenditure and accomplishment reports for each of the System's Monuments and Conservation Areas for fiscal year 2007, and to ask BLM to include unit-level allocations by major sub-activities for all System units but Wilderness and Wilderness Study Areas (WSAs). These unit-level allocations are to be combined with Wilderness and WSAs under a new activity account for the entire System.

Roan Plateau.—Last September, the BLM approved energy development on 74,000 acres on top of and around the Roan Plateau in western Colorado. This area is home to mule deer, elk, sage grouse, cutthroat trout and hundreds of other native species. The BLM plan, which has prompted opposition from sportsmen's groups, local cities and counties, business owners and recreation groups, allows drilling in areas too sensitive to withstand the intense energy development that is planned. The National Wildlife Federation asks that Congress legislate a funding limitation that will prevent the BLM from initiating the proposed Roan Plateau energy development until September 30, 2008 in order to allow additional time for further study and analysis.

U.S. FOREST SERVICE: FOREST LEGACY PROGRAM

NWF is concerned by the President's request of $29 million for the Forest Legacy Program, over $30 million less than last year's request. The needs of this program are much larger and growing, so we ask the subcommittee to appropriate $100 million for the program, or an increase of $71 million. Forest Legacy protects environmentally important forests that are threatened with conversion to non-forest uses, while protecting local communities and their way of life. The program has been especially important in States where there are few Federal land holdings and timber companies are in the process of consolidating and selling their lands.

LAND AND WATER CONSERVATION FUND (LWCF)

LWCF provides funding for the acquisition of valuable wildlife habitat by Federal land management agencies. The LWCF is an invaluable tool to help enhance wildlife habitat, preserve natural, cultural, and historic sites, restore declining native species, and halt the destruction and fragmentation of millions of acres of habitat occurring annually across the U.S. NWF is concerned to see that the President's budget slashes Federal LWCF funding to only $83.6 million. LWCF has been cut by more than 75 percent since 2001. We urge the subcommittee to provide at least $220 million for Federal LWCF.

NLCS LWCF Projects.—We support the President's fiscal year 2008 request for Land and Water Conservation Fund projects for Colorado's Gunnison Gorge National Recreation Area, Idaho's Upper Snake/South Fork Snake River Area of Critical Environmental Concern and New Mexico's El Malpais National Conservation Area. We recommend that the President's request for $200,000 for El Malpais be increased to $250,000; the President's request for $1.5 million for Upper Snake/South Fork Snake river Area of Critical Environmental Concern be increased to $2 million and we recommend $4.9 million for six additional projects:

—Las Cienegas National Conservation Area, Arizona: $550,000
—Canyons of the Ancients National Monument, Colorado: $2 million
—Carrizo Plain National Monument, California: $500,000
—Sandy River/Oregon National Historic Trail, Oregon: $500,000
—Oregon National Wild & Scenic Rivers (Rogue National Wild & Scenic River), Oregon: $500,000

NWF also supports USFS LWCF acquisitions of $6 million in the Swan Valley of Montana and $5 million for the Pinhook Swamp/Suwanee River Wildlife Corridor in Florida.

We are extremely disappointed to see that the Administration's budget cuts all funding for stateside LWCF. State-side LWCF provides matching funds for State and local recreation and conservation programs. Eliminating this fund would seriously impact locally sponsored recreation projects that provide opportunities for youth, seniors and the physically challenged. We ask the subcommittee to restore $100 million for Stateside LWCF.

Thank you, again, for providing the National Wildlife Federation with the opportunity to provide testimony.

PREPARED STATEMENT OF THE NATIONAL WILDLIFE REFUGE ASSOCIATION

Mr. Chairman and members of the subcommittee: My name is Evan Hirsche, President of the National Wildlife Refuge Association (NWRA). On behalf of the NWRA and its membership comprised of current and former refuge professionals, more than 138 refuge Friends organization affiliates and thousands of concerned citizens throughout the United States, thank you for the opportunity to offer comments on the fiscal year 2008 Interior Appropriations bill. Specifically, we respectfully request that the subcommittee support the following:

—An overall funding level of $451.5 million for the operations and maintenance (O&M) budget of the National Wildlife Refuge System, managed by the U.S. Fish and Wildlife Service (FWS);
—Of the $6 million increase requested by the administration for the Partners for Wildlife Program, allocate $1 million to implement Refuge Landscape Conservation Initiatives, strategic partnerships among the FWS, NWRA, refuge Friends and other national, regional and local interests that work with States, counties and municipalities to identify, prioritize and implement land and water conservation opportunities beyond refuge boundaries;
—An allocation of $1 million to continue to support volunteer projects on and in connection with refuges, including the Cooperative Volunteer Invasives Monitoring Program (VIMP) and competitive grants, which utilize Friends and volunteers to identify and eradicate invasive species;
—Withhold funding for implementation of a new National Bison Range Annual Funding Agreement, pending the conclusion of an investigation by the Department of the Interior Inspector General into FWS employee grievances and pending completion of a FWS Refuge Tribal AFA policy;
—An allocation of $100 million in the FWS land acquisition budget through the Land and Water Conservation Fund (LWCF) to acquire vital habitat from numerous willing sellers across the country;
—An increase in the FWS construction budget to prevent further degradation of Refuge System infrastructure;
—For Midway Atoll NWR, $3.23 million to initiate the public visitation program, provide needed equipment for safety and cooperative work, and to stop the deterioration of facilities that will be integral to visitor use;
—An allocation of $85 million for the State and Tribal Wildlife Grants Program;
—An allocation of $9 million for the National Fish and Wildlife Foundation (NFWF) in the FWS' Resource Management General Administration appropriation.

The National Wildlife Refuge System continues to be crippled by a $2.75 billion funding backlog that harms every refuge in the System. Specifically, funding shortfalls limit the ability of refuges to successfully conduct important biological programs and hire essential staff, while also hindering opportunities for the public to engage in compatible wildlife-dependent recreation.

Significant strides were made to reduce the budget shortfall in connection with the 100th anniversary of the National Wildlife Refuge System in 2003, and we are grateful to the subcommittee for its work in this regard. Since then, however, annual appropriations have failed to keep pace with ever-increasing fixed costs and inflation. The Cooperative Alliance for Refuge Enhancement (CARE), consisting of the NWRA and 20 other diverse conservation and sporting organizations, has determined that the annual Refuge System budget of $765 million is required simply to meet the System's top tier needs. CARE details these needs in a recently released report, Restoring our Wildlife Legacy. Our groups, representing a national constituency numbering more than 5 million Americans, recognize the value of a healthy Refuge System to both the wildlife and habitats refuges were established to protect and the 40 million visitors that frequent these special places each year. At a minimum, it is crucial that the cost-of-living and other inflationary needs are covered in the fiscal year 2008 budget. To keep the modest 100th Anniversary budget (fiscal year 2004) on pace with inflationary costs, the Refuge System needs $451.5 million for its operations and maintenance accounts for fiscal year 2008.

While providing adequate funding to operate and maintain the Refuge System is of vital importance, unfortunately most refuges are too small in size to achieve their conservation mission and objectives alone. Their integrity depends on the health of surrounding State, Federal, and private lands and waters. Consequently, there is a growing need to provide funding to ensure that lands and waters beyond refuge boundaries are conserved. Today, the alarming rush to convert rural land to subdivisions and strip malls has caught wildlife managers off guard and requires quick action. In response, the National Wildlife Refuge Association (NWRA) launched Beyond the Boundaries, a campaign designed to identify and prioritize crucial additions to the Nation's conservation estate, improve connectivity between refuges and other conservation lands, and protect buffer zones. Beyond the Boundaries employs sound conservation science to integrate State Wildlife Action Plans (WAP), refuge Comprehensive Conservation Plans (CCP) and other conservation planning tools, and engages diverse stakeholders at the State and local levels to develop bold strategies for protecting critical wildlife habitat, while strengthening economies through improved quality of life, clean water and outdoor recreation and appreciation.

Accordingly, for fiscal year 2008 we respectfully ask that the subcommittee allocate $1 million of the administration's $6 million request above fiscal year 2007 lev-

els for the Partners for Fish and Wildlife Program to implement Refuge Landscape Conservation Initiatives in FWS regions 1, 3, and 5, with a focus on the Silvio Conte National Fish and Wildlife Refuge in the latter. Each initiative will bring together diverse stakeholders in creating conservation visions for landscapes surrounding targeted refuges, and develop shared priorities for conservation action. The final visions—Refuge Landscape Action Plans—will serve as blueprints for use of State, Federal, and private conservation dollars and will expedite implementation of State Wildlife Action Plans.

We also encourage the subcommittee to continue its strong support "for cooperative projects with [F]riends groups on invasive species control" by again appropriating $1 million for this valuable program. With annual allocations by Congress since fiscal year 2003, more than 300 separate refuges have taken actions to control invasives, and the Refuge System has identified approximately $260 million of invasive species projected needs. A competitive grants program for cooperative invasive species projects with refuge Friends and volunteers constitutes the majority of previous allocations. In fiscal year 2006, a total of 811 volunteers contributed 16,176 hours and participated in the treatment, inventory and restoration of 74,786 refuge acres.

Likewise, the Cooperative Volunteer Invasives Monitoring Program has demonstrated powerful results at the 31 currently participating refuges. A partnership among the NWRA, FWS, United States Geological Survey (USGS) and The Nature Conservancy, the program trains refuge volunteers to identify invasives and collect extensive data using inexpensive but sophisticated global positioning system (GPS)/geographic information system (GIS) data-collection equipment. To date, an estimated 23,651 acres of refuge lands, in addition to 220 water bodies, have been inventoried and mapped by 170 trained volunteers contributing 6,552 hours. Refuges participating in the program have used the data to engage an additional 791 volunteers in invasive plant management actions such as control and restoration measures. Importantly, the Chairs and Vice-Chairs of the Wildlife Refuge Caucus have recognized the value of this program, including it as a component of H.R. 767, the "REPAIR Act," that directs the Secretary to establish a Cooperative Volunteer Invasives Monitoring and Control Program to document and combat invasive species in national wildlife refuges.

In December 2006, FWS Director Dale Hall terminated the National Bison Range Tribal Annual Funding Agreement (AFA), citing work performance issues and documented employee grievances that illustrated a severely strained and counterproductive work environment with the Confederated Salish and Kootenai Tribes. While we believe it's vitally important that the FWS have a collaborative working relationship with the tribes at the Bison Range, we believe that the grievances, now under review by the Inspector General at the Department of the Interior, must be resolved before any consideration of a new agreement. Accordingly, we ask that the subcommittee include bill language withhold funding for negotiating or implementing a new AFA pending results of the Inspector General's investigation and pending completion of a FWS Refuge Tribal AFA policy.

The NWRA encourages the subcommittee to allocate sufficient funding to purchase high-priority lands and conservation easements through the Land and Water Conservation Fund (LWCF). The Refuge System land acquisition backlog is estimated at $4 billion, with 15.4 million acres remaining to be acquired within approved refuge boundaries. While a full suite of conservation strategies should be employed in working with private landowners, in cases where fee title acquisition is preferred by the landowner and the refuge has identified it as a top priority, the FWS should acquire the land. The NWRA believes that $100 million should be allocated toward Refuge System land acquisition, yet even at that rate, it would take at least 40 years to acquire priority lands. Within this request, the NWRA encourages the subcommittee to provide funding for the following projects through the Land and Water Conservation Fund: $750,000 for Alaska Peninsula NWR (AK); $1.5 million for Togiak NWR (AK); $750,000 for Yukon Delta NWR (AK); $710,000 for Stewart B. McKinney NFWR (CT); $3 million for Bayou Sauvage NWR (LA); $500,000 for Tensas NWR (LA); $4 million for Silvio O. Conte NFWR (MA); $2 million for Blackwater NWR (MD); $1 million for Lake Umbagog NWR (NH); $2 million for Cape May NWR (NJ); $1.2 million for Great Swamp NWR (NJ); $2 million for Wallkill River NWR (NJ); $275,000 for Balcones Canyonlands NWR (TX); $3 million for San Bernard NWR (TX); $750,000 for Back Bay NWR (VA); $3.1 million for James River NWR (VA); $459,000 for Rappahannock River Valley NWR (VA); and $3 million for Canaan Valley NWR (WV).

We encourage the subcommittee to resist the $25.5 million cut to the construction budget proposed in the president's fiscal year 2008 budget request. The FWS has identified $1 billion in construction projects, which in many cases will result in re-

placing quickly deteriorating structures that are becoming more expensive to maintain.

Midway Atoll NWR is an integral part of the newly established Northwest Hawaiian Islands National Monument and the sole area designated for public visitation. Accordingly, FWS will need adequate funding to fully realize its potential both for conservation and carefully coordinated public visitation. NWRA supports $3.23 million to initiate the public visitation program, provide needed equipment for safety and cooperative work, and to stop the deterioration of facilities that will be integral to visitor use.

The NWRA urges the subcommittee to appropriate at least $85 million for the State and Tribal Wildlife Grants Program in fiscal year 2008 to implement statewide conservation plans. Program grants support projects to restore degraded habitat, reintroduce native species, develop partnerships with private landowners, and collect useful data. These state-based plans can dovetail with the Comprehensive Conservation Plans (CCPs) that all refuges are required to produce, complementing the mission of the National Wildlife Refuge System. Further, adequate and consistent funding for State Wildlife Grants is essential to fulfilling the shared Federal/State responsibility for keeping our Nation's wildlife from becoming endangered.

We encourage the subcommittee to allocate $9 million for the National Fish and Wildlife Foundation through the FWS' Resource Management General Administration appropriation. NFWF works to achieve healthy and abundant fish, wildlife and plant populations through valuable partnerships. Each year, NFWF receives more project proposals than they are capable of funding. Adequate funding will ensure NFWF has the ability to leverage resources to fund projects that directly benefit diverse fish and wildlife species in, around and outside of national wildlife refuges across the country.

In conclusion, the NWRA believes the National Wildlife Refuge System can meet its important conservation objectives only with strong and consistent funding leveraged by the valuable work of refuge volunteers. We extend our appreciation to the subcommittee for its ongoing commitment to our National Wildlife Refuge System.

PREPARED STATEMENT OF THE NEW JERSEY CONSERVATION FOUNDATION

The New Jersey Conservation Foundation thanks you for the opportunity to comment on the fiscal year 2008 Department of the Interior and Related Agencies Appropriations bill. The NJ Conservation Foundation is a member-supported, non-profit 501.c.3 statewide organization whose mission is to preserve New Jersey's land and natural resources for the benefit of all. Since 1960, NJCF has worked to protect the State's farmland, forests, urban parks, wetlands, wildlife habitat, water quality and special places.

NJCF's top priorities include:

—$100 million for the Forest Legacy Program, including $5.7 million for the protection of Sparta Mountain South (NJ)—Phase II ($1.8 million was provided in fiscal year 2006 for Phase I);

—$11 million for the Highlands Conservation Act, including $2.5 million for protection of the Wyanokie Highlands (NJ); and

—$2.0 million from the Land and Water Conservation Fund for the New Jersey Pinelands Forked River Mountain Preserve Expansion Project.

USDA/FOREST LEGACY PROGRAM

Sparta Mountain South (NJ).—Fiscal Year 2008 Forest Legacy Program Project: $5.7 million is sought to acquire 1,000 acres located in the Sparta Mountain/Lubber's Run Conservation Focal Area identified in the USDA/Forest Service New York-New Jersey Highlands Regional Study 2002 Update. Sparta Mountain South, located in Sussex County, forms the westernmost ridge of New Jersey's northern Highlands, where it creates a key linkage between Allamuchy State Park and four State wildlife management areas to the north.

There is currently the potential, in densely populated New Jersey, to preserve more than 5,000 privately-held acres in the Sparta Mountain Greenway. In fiscal year 2006, the Forest Legacy Program provided funding for 1,200 easement acres. Now, we seek $5.7 million for the State of New Jersey to acquire and preserve 1,000 acres in its top ranked Forest Legacy project.

At the northern end of 15-mile long Sparta Mountain, Hamburg Mountain (State) Wildlife Management Area, 1,200-acre Gerard Woods WMA, 3,200-acre Sparta Mountain WMA and 1,300-acre Weldon Brook WMA preserve over 10,000 acres. Sparta Mountain South forms a critical linkage between these WMA's and Allamuchy State Park to the south, as mapped in Garden State Greenways, a vision

of connected lands created by New Jersey Conservation Foundation and New Jersey's Green Acres Program. New Jersey's Highlands Millennium Trail, initiated in 1994 with National Park Service Rivers and Trails Conservation Assistance, travels along Sparta Mountain on its 150-mile route between the Hudson and Delaware Rivers.

Sparta Mountain South's magnificant vistas overlook pristine lakes and ponds and a diversity of natural communities, including grasslands and wetlands. Mature forests of oak, beech, hickory, maple, and tulip poplar clothe its steep ridges, and hemlock groves still stand despite the wooly adelgid blight that has devastated many hemlock forests in the State. Federally endangered bog turtle and State threatened red shouldered hawk, wood turtle, spotted salamander, timber rattlesnake and bobcat live here. The forests protect groundwater aquifers and water quality, while wetlands and ponds provide flood control and habitat for wading birds, neo-tropical migrant songbirds and amphibians.

Sparta Mountain South and the Lubber's Run Watershed form the upper part of the watershed of the Musconetcong River. Legislation adding 24 miles of the Musconetcong River to the National Wild and Scenic Rivers System was signed by the President in December 2006. Nevertheless, recent development threatens the biological and resource integrity of Sparta Mountain South, endangering the Federal investment in the area.

HIGHLANDS CONSERVATION ACT

In the fall of 2004, Congress enacted and President Bush signed the Highlands Conservation Act, recognizing the national significance of the more than three-million acre, four-state Highlands region as a source of drinking water, productive forests and farms, wildlife habitat and recreation within an hour of major metropolitan areas including Philadelphia, New York City and Hartford. The act authorized $11 million annually to assist the Highlands States in conserving priority lands from willing landowners, and to continue USDA Forest Service research and assistance to private landowners in the Highlands.

The administration's fiscal year 2007 budget included $2 million for the Highlands Conservation Act (HCA), through the Fish & Wildlife Service, to support land conservation partnership projects in the four Highland States of Pennsylvania, New Jersey, New York and Connecticut. The Governors of the four Highlands States have jointly submitted projects totaling $10 million in need to the Department of the Interior for funding in fiscal year 2008.

WYANOKIE HIGHLANDS (NJ), FISCAL YEAR 2008 HIGHLANDS CONSERVATION ACT PROJECT

New Jersey requests $2.5 million in funding to acquire four parcels totaling 1,288 acres in the Wyanokie Highlands in Ringwood and Bloomingdale Boroughs and West Milford Township in Passaic County. The total cost of this project is $7.7 million. The Wyanokie Highlands were identified as a Conservation Focal Area in the USDA Forest Service NY–NJ Highlands Regional Study: 2002 Update.

The Wyanokie Highlands encompass critical watersheds that protect New Jersey's most significant and most threatened water supply—the Wanaque Reservoir—on which nearly two million people rely. The Wyanokies contain the headwaters of Burnt Meadow and West Brooks, waterways of exceptional ecological significance, which flow directly into the Wanaque Reservoir. Acquisition will provide essential protection for this critical water supply, which the U.S. Forest Service identified as highly threatened by development.

In addtion, preservation will complete a missing greenway link between Norvin Green State Forest and Long Pond Ironworks State Park, and extend a direct connection to New York's Sterling Forest State Park along the route of New Jersey's Highlands Millenium Trail. The Highlands Trail, nearly completed, runs 150 miles between the Hudson and the Delaware Rivers. The Wyanokie Highlands boast an extensive network of historic hiking trails and dramatic scenic overlooks, as well as significant ecological values.

LAND AND WATER CONSERVATION FUND

Forked River Mountain Preserve Expansion Project.—New Jersey Conservation Foundation is seeking $2.0 million from the Land and Water Conservation Fund (authorized by section 502 of the National Parks and Recreation Act) to preserve 622 acres in the Forked River Mountain Project area, towards the project's total cost of $4.425 million. The 622 privately owned acres are located in various parcels wholly within the Pinelands National Reserve, in and near New Jersey Conservation Foundation's 3,000-acre Forked River Mountain Preserve.

The New Jersey Conservation Foundation is working to permanently preserve thousands of acres throughout the New Jersey Pinelands Commission's Preservation Target Areas in partnership with the Pinelands Commission, N.J. Department of Environmental Protection and other governmental and non-governmental agencies. Over $40 million would be needed to protect all the unpreserved, targeted lands. The money sought will match existing funds to purchase the property from the current landowner.

The permanent preservation of critical natural resources in the Pinelands National Reserve (PNR) ensures that the specific goals and overall mission of the Pinelands Comprehensive Management Plan (CMP) are realized. The New Jersey Conservation Foundation has a long history of supporting the CMP and the Pinelands Commission land preservation initiatives throughout the PNR. If funded, our efforts will result in the preservation of thousands of acres leveraged by additional State, local and private funding that will protect natural areas, connect existing isolated preserved lands, and provide the public with areas for hunting, fishing, hiking and other outdoor pursuits. Management will include active and passive measures to ensure the survival and possible expansion of known populations of threatened and endangered species found on these properties.

The Forked River Mountain Preserve Expansion Project is within a Land Preservation Target Area approved by the Pinelands Commission. It consists of a mosaic of tracts that are entirely forested with no history of development or other significant disruption. Pine-oak forest dominates the property with some significant stands of Atlantic White Cedar in the lower areas along the North Branch of the Forked River. This area is known to be habitat for a number of rare and endangered Pine Barrens species such as Pine Barrens treefrog (Hyla andersonii), Knieskern's beaked-rush (Rynchospora knieskernii), northern pine snake (Pituophis melanoleucus) and curly grass fern (Schizaea pusilla). A portion of the property is located in the Oyster Creek Watershed, recently given additional protections by the Pinelands Commission through a zoning change to better protect species diversity and high water quality. Many adjacent properties are already protected as part of the 3,000-acre Forked River Mountain Preserve.

Thank you again for considering the New Jersey Conservation Foundation's comments on the fiscal year 2008 Interior and Related Agencies Appropriations bill.

PREPARED STATEMENT OF THE NEW MEXICO INTERSTATE STREAM COMMISSION

SUMMARY

This statement is submitted in support of fiscal year 2008 appropriations for Colorado River Basin salinity control program activities of the Bureau of Land Management. I urge that $5,900,000 be appropriated for the Bureau of Land Management for activities that benefit the control of salinity in the Colorado River Basin, and of that amount, $1,500,000 be marked specifically for the Colorado River Basin Salinity Control Program. In addition, I support the President's requested appropriation of $33,343,000 for the Land Resources Subactivity: Soil, Water, and Air Management, but request an increase of $700,000 in that amount to provide for the needed Colorado River Basin salinity control activities of the Bureau of Land Management.

The Colorado River Basin Salinity Control Forum (Forum) is comprised of representatives of the seven Colorado River Basin States appointed by the respective Governors of the States. The Forum has examined all of the features needed to control the salinity of the Colorado River. Those features include activities by the cooperating States, the Bureau of Reclamation, the Department of Agriculture, and the Bureau of Land Management (BLM). The salinity control program has been adopted by the seven Colorado River Basin States and approved by the EPA as a part of each State's water quality standards. Also, water delivered to Mexico in the Colorado River is subject to minute 242 of the United States treaty with Mexico that sets limits on the salinity of the water.

About 75 percent of the land in the Colorado River basin is owned, administered or held in trust by the Federal Government. BLM is the largest landowner in the Colorado River Basin, and manages public lands that are heavily laden with salt. When salt-laden soils erode, the salts dissolve and remain in the river system, affecting the quality of water used from the Colorado River by the Lower Basin States and Mexico. BLM needs to target the expenditure of at least $5.9 million for activities in fiscal year 2008 that benefit salinity control in the Colorado River Basin. In addition, BLM needs to target the expenditure of $1,500,000 of the $5.9 million specifically for salinity control projects and technical investigations. Experience in past

years has shown that BLM projects are among the most cost-effective of the salinity control projects.

As one of the five principal Soil, Water and Air Management program activities, BLM needs to specifically target $5.9 million to activities that benefit the control of salinity on lands of the Colorado River Basin. In the past, BLM has allocated $800,000 of the Soil Water and Air Management appropriation for funding specific project proposals submitted by BLM staff to the BLM salinity control coordinator. However, some of that funding has been eliminated in recent years by budget rescissions or transfers to other uses to balance budget needs. Consequently, the $800,000 allocated by BLM from the Soil, Water and Air Management Subactivity for Colorado River Basin salinity control has been reduced, limiting the implementation of needed salinity control efforts. The recently released annual report of the Federally chartered Colorado River Basin Salinity Control Advisory Council reports that BLM has identified projects that could utilize funding in the amount of $1.5 million for fiscal year 2008. Consequently, I request that $1.5 million of the Soil, Water and Air Management Subactivity be marked specifically for Colorado River Basin salinity control activities. Achieving this level of appropriation for the critically needed cost effective salinity control work by BLM requires an increase of $700,000 in the BLM budget request of $33,343,000 for the Soil, Water and Air Management Subactivity.

I believe and support past Federal legislation that finds that the Federal Government has a major and important responsibility with respect to controlling salt discharge from public lands. Congress has charged the Federal agencies to proceed with programs to control the salinity of the Colorado River Basin with a strong mandate to seek out the most cost-effective solutions. BLM's rangeland improvement programs can lead to some of the most cost-effective salinity control measures available. In addition, these programs are environmentally acceptable and control erosion, increase grazing opportunities, produce dependable stream run-off and enhance wildlife habitat.

The water quality standards adopted by the Colorado River Basin States contain a plan of implementation that includes BLM participation to implement cost effective measures of salinity control. BLM participation in the salinity control program is critical and essential to actively pursue the identification, implementation and quantification of cost effective salinity control measures on public lands.

Bureau of Reclamation studies show that quantified damages from the Colorado River to United States water users are about $330 million per year. Unquantified damages increase the total damages significantly. For every increase of 30 milligrams per liter in salinity concentration in the waters of the Colorado River, an increase in damages of $75 million is experienced by the water users of the Colorado River Basin in the United States. Control of salinity is necessary for the Basin States, including New Mexico, to continue to develop their compact-apportioned waters of the Colorado River. The Basin States are proceeding with an independent program to control salt discharges to the Colorado River, in addition to up-front cost sharing with Bureau of Reclamation and Department of Agriculture salinity control programs. It is vitally important that BLM pursue salinity control projects within its jurisdiction to maintain the cost effectiveness of the program and the timely implementation of salinity control projects to avoid unnecessary damages in the United States and Mexico.

At the urging of the Basin States, BLM has created a full time position to coordinate its activities among the BLM State offices and other Federal agencies involved in implementation of the salinity control program. The BLM 2008 Budget Justification States that BLM continues to implement on-the-ground projects, evaluate progress in cooperation with the U.S. Bureau of Reclamation and the U.S. Department of Agriculture and reports salt retention measures to implement and maintain salinity control measures of the Federal salinity control program in the Colorado River Basin. BLM is to be commended for its commitment to cooperate and coordinate with the Basin States and other Federal agencies. The Basin States and I are pleased with the BLM administration's responsiveness in addressing the need for renewed emphasis on its efforts to control salinity sources and to comply with BLM responsibilities pursuant to the Colorado River Basin Salinity Control Act, as amended. While it is commendable that BLM's budget focuses on ecosystems and watershed management, it is essential that funds be targeted on specific subactivities and the results of those expenditures reported. This is necessary for accountability and effectiveness of the use of the funds.

I request the appropriation of at least $5.9 million in fiscal year 2008 for Colorado River salinity control activities of BLM, and that $1,500,000 of that amount be marked specifically for the Colorado River Basin Salinity Control Program, including projects and technical investigations. In addition, I request the appropriation of

a minimum of $33,343,000 for the Land Resources Subactivity: Soil, Water, and Air Management as requested by the President. However, I request that $34,043,000 be appropriated for the Land Resources Subactivity: Soil, Water, and Air Management to provide for the increase of $700,000 needed for a total of $1.5 million marked specifically for Colorado River salinity control activities without causing any reduction of other activities funded from the Soil, Water and Air Management appropriation. I very much appreciate favorable consideration of these requests. I fully support the statement of the Colorado River Basin Salinity Control Forum submitted by Jack Barnett, the Forum's Executive Director, in request of appropriations for BLM for Colorado River salinity control activities.

PREPARED STATEMENT OF THE NISQUALLY TRIBE OF INDIANS

Over the past 30 years, the Nisqually Tribe has embarked on an aggressive effort to develop a viable tribal community on our Reservation. Today we have, with Federal assistance, built a tribal center, community health clinic, alcohol and drug outpatient facility, law enforcement facility, Elders center, tribal library, several tribal enterprises, two salmon hatcheries and over 125 homes for the more than 400 Indian persons who now live on reservation lands. We have also placed a major emphasis on natural resource issues, youth mental health services, and land acquisition, to address serious community development issues for our Tribe. On behalf of the Tribe, I would like to submit the following written testimony on the fiscal year 2008 budget for the Bureau of Indian Affairs, the Indian Health Service and the Fish & Wildlife Service. We need your assistance to protect critical base funding, and to provide increases in several priority areas to address our unmet needs.

BIA LAW ENFORCEMENT

I would like to give you a picture of the law enforcement system on the Nisqually Reservation. We are located in Washington State. Our Reservation is approximately 5,000 acres. We serve over 6,000 Indian people in our service area, about 600 of whom are enrolled tribal members living on the reservation, and the rest of whom live in surrounding areas. We have a land-based police force with nine officers. Our officers are solely responsible for enforcing tribal law, and they also work closely with local police on other matters. Our police also have extensive marine water enforcement duties. We employ two water patrol officers to patrol over 100 square miles of Puget Sound for both the treaty salmon fishery and treaty shellfish harvesting. We also provide hunting enforcement for over 50,000 acres of land in the tribe's usual and accustomed area within the Nisqually River watershed. Besides our police department, we have a tribal court with two full-time judges, and we employ 10 detention officers at our 45-bed detention facility (built in 2002). Like many other tribes, we are struggling to cope with escalating methamphetamine use and associated increases in gang activity and property crime related to dealing and manufacturing.

We support the administration's decision to increase law enforcement funding by $16 million under its Safe Indian Communities Initiative. However, this increase still falls short of meeting the severe need in Indian country for additional law enforcement resources. The need is especially acute this year in light of significant cuts to Indian programs proposed by the Department of Justice. We ask that the subcommittee increase the President's request by an additional $16 million.

Additionally, we ask you to ensure that that the funding is allocated in a manner that helps strengthen tribal justice systems, not hobble them. We understand the need to target high-crime areas, but the need for law enforcement resources across Indian country is severe. It is estimated that BIA programs alone require an additional 1,500 officers just to meet minimum safety standards. At Nisqually, nine officers patrol 5,000 acres (approximately eight square miles) of reservation and near reservation lands and serve a population of approximately 6,000. This is roughly one officer per square mile, and 1.5 officers per 1,000 people. To compare, rural non-Indian law enforcement agencies generally have 2.2 officers per 1,000 people (based on 2003 estimates), and far more officers per square mile of patrol area. Short-term increases targeted to specific problems or specific areas do little to address these core shortages. Long-time under-funding of BIA and tribal law enforcement agencies is part of what contributes to the perception that reservations are "lawless," which makes our reservations attractive to drug dealers. We request that the subcommittee earmark at least half of any law enforcement funding increase for formula distribution to tribes.

Finally, it is important that the subcommittee understand that effective crime prevention takes more than just police officers. Our officers see firsthand every day

all the problems our youth face that can lead them to become involved in criminal activity. This is why the Nisqually Tribe has committed to use tribal funds to open a youth center. We hope that by providing out children with a safe place to pursue healthy activities, we can keep crime rates down in the future. For those that are already in the system, we have a state-of-the-art detention facility responsible for the "safekeeping, care and custody" of the people detained there. But we also need functioning courts, drug treatment services and alternatives to detention. As a government, we recognize our responsibility for fostering positive change and rehabilitation, even in our jail. More often than not, the inmates are people from our community who will be returning to the community when they are released, so we have a particular incentive to help them pursue positive changes. Without all of these services, though, we are stuck in a cycle of arresting and locking up our own people. We therefore ask that the subcommittee consider parallel increase to the Tribal Courts program and to Alcohol and Substance Abuse Programs within the Indian Health Service.

BIA NATURAL RESOURCES AND ENVIRONMENT

The Tribe supports the request from the Northwest Indian Fisheries Commission (NIFWC) on behalf of its member tribes, including the request of $1.8 million to restore previous budget reduction to our Fisheries Management Base funding; $7.575 million to the Western Washington Fisheries Management program to provide trust resource protection in the face our growing obligations and responsibilities; restoration of Pacific Coastal Salmon Recovery Fund to $100 million with a set aside for NWIFC member tribes of $9 million; $3.172 million for Hatchery Reform Implementation so tribes can integrate hatchery reform with salmon recovery under ESA; $1.74 million (to restore full funding of $3 million) for the Western Washington Timber-Fish-Wildlife program to match local funds to make the program whole; and, $2.5 million through the BIA for mass marking and monitoring of salmon production in the region.

BIA EDUCATION

We ask you to restore the proposed cuts to education programs—specifically the Johnson-O'Malley program ($16.3 million) and higher education scholarships ($5.3 million). While we support the administration's initiative to improve performance at BIA schools, we cannot support balancing these increases with cuts that would harm children attending public schools and our youth who are pursuing a college education. As Chair, I have worked hard to emphasize the importance of education to our youth. The JOM program provides important funding to support Indian students attending public schools, such as academic support programs, counselors or cultural education. If the JOM program were eliminated, the net result would be that less money would be available for Indian student programs. And scholarships make it possible for our tribal members to obtain the college education that is necessary for many careers today.

BIA CONTRACT SUPPORT COSTS

The Tribe supports the administration's proposal to increase contract support costs by $7 million. The administration has indicated that this increase will permit the United States to fully fund indirect contract support costs. This funding supports critical administrative functions that allow tribes to successfully operate programs contracted under the Indian Self-Determination and Education Assistance Act. We ask that the subcommittee support this increase and consider adding report language to that effect. In addition, we ask that the subcommittee support the proposed deletion of the word "indirect" in the text of the Interior Appropriations bill. This change would permit tribes to allocate unused Tribal Priority Allocation (TPA) funds to cover unmet direct contract support costs, which is important because the administration proposes full funding for only indirect costs, leaving a significant unmet need.

IHS HEALTH SERVICE

While we support the President's proposal to increase the budget for Indian Health Services, the amount of that increase ($212 million above the current funding level) still will not meet the actual costs of providing health care to Indian people. The proposed increase fails to address the high rates of medical inflation and the substantial unmet need for health care among Indian people. The Northwest Portland Area Indian Health Board estimates that at least $480 million is required to maintain even the current level of services in fiscal year 2008. And keeping pace

with current levels would only allow most clinics to be funded at 40–60 percent of the Level of Need Formula. We support the efforts of all Indian tribes to receive 100 percent of the Level of Need Formula, which is absolutely critical for tribes to address the serious and persistent health issues facing our communities.

We also ask that the Indian Health Service be exempted from any future rescissions. Given the poor health status of Indian people and the limited funding available to many clinics and health programs, across the board rescissions have an extremely damaging effect on Indian health care. For example, in 2006, rescissions cut almost half of the IHS budget increase. The only other non-entitlement Federal health program, the Veteran's Administration, is exempted from rescissions for just this reason. We ask that you do the same for the IHS.

FISH & WILDLIFE SERVICE

The Tribe strongly endorses the FWS Nisqually National Refuge in its full implementation of its Comprehensive Conservation Plan. In particular, we fully support restoration of 700 acres of salt marsh through the relocation of a series of dikes. This effort in combination with the Tribe's restoration of 150 acres on our property in the Nisqually Delta will nearly double the survival of our listed fall Chinook as well as provide ecosystem benefits to the entire region. We also ask your support for the Tribe's funding requests for the following FWS project proposals:

1. Hatchery Reform/ESA Implementation—Weir Construction ($2.5 million).—The Tribe requests $2.5 million to construct a 300 foot floating weir in the mainstem Nisqually River. A weir is a barrier that is installed in the river to allow handling of all fish that attempt to pass. A serious obstacle to our long term salmon recovery objectives is the constant and overwhelming influence of hatchery fish on the spawning grounds. The intent of our plan, and the direction given by NOAA in the Puget Sound Fall Chinook Salmon Recovery Plan, is to reduce in the short term the composition of hatchery fish on the spawning grounds to less than 30 percent with a long term goal of getting below 10 percent. The proposed weir will solve our salmon recovery while maintaining harvest opportunities dilemma and serve as a model for other watersheds. This project is supported by the independent Hatchery Scientific Review Group, the Puget Sound Technical Review Team, FWS and NOAA Fisheries Division.

2. Ohop Creek Restoration ($4 million).—The Tribe requests $4 million to complete an $8 million restoration of 4.5 miles of Ohop Creek, a tributary to the Nisqually River. The Tribe has identified 3 major salmon habitat projects essential to recover the ESA-listed Nisqually Fall Chinook salmon—restoration of 700 acres in the Nisqually Estuary, construction of a weir in the river to prevent straying of hatchery fish onto the spawning grounds and the comprehensive restoration of 4.5 miles of Ohop Creek near Eatonville. Ohop is an important creek for Chinook, coho, pinks, and steelhead. Its ability to support salmon was severely reduced in the late 1800's and early 1900's when most of the trees in the Ohop Valley were cut down and the lower part of the creek was diverted into a deep ditch for approximately 4.5 miles. The Tribe's plan involves the full restoration of the stream by recreating its original channel in the floodplain, filling in the ditch and replanting 400 acres along the valley floor with native vegetation. This project will be one of the largest most comprehensive salmon habitat restoration projects in the region.

3. Managing for Success ($1.2 million).—The Tribe requests $1.2 million for the development of Managing for Success (MFS), a new adaptive management tool, as a model for the region. A key component of salmon recovery is the ability to make better decisions over time as new information becomes available. This is referred to as adaptive management. MFS is a modeling tool that brings together years of work to tie biological and project management pieces together in a web based application, allowing us to more closely tie our actions to predicted outcomes and resulting in better informed decision-making.

PREPARED STATEMENT OF THE NORTH CASCADES CONSERVATION COUNCIL

I am writing on behalf of the North Cascades Conservation Council to request Land and Water Conservation funding for acquisition of two critical inholdings in the Mt. Baker Snoqualmie National Forest of Washington State. The North Cascades Conservation Council has been working for over 50 years to protect lands in the Cascade Range of Washington State. We believe funding is needed to acquire the following inholdings in the Mt. Baker Snoqualmie National Forest:

Maloney Creek.—This is a half section of land directly south of the town of Skykomish, Washington, comprising the south half of section 35, township 26 N., R 11 E., Willamette Meridian. This half section of land is owned by the Longview

Fiber Company, and is completely surrounded by National Forest land. Some of it was logged about 60 or more years ago, and some of it is untouched old growth forest. Some of the best remaining lowland old growth forest in the Washington Cascades is located on National Forest land immediately adjacent to this inholding, and would be adversely affected were logging activity to occur on the Longview Fiber land. Conservation groups have proposed construction of a trail from the town of Skykomish to the very impressive grove of old growth forest directly above and near the town which is next to this Longview Fiber property. A rocky ledge nearby would also provide a dramatic viewpoint of the town below, and the valley and mountains beyond. Acquisition of the immediately adjacent Longview Fiber property is necessary to allow construction of this trail. Such a trail would be expected to draw many visitors, and would be a great asset to the community of Skykomish.

No appraisals have been done on the Longview property to our knowledge, but we estimate the cost to be in the neighborhood of $2 million.

Buse/Index.—This is an area of approximately 40 acres immediately south of the town of Index, in section 20, township 27 N., range 10 east. This area of mature, naturally regenerated second growth forest is directly across the North Fork Skykomish river from the town of Index, the most scenic mountain town in Washington State. It is immediately adjacent to National Forest land. Index is the main gateway community to the proposed and hopefully soon to be enacted Wild Sky Wilderness. Although most of the area around Index was logged about 80 years ago, these lands have grown back with very impressive naturally regenerated forest, with many trees 3 feet in diameter and over 150 feet high. These forests are critical to protect the health of the North Fork Skykomish river, one of the most important salmon spawning rivers in the Puget Sound basin. Estimated cost of this parcel is $1.3 million.

We hope that the committee will be able to give serious consideration to these proposals, both of which are very important to protect the ecological health of the Skykomish watershed. Hundreds of millions of dollars have been spent to acquire lands to the south along the Interstate 90/Snoqualmie Pass corridor in the Mountains to Sound Greenway area. That investment has yielded great dividends. No LWCF monies have gone to the U.S. Highway 2/Stevens Pass corridor to the north. Most of this corridor is public land, much of it hopefully to be included in the proposed Wild Sky Wilderness. The time has come to acquire some of the key pieces of private property in this corridor, and the North Cascades Conservation Council believes these two parcels deserve priority for funding.

Thank you for your efforts in this regard.

PREPARED STATEMENT OF THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT

On behalf of the Board of Directors of the Northern Colorado Water Conservancy District and Municipal Subdistrict, Northern Colorado Water Conservancy District, I am requesting your support for appropriations in fiscal year 2008 to the U.S. Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget as follows:

1. Appropriation of $697,000 in "recovery" funds to the FWS to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program;
2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 line item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah; and
3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS' Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF THE NORTHERN FOREST ALLIANCE

On behalf of the Northern Forest Alliance, a coalition of fifty non-profit organizations across New York, Vermont, New Hampshire, and Maine, I would like to offer testimony in support of fiscal year 2008 funding for the U.S. Forest Service's Forest Legacy Program and the Department of Interior's Land and Water Conservation Fund (LWCF). Specifically, we request funding for Forest Legacy and LWCF projects from the Northern Forest totaling $7.965 million and $9.8 million, detailed

in tables below. In order to cover these urgent requests and similar meritorious requests from across the Nation, we also urge strong overall program allocations of $100 million for Forest Legacy and $320 million for LWCF, including $220 million for Federal LWCF projects and $100 million for the State grants program.

The Northern Forest is a rural region of 26 million acres stretching from the Tug Hill Plateau in central New York through the Adirondacks, Vermont's Green Mountains, New Hampshire's White Mountains, and into northern Maine. Much like the Southern Appalachians, the Northern Forest is an eastern forest region that has retained its rural character and resource-based economy in the face of overwhelming changes in the broader eastern landscape. However, this rural region is changing rapidly. The recently released U.S. Forest Service report, Forests on the Edge, projects that much of the private forestland in the Northern Forest will see "medium" or "high" change from development through 2030. The study focused its assessment by watershed and identified seven watersheds in the Northern Forest States as among the top 25 in the Nation for projected development through 2030, including parts of the Connecticut River watershed, Androscoggin River watershed, and the Penobscot River watershed. We are recommending fiscal year 2008 conservation projects in all three of these watersheds.

The kind of forest parcelization and development that the report projects are already affecting not only natural resources but also the Northern Forest way of life. Our region was the Nation's original fiber basket and continues to be a place where many citizens earn a living from the woods as loggers and sugarmakers or in forest products manufacturing. Parcelized forestlands are less valuable for forestry and new owners often make them unavailable for timber harvest and neglect even basic forest stewardship. This is having economic and environmental impacts. Our region also prides itself on a long tradition of open travel across private lands, a tradition that is increasingly at risk thanks to rising forest parcelization. Posting of land is increasing across the Northern Forest as lands are subdivided, closing opportunities for hunters, hikers, and other recreationists.

CONSERVING LAND CONSERVES OUR NORTHERN FOREST LEGACY

Despite some recent mill closings in Berlin, New Hampshire and other Northern Forest communities, forest products remain the largest industrial sector in the Northern Forest. The forest products industry in Maine alone contributes $6.5 billion annually to the Northern Forest economy with wages and salaries of more than $1 billion. To maintain this important economic activity, all of the fiscal year 2008 Forest Legacy projects in our region have been designed to maintain working forests that might otherwise be converted for private development.

One of the most innovative conservation approaches in the Northern Forest is the growing use of community ownership of forestland to maintain traditional uses. The Brushwood Community Forest project in Vermont, sponsored by the Trust for Public Land, is perhaps the foremost example. The Forest Legacy project will help the Town of West Fairlee purchase over 1,800 acres of the most productive sugar maple stands in the State the land for community ownership and continued timber harvest and sugaring. In addition to its forestry values, the land will also be heavily used for community recreation, forest-based education, and model forest stewardship to educate private landowners. The Brushwood project is part of a new statewide effort, the Northern Forest Alliance-led Vermont Town Forest Project, which is helping communities statewide to purchase forestland and enhance management and use of existing town forests.

The Nature Conservancy is also leading innovative and exciting community forest conservation projects using Forest Legacy. The Lower Penobscot Forest project outside Bangor, Maine will conserve more than 40,000 acres in the shadow of this fast growing city. The project area is in the most threatened watershed in the Nation for development, according to the USFS, and will sustain not only highly productive forestry operations but also popular youth hunting programs and other community activities. The Ossipee Pine Barrens project in the Lakes Region of New Hampshire has similar community forest values. It will conserve more than 2,200 acres of a globally rare forest system and link with existing town forests and other conserved lands for a 5,800-acre block of outstanding habitat and locally important recreation lands.

Like other rural regions across the country, the Northern Forest is also seeking to diversify its economy through tourism and other measures. Tourism has already grown to include 10 percent of all Northern Forest jobs, with a payroll of $455 million. Many of the fiscal year 2008 Forest Legacy projects in the Northern Forest would have a significant impact on tourism. In particular, we are supporting a complementary fiscal year 2008 Forest Legacy projects along the Mahoosuc Range of

Maine and New Hampshire—one of the Northern Forest's most famed recreation areas and a magnet for tourism. The Mahoosuc Range features famed Mahoosuc Notch, the most rugged and challenging section of the entire 2,100-mile Appalachian Trail (AT) and subject of recent profiles in USA Today and the New York Times. Thanks to the work of volunteers and non-profit organizations, the region is poised to complete the newly-developed Grafton Loop Trail that will enable hikers to swing almost fifty miles off the AT in the Mahoosucs. When complete, this trail will complement the AT to create a complex of hiking trails less than three hours from Boston, Portland, and Concord.

Maine's Stowe Mountain fiscal year 2008 Forest Legacy project lies in the Mahoosucs adjacent to the State and Nation's top-ranked fiscal year 2007 Forest Legacy project, Grafton Notch. Grafton Notch was recently approved for fiscal year 2007 funding and will soon add 3,688 acres to State holdings in the Mahoosucs. Stowe Mountain would add another 3,400 acres to this historic effort to conserve one of America's truly iconic natural landscapes. Stowe Mountain includes nine miles of the Grafton Loop Trail and virtually all of the remaining unprotected land in the Bear River Valley. Funding Stowe Mountain would be a major step toward completing the conservation and recreation vision for the Mahoosucs.

The Northern Forest is also notable for containing the headwaters of many major northeastern rivers, including the Hudson, Connecticut, Androscoggin, and Penobscot. Many of our projects clearly address the threats to these forested watersheds identified in Forests on the Edge. The Tahawus Additions project in New York is one important example. The project will conserve six private inholdings totaling more than 1,600 acres of the Hudson River headwaters among the High Peaks region of New York's Adirondack Park. The signature parcel among these six would protect more than 1,400 acres on the flanks of Santanoni Mountain—one of the High Peaks' most famed and scenic mountains. The project is a remarkable value per acre, seeking only $660,000 to accomplish significant conservation.

NORTHERN FOREST ALLIANCE FISCAL YEAR 2008 FOREST LEGACY REQUESTS

State	Project	Request
VT	Brushwood Community Forest	$1,500,000
ME	Lower Penobscot Forest	2,300,000
ME	Stowe Mountain	1,125,000
NH	Ossipee Pine Barrens	2,380,000
NY	Tahawus Additions	660,000
	Total	7,965,000

FULFILLING OUR POTENTIAL: LWCF FOR THE NORTHERN FOREST

The fiscal year 2008 LWCF projects for the Silvio Conte National Wildlife Refuge, Lake Umbagog National Wildlife Refuge, and White Mountain National Forest will help realize the potential conservation, economic, and community benefits of our region's few Federal public land units. These Federal lands are strategically situated to conserve some of the Northern Forest's most important natural and recreational resources, but are being compromised as private inholdings within the units are developed. Often these lands are developed by private owners who would have preferred to sell to the relevant agency but were unable to for lack of Federal LWCF funding for acquisition.

The Conte and Umbagog National Wildlife Refuges have already brought previously unimagined levels of tourism and related economic benefits to rural towns in the far northern reaches of our region like Island Pond, Vermont and Errol, New Hampshire. The Silvio Conte National Fish and Wildlife Refuge is unique in the Nation for its strategic conservation value: the proclamation area covers select lands of highest conservation value throughout the entire 7.2 million-acre Connecticut River watershed and the legislation creating the refuge envisioned that it would catalyze conservation activity throughout the entire area. To better support this unique refuge, the Northern Forest Alliance has worked with other supporters across four States to create the Friends of Conte Refuge and is now chairing this organization. The Friends are enthusiastically supporting an $8.25 million request for fiscal year 2008. The funding request covers important acquisitions from willing sellers in all four States that the refuge crosses—Vermont, New Hampshire, Massachusetts, and Connecticut—and includes projects that were approved for fiscal year 2007 funding but lost when the Joint Resolution rendered moot the significant

Conte NWR earmarks of $3 million and $4 million that were in the House and Senate Interior bills.

The fiscal year 2008 request of $1 million for Lake Umbagog National Fish and Wildlife Refuge and the $550,000 request for the Haystack Notch Trailhead project on the White Mountain National Forest will both contribute to conservation of the Mahoosuc region, profiled above as one of the Northern Forest's foremost natural and recreational treasures. The Lake Umbagog NWR lands to be conserved include more than 5,000 acres of the Mollidgewock Brook watershed. This rich parcel would connect existing refuge lands to the Errol Town Forest, a more than 5,000 acre conservation area that was recently conserved through Forest Legacy. In sum, these lands would conserve the richest natural and wildlife lands in the New Hampshire portion of the Mahoosucs.

The Haystack Notch Trailhead project on the White Mountain National Forest in Maine has been driven by overwhelming local interest in this rural community. Local residents want the national forest to acquire these lands for conservation of the pristine Pleasant River as well as trailhead access to highly popular trails. The lands in question are highly developable, yet surrounded on three sides by national forest. The parcel will aid USFS management of the area and is strongly supported by the district ranger. The project is notable as the only USFS project in the President's LWCF budget that lies east of Montana. Given the highly fragmented nature of most eastern national forests, it is essential that the Congress continue to make investments in acquisition of these kinds of strategic inholdings.

NORTHERN FOREST ALLIANCE FISCAL YEAR 2008 LAND AND WATER CONSERVATION FUND REQUESTS

State	Project	Request
NH/VT/MA/CT	Silvio Conte National Fish and Wildlife Refuge	$8,250,000
NH	Lake Umbagog National Fish and Wildlife Refuge	1,000,000
ME	White Mountain National Forest (Haystack Notch Trailhead)	550,000
	Total	9,800,000

All of the Forest Legacy and LWCF projects included in our fiscal year 2008 request represent the best that our region has to offer, a highly select group drawn from the total range of projects seeking funding across the Northern Forest. In appreciation of the severe constraints on Federal resources for the upcoming fiscal year, we have gone through careful evaluation to develop this prioritized set of time-sensitive strategic investments that will leverage other funding sources and deliver critically important public benefits. We would be grateful for your consideration of this testimony as you go through the appropriations process.

PREPARED STATEMENT OF THE NORTHWEST INDIAN FISHERIES COMMISSION

Thank you for the opportunity to appear before this committee and provide oral testimony on the Department of the Interior and the Environmental Protection Agency for fiscal year 2008 Appropriations for Natural Resource Management of Tribal Programs for twenty (20) Treaty Indian Tribes in Western Washington. We would like to highlight the following requests:

SUMMARY OF FISCAL YEAR 2008 APPROPRIATIONS REQUEST

Secure and Enhance Western Washington Fisheries Management Base Funding

$1.8 million—restore reduction incurred in the President's fiscal year 2008 Budget for BIA/Natural Resources Management/Rights Protection.

$7.575 million—enhance the BIA/Natural Resource Management/Rights Protection/Western Washington Fisheries Management (WWFM) Base Funding.

Salmon Habitat Restoration, Hatchery, Maintenance/Rehabilitation and Reform

$1.5 million—increase BIA/Natural Resources Management/Fish, Wildlife and Parks/Fish Hatchery Repair account to support tribal hatcheries.

$3.172 million—increase to the BIA/Natural Resources Management accounts for Hatchery Reform Implementation.

Maintain the Timber-Fish-Wildlife Program

$1.74 million—to the BIA/Natural Resource Management/Rights Protection/Timber-Fish-Wildlife Program to maintain the overall program service level.

Maintain the Mass Marking Program

$2.5 million—an increase of $1.5 million to BIA/Natural Resource Management to fully mark salmon at tribal hatcheries and to implement new selective fisheries plans.

Protect Marine Resources of Pacific and Puget Sound and Co-manage Natural Resources

$2.5 million—to the EPA/National Estuaries Program Puget Sound Partnership for tribal participation in ocean and Puget Sound planning and management.

Strengthen Tribal Wildlife Management and Assure Treaty-Protected Hunting Rights

$2.0 million—to BIA/Natural Resource Management/Rights Protection to support Tribal Treaty Rights.

Fulfill Puget Sound Regional Shellfish Settlement Commitment

$7.0 million—to BIA/Indian Land and Water Claims Settlement Account to fully fund the shellfish settlement.

FISCAL YEAR 2008 APPROPRIATIONS REQUESTS JUSTIFICATIONS

Secure And Enhance Western Washington Fisheries Management Base Funding

Restore reduction of $1.8 million to BIA/Natural Resources Management/Rights Protection.

This reduction, which targeted the U.S.-Canada Pacific Salmon Treaty, would affect the Northwest Indian Fisheries Commission, as well as the Columbia River Inter-Tribal Fish Commission and the Metlakatla Indian Community. The NWIFC portion of this cut is about 67 percent, or a reduction of $1.2 million. Tribes receive important value from the PST monies through direct contracts from the BIA for research and monitoring work, as well as from NWIFC policy coordination, technical assistance, and personnel contract support. These monies are critical for the successful renegotiation of portions of the treaty that are set to expire in 2008.

—Enhance the BIA/Natural Resource Management/Rights Protection/Western Washington Fisheries Management (WWFM) Base Funding by $7.575 million.

Tribes have had to take on many new obligations over the years since Congress provided the original "Boldt" monies in the mid 1970's. Responsibilities for shellfish management, groundfish management, Endangered Species Act requirements, and other tasks have received little or no funding. NWIFC proposes that the WWFM base be increased by $7.575 million to bring tribal and NWIFC programs up to a minimal new level commensurate with current obligations.

Salmon Habitat Restoration, Hatchery Maintenance/Rehabilitation & Reform

—The BIA/Natural Resource Management/Fish, Wildlife and Parks/Fish Hatchery Repair Account should be increased to $1.5 million per year for Tribal hatcheries.

According to a study done by the BIA at the request of Congress, Tribal hatcheries are estimated to be worth almost $120 million, with a residual maintenance need of over $48 million. Yet the BIA account for maintenance and rehabilitation has essentially been frozen at $500,000 for a number of years. We request an annual increase in this line item to help Tribes begin to address serious health and safety issues at Tribal facilities.

—Hatchery Reform Implementation needs to be funded at $3.172 million so Tribal hatcheries can address both ESA and production issues. This request is from the BIA/Natural Resources Management accounts.

The Tribes, State of Washington and the Federal Government have undertaken significant planning through the Hatchery Reform Process. Regional and hatchery specific reviews resulted in over 900 recommendations and guidelines to modify hatcheries operation and facilities. Tribes have developed a scientifically sound Tribal ranking process that has identified over $3.172 million worth of necessary monitoring and construction projects for this fiscal year. Additional projects will be ranked in coming years.

Maintain the Timber-Fish-Wildlife Program

—The BIA/Natural Resource Management/Rights Protection/Timber-Fish-Wildlife Program (TFW) account requires funding of $1.74 million to maintain the overall program service level.

TFW has served as the cornerstone-funding source for Tribal habitat management capabilities for almost 20 years. Since 2000, Congress has provided an allocation for additional Tribal participation in TFW and the Forest and Fish Report (FFR) development. Originally at $3.08 million, this level was decreased in fiscal year 2006, but

has been supplemented by a special request for funds from the State of Washington. In an effort to make the TFW program whole and allow Tribes to continue to implement TFW and the adaptive management provision in the FFR plan, which has been adopted as a HCP under the Endangered Species Act, an additional $1.74 million is needed to supplement the funds received by the Tribes from the State of Washington.

Maintain the Mass Marking Program

—BIA/Natural Resource Management funding of $2.5 million is needed to fully mark salmon at Tribal hatcheries and to use these marked fish to scientifically monitor salmon populations and watersheds in Western Washington.

Federal requirements to mass mark Pacific Salmon raised in facilities funded in whole or in part by Federal dollars require program funding for Tribes. Tribes have agreed to mark salmon at their facilities, but require necessary funding to do so. It is also critically important to scientifically monitor salmon populations through spawning escapement studies to determine how the marking program and marked selective fisheries may be affecting existing data and assumptions. Funding levels have stagnated at $1 million, despite the expectation that the level would rise to $1.7 million in fiscal year 2006. New plans to implement more extensive selective fisheries require additional monies above the amount we originally thought to be adequate.

Protect Marine Resources Of Pacific & Puget Sound & Co-manage Natural Resources

—Funding for Tribal participation in the ocean and Puget Sound planning and management work requires $2.5 million. Of this amount, $2 million should be provided to the Puget Sound Tribes from the overall partners request (via the State of Washington) to the EPA/National Estuaries Program/Puget Sound Partnership.

Marine resources are essential for all the NWIFC Tribes. Inside Puget Sound, the Tribes are actively working in the context of the Puget Sound Partnership. This effort brings together key marine issues of salmon recovery, storm water runoff, management and regulatory changes and a host of other issues. Tribes need $2.0 million to actively participate.

Strengthen Tribal Wildlife Management and Assure Treaty-protected Hunting Rights BIA Natural Resource Management/Rights Protection should include a Tribal Wildlife

—Management Initiative of $2.0 million to support Tribal treaty rights.

This is a new initiative. Existing sources within the BIA to address wildlife management issues have been eliminated at the same time Tribal treaty rights to hunt are being constantly challenged either through unfriendly legal processes or through loss of important habitat and access to open and unclaimed lands. An appropriation of $2 million would provide each of the member Tribes with a basic infrastructure to deal with Tribal wildlife management and treaty hunting rights.

Ensure that Puget Sound Regional Shellfish Settlement Commitment Is Met

—The BIA Indian Land and Water Claim Settlements account must include $7.0 million for the Puget Sound Regional Shellfish Settlement this fiscal year.

The Federal Government is committed under terms of recently enacted Federal legislation to fully fund the shellfish settlement. To complete the Federal obligation, $7 million is required in fiscal year 2008 and $5 million for fiscal year 2009-fiscal year 2011.

CONCLUSION

Our ancestors reserved rights to manage indigenous species of fish, wildlife and vegetation when they signed treaties with the United States a century and a half ago. Whether salmon or waterfowl, deer or cedar trees, all species of life have sustained the Tribes for thousands of years. Our dependence on these species for our economies, food, medicines, clothes, tools and cultural traditions has defined us as a people and strengthened our identity as caretakers of the land. In 1974, the *U.S.* v. *Washington* (Boldt) Decision reaffirmed Tribes' treaty rights to these resources. The decision, confirmed by the U.S. Supreme Court in 1979, reaffirmed the Tribal fishing right and confirmed that Tribes have co-management authority with the State. A comparable relationship exists with Federal agencies. This is appropriate, since treaties are nation-to-nation accords and established a bond between our governments underscored by a Federal trust responsibility to the Tribes. Co-management has fostered increased cooperation and team spirit in natural resource management and it has helped the Tribes strengthen their natural resource manage-

ment infrastructure. This enables us to do the policy and technical work necessary to achieve management objectives critical to the protection and restoration of fish, wildlife and native plant species.

The administration has ushered funding cuts for Tribal natural resource management programs over the past 6 years. In the BIA's Rights Protection Implementation Account we have seen a 20 percent cut from fiscal year 2006 alone. This action compromised and jeopardized the management programs and infrastructure that are critically important to co-management and to the health and vitality of natural resources and the Tribal and non-tribal people they sustain.

Our requests are bare minimums and we are sensitive to the budget challenges that Congress faces. We recognize that this administration has greatly reduced the allocation to discretionary domestic spending during the last several years, which makes it increasingly difficult for this committee to address the many requests it receives. We are also reaching out to the Budget Committee to champion the critical need for it to increase its allocation for domestic discretionary spending which is the major source of funding to Tribes. There is a critical need for adequate allocations of funds in the Pacific Northwest, and nationwide.

We are actively involved in supporting efforts to increase the overall congressional investment in natural resource/environmental management. We do believe natural heritage should be a top priority of this country, and we do wish to work on a government-to-government basis with the United States and the States to meet the challenges of today's environment in a cooperative and coordinated way. But the challenges we are facing in natural resource management requires adequate funds for the Tribes to be active partners in these important natural resource management initiatives. It would be our pleasure to provide any additional information you might require related to these issues.

I thank the committee for allowing me this opportunity to make these budget requests of the fiscal year 2008 Appropriations for the Department of the Interior and the Environmental Protection Agency.

PREPARED STATEMENT OF OPERA AMERICA

Madam Chairwoman and distinguished members of the subcommittee, I am grateful for the opportunity to submit testimony on behalf of OPERA America, its Board of Directors, and its 116 American member companies and the 16 million audience members we serve with our performances and education programs. We strongly urge you to support an increased appropriation of $176 million for the National Endowment for the Arts for fiscal year 2008. This testimony and the funding examples described below are intended to highlight the importance of Federal investment in the arts so critical to sustaining a vibrant cultural community throughout the country.

The not-for-profit arts industry stimulates the economy, creates jobs, and attracts tourism dollars. The not-for-profit arts generate $134 billion annually in economic activity, support nearly 5 million jobs, and generate more than $10 billion in Federal income taxes. Federal Government funding of the arts generates on average $7 for every $1 granted—NEA funding of worthy arts programs is truly an economic investment in the cultural richness of our communities.

Opera is a continuously growing art form that can address the diverse needs and backgrounds of our communities. Past NEA funding has directly supported projects in which arts organizations, artists, schools, and teachers collaborated to provide opportunities for adults and children to create, perform, and respond to artistic works. NEA funding has also made the artform more widely available in all States, including isolated rural areas and inner cities; indeed, NEA funded projects cross all racial, geographic, and socioeconomic lines.

The following are some examples of the impact of NEA funding on opera programs in 2007:

From the NEA's 2007 Access to Artistic Excellence Program:

Boston Academy of Music, Inc. of Boston, MA received $10,000 to support a consortium festival project titled Opera Unlimited. In collaboration with the Boston Modern Orchestra Project, the second biannual festival will present contemporary chamber operas with an emphasis on new American works and recent works that are rarely performed. Additional activities will include composition workshops, staged readings of works in progress, seminars for adult audience members, and an outreach program designed for charter high school students in an underserved Boston neighborhood.

Cedar Rapids Opera Theatre of Cedar Rapids, IA received $10,000 to support a production of Carlisle Floyd's Susannah. Outreach activities will include a free per-

formance for youth and adults served by Big Brothers Big Sisters, Osada, and the McAuley Center for Women.

Chinese Culture Foundation of San Francisco of San Francisco, CA received $10,000 to support the commissioning and presentation of an opera by composer Gang Situ. Based on Mozart's Don Giovanni, the work will fuse musical elements of traditional Cantonese opera with those of western composition.

Glimmerglass Opera, Inc. of Cooperstown, NY received $22,500 to support a new production of Jenufa by Leos Janácek. Related activities will include illustrated lecture presentations, visual exhibitions, pre-concert "Meet the Artists" presentations, Young American Artist recitals, and Behind the Scenes production and rehearsal previews on the opera's Web site.

Houston Grand Opera Association, Inc. of Houston, TX received $25,000 to support the Discover Opera: Community Connections Initiative. In its fourth year the program aims to educate and nurture new audiences through educational outreach in schools and community centers, including a program of portable operas for elementary school students, Opera Camps, and a year-long training program for high school voice students.

Lake George Opera Festival Association, Inc. of Saratoga Springs, NY received $10,000 to support the production of Our Town, a new opera by composer Ned Rorem and librettist Sandy McClatchy based on the novel by Thornton Wilder. Related activities will include a screening of the film version of Our Town and panel discussions with project principals.

Long Beach Opera of Long Beach, CA received $15,000 to support a condensed production of Wagner's Der Ring des Nibelungen (The Ring). Educational and outreach activities, in collaboration with the Goethe-Institut and the Wagner Society, will include a series of film screenings, recitals and pre-performance lectures.

Metropolitan Opera Association, Inc. of New York, NY received $100,000 to support a new production of Mazeppa by Peter Ilyich Tchaikovsky. The production will be conducted by Valery Gergiev and produced by Yuri Alexandrov, with sets by George Tsypin and costumes by Tatiana Noginova.

Michigan Opera Theatre of Detroit, MI received $30,000 to support a new production of Verdi's Aida.The production will feature a diverse cast, including African American singers Indra Thomas, Lisa Daltirus, and Gregg Baker; Chinese bass Hao Jiang Tian; Russian American mezzo-soprano Irina Mishura; and Italian singers Salvatore Licitra, Antonello Palombi, and Giuliano Carella.

Minnesota Opera Company of Minneapolis, MN received $20,000 to support the American premiere of a new production of Saverio Mercadante's 1846 opera Orazi e Curiazi. The rarely performed bel canto opera dramatizes the struggle between family and duty during a war between the Romans and the neighboring Albans.

Opera Company of Philadelphia of Philadelphia, PA received $20,000 to support a production of Margaret Garner by composer Richard Danielpour and librettist Toni Morrison. The title role will be sung by mezzo-soprano Denyce Graves, who will be joined by soprano Angela Brown, baritone Gregg Baker, and bass-baritone Rodney Gilfry.

Opera Omaha, Inc. of Omaha, NE received $20,000 to support the world premiere of Dream Horses by composer Anthony Davis and librettist Yusef Komunyakaa. The new opera is inspired by historical events that occurred in Nebraska between 1877 and 1879; with themes of loss and mourning that resonate locally and nationally.

Santa Fe Opera of Santa Fe, NM received $55,000 to support the American premiere of Tea: A Mirror of Soul by Tan Dun with libretto by Xu Ying and the composer. Education and outreach programs will include free public lectures about the opera and a symposium involving the composer, librettist, and director.

Sarasota Opera Association, Inc. of Sarasota, FL received $10,000 to support the Apprentice and Studio Artists Program. Improvements designed to provide training and performance opportunities in the development of young singers will include vocal coaching, language coaching, master classes, and seminars on auditions.

Seattle Opera of Seattle, WA received $50,000 to support a new production of Verdi's Macbeth. Performances of this rarely produced opera will be accompanied by preview talks, lectures, and radio broadcasts. Through Experience Opera, the company will work with teachers to incorporate opera into foreign language, philosophy, literature, and arts curricula and also provide multimedia lectures and presentations at ten schools.

These examples are just a few of the many programs supported by the National Endowment of the Arts. As we continue into the 21st century, these programs display the power of opera to bridge different cultural backgrounds and traditions and attract new audiences with new programming and education efforts that reflect the wide diversity of our Nation.

Despite overwhelming support by the American public for spending Federal tax dollars in support of the arts, the NEA has never recovered from a 40 percent budget cut in the mid-nineties, and its programs are seriously underfunded. OPERA America and other performing arts service organizations work hard each year to strengthen support for the NEA in Congress. We urge you to increase the 2008 NEA funding allocation to $176 million.

On behalf of OPERA America, thank you for considering this request.

PREPARED STATEMENT OF THE ORANGE COUNTY LAND TRUST, MIDDLETOWN, NY

On behalf of the Orange County Land Trust and Partner Organizations responsible for the grass roots preservation of Sterling Forest State Park I would like to thank you for the opportunity to comment on the fiscal year 2008 Department of the Interior, Environment and Related Agencies Appropriations bill.

Our top priorities include:

—$11 million for the Highlands Conservation Act, including $10 million for land conservation partnership projects through the U.S. Fish & Wildlife Service, and $1 million for USDA Forest Service technical assistance and research programs in the Highlands; and

—$100 million for the Forest Legacy program.

HIGHLANDS CONSERVATION ACT

The recently enacted Highlands Conservation Act established the importance of protecting the critical Highlands geological formation surrounding the New York metropolitan region and it adjacent areas. This 3-million acre region has productive forests and farms, critical wildlife habitat, and superb recreational resources within an hour of major metropolitan areas, but it also provides drinking water for millions of local citizens. The Highlands Conservation Act authorized $10 million annually to assist the Highlands States in conserving priority lands from willing landowners, and to continue USDA Forest Service research and assistance to private landowners in the Highlands. Under the act, the States are required to match Federal funds for land conservation partnership projects on an equal basis which will give greater leverage to these Federal funds.

In his budget for fiscal year 2008, President Bush included no appropriation for the Highlands Conservation Act (HCA). This is unacceptable, and we strongly urge the Senate to increase the budget allocation to $11 million which includes the full $10 million authorized by the legislation for land acquisition plus $1 million to the USDA Forest Service for continued research into the Highlands ecosystems and for administration of the Highlands Act implementation. The Governors of the four Highlands States have jointly submitted projects totaling $10 million to the Department of the Interior for funding in fiscal year 2008, thus indicating their willingness to provide matching State monies.

OUR REQUEST

New York's Arrow Park is a priority area for funding under the Highlands Conservation Act, and it is an important priority of the Orange County Land Trust, NYS Office of Parks, Recreation, and Historic Preservation, the Palisades Interstate Park Commission and the grass-roots volunteer organization Sterling Forest Partnership. I want to explain the importance of this area and how your action on the fiscal year 2008 Appropriations bill impacts its protection.

The value of Sterling Forest State Park, to which the Arrow Park parcel will be added, has been recognized regionally and nationally for its natural resource value, and includes designations as a New York Important Bird Area, Significant Habitat for State listed Cricket Frog and Eastern Timber Rattlesnake, a Critical Resource for clean waters flowing into the Wanaque Reservoir watershed providing drinking water for over 2 million residents in New Jersey, and classified as a Park Preserve, providing the greatest environmental protection within the NY State Park system.

Arrow Park is an under-used private 334-acre resort contiguous with the northern border of Sterling Forest State Park. It consists of woodlands, small fields, a few buildings, and a pristine 43 acre lake which drains into Sterling Forest, . . . It is located in southeastern Orange County, the fastest growing county in the State, in an area where unchecked development has altered the landscape from farmland to suburbia in just a few years. The Orange County Land Trust has negotiated a purchase with the owners for well below the current fair market value of land in this area and has partnered with the Palisades Interstate Park Commission and the NYS Office of Parks, Recreation, and Historic Preservation to purchase 278 acres

of the 334 acres. To protect the remaining 56 acres and facilities including an old stone lodge, cabins and recreation hail, the property will be turned over to a not-for-profit entity to continue current activities and create new programs using the natural landscape as a healing landscape.

Currently successful programs taking place and to be expanded include:

—A pediatric bereavement camp, run by Calvary Hospital for children who have suffered death and trauma.

—Use by Orange County hospices and like agencies for their programs.

—Healing programs for children of war from Sierra Leone, Africa and other locations. The New York City Fire Department's program for children and widows from the 9/11 terror attack.

—Occupations Inc. special support programs for the disabled.

—A new program being developed by the Military Order of the Purple Heart for veterans from Iraq and Afghanistan and their families.

Placing this area under public protection is important because:

—This property is under extreme development pressure and the current owner is willing to sell it for a much higher price than the amount currently under contract with the Land Trust;

—The water from the lake flows into a habitat for State listed Cricket Frogs which, if degraded by development and unmanaged use, could endanger this species further;

—The region serves as a nesting area for migratory birds, partly due to its north-south orientation and partly to its habitat diversity; and

—It is a natural extension of Sterling Forest State Park which is the largest contiguous forest in the tri-state area providing habitat for an unusually diverse flora and fauna.

Other public values to be protected include a variety of recreational, educational, and research activities currently underway. The open space provided by the greater Sterling Forest region and the Highlands is a major attraction for people moving into the area which is within commuting distance of New York City. Fishing is enjoyed by hundreds of anglers, ranging from serious fly-fishermen to children having their first experience putting a worm on a hook. Deer hunting is pursued in much of the area, and it is an important management tool as the deer populations continue to reshape our forest communities. Hiking, bird-watching, nature study from flora to butterflies and dragonflies, and photography are other activities commonly occurring in the forest. Yet public access to the rivers and the open space has become more limited in recent years. The healing inspiration provided by lake and forest natural landscapes have proved their worth in the programs that have taken place here. All of these values and activities are destined to be severely degraded in the near future if no protective action is taken.

THE PROBLEM

Shopping malls and residential development pressure in the area is severe and increasing annually. This proximity to metropolitan population centers of New York City and northern New Jersey, combined with the upgrading of highway and rail corridors into the area, produce extraordinary pressures on this landscape. It is the fastest growing region of New York State, yet it also provides drinking water for millions of New Jersey residents. Land is being converted into developments at an alarming rate as pressure for housing at almost any cost leads to rapid changes from forest and fields to lawns, driveways, malls, and sprawl. This causes declines in wildlife habitat, water quality, and all the other values provided by the forests and wetlands, and once the land has been converted, these environmental services are essentially impossible to recover. And as more land is converted, the costs to protect the increasingly rare open space that remains rises even more rapidly.

The window of opportunity to save Arrow Park and similar Highlands areas is rapidly closing. The longer we take to protect our valuable Highlands resource, the less effective we will be and the more it will cost.

The $11 million funding request for the Highlands Act is an extremely important investment in protecting our future. The Forest Legacy funding will also contribute to protecting these resources and should be fully funded as well.

PREPARED STATEMENT OF THE PACIFIC RIVERS COUNCIL

Requesting $30 million for the Washington Watershed Restoration Initiative: Road Renovation and Removal in the Puget Sound and Hood Canal Watersheds of the Mt. Baker-Snoqualmie and Olympic National Forests.

As a credentialed watershed and aquatic scientist and an experienced natural resources lawyer, we ask the committee for appropriations to fix a problem that science tells us is ecologically urgent and the law tells us we are obligated to address.

The Forest Service needs significantly more funding in order to build agency and community watershed restoration capacity to do more and better road remediation and removal projects.

WHAT IS THE PROBLEM?

Forest roads have widespread, pervasive and—if left untreated—long-lasting biological and physical impacts to our stream systems that continue long after initial construction. Roads change the way water is routed within watersheds, and almost always increase instream sediment and reduce water clarity. Road crossings can become barriers to movement of fish and other aquatic organisms, disrupting migration and making populations less likely to survive. In most cases, these effects cannot be alleviated without human intervention.

Nationwide, roads contribute sediment to streams, rivers, and lakes more widely than any other form of land management activity, and are the main source of sediment to water bodies from forestry operations. National forest roads are no exception. A 2002 Forest Service report found that "construction of high density and insufficiently maintained road networks poses severe problems and risks for forest resources," and that effective watershed restoration requires "decommissioning and obliterating non-critical road systems."

But roads can be treated. Thanks to experience and good research, we know how to do it, and how to do it efficiently. In many cases, the most effective way to reduce road-related water quality degradation is to decommission roads, a task which requires significant investment. For roads that cannot be removed, upgrading design and drainage, and executing regular maintenance is critical to minimizing impacts on freshwater ecosystems. But these are also outside the reach of current agency budgets. (Shockingly the total deferred maintenance backlog on Forest Service roads nationwide is estimated conservatively to be at least $4.05 billion).

Current budget trends are heading us in the wrong direction: Federal funding to fix roads and restore watersheds has greatly diminished in recent years. The Washington State piece of the Federal budget currently provides only $3 million annually for Forest Service road maintenance—allowing an already staggering maintenance backlog to grow by at least $8 million each year. Field investigation confirms that inadequate maintenance is largely to blame for more than $30 million of road damage in Washington's national forests following heavy rains last November. According to the Forest Service, if the needed road work begins now, it will cost an estimated $300 million to bring Washington's national forests into compliance with today's standards.

WHAT NEEDS TO BE DONE TO "STORMPROOF" A FOREST ROAD SYSTEM?

Roads are "stormproofed" when sediment delivery to streams is strictly minimized. The techniques for remediation of road-related sediment delivery risks are well-established. In order to protect aquatic ecosystems, roads should be constructed, reconstructed, maintained, and operated such that:

—Roads do not initiate or contribute to gully and landslide erosion processes.
—Road-related sediment (both coarse and fine) does not reach watercourses.
—Fish movement is not restricted.
—Natural drainage and hydrology are maintained—neither extended nor reduced.
—Chemicals applied for forest management and those associated with road traffic do not come in contact with water, either directly or via sediment and aerosol transport.

The Washington Watershed Restoration Initiative: A Six-Step Solution.—A coalition[1] including the Washington State Department of Ecology, Department of Fish and Wildlife, and a dozen of Pacific Rivers Council's fellow conservation groups has prepared a "Watershed Restoration Initiative" for the State's national forests, suggesting the following 6-step solution.

[1] The members of the Washington Watershed Coalition are: Washington Department of Ecology, Washington Department of Fish and Wildlife, Olympic Forest Coalition, Sierra Club Cascade Chapter, Public Employees for Environmental Responsibility, Pacific Rivers Council, American Whitewater, The Wilderness Society, Wild Fish Conservancy, Alpine Lakes Protection Society, North Cascades Conservation Council, Pilchuck Audubon Society, and Washington Wilderness Coalition.

1. Adequate Funding.—$30 million in fiscal year 2008 and for each of the next 10 years. The Forest Service road maintenance backlog can be wiped out in the next decade state-wide with about $30 million annually. A sensible approach is to start with the national forests watersheds that flow into the already ailing Puget Sound and Hood Canal Basin—i.e. the Mount Baker-Snoqualmie National Forest and the eastern Olympic National Forest.

2. Prioritize to get the biggest bang for the buck.—We need to spend smarter. A strategic approach to public investment in road-related watershed restoration will optimize the ecological benefits of our investments across the landscape—an approach that is also consistent with the recovery needs of native fish. This means: targeting the "best" or highest ecological priority watersheds first and fully treating—i.e. "stormproofing"—whole watersheds to meet ecologically adequate road-related risk and impact benchmarks.

Specifically, we want to avoid treating only the "worst" roads in high-risk, high-value basins and leaving behind high road densities and conditions that still pose substantial risk of future harm to habitat and fish. It is a waste of scarce resources if our actions result in making highly impacted basins only slightly less highly impacted because the slight reduction provides negligible biological benefit.

The goal should be to invest in ways that secure the maximum area of native fish habitat, that maintain the largest areal extent of existing high quality waters, and that allow relatively rapid recovery of high-quality conditions. Some subwatersheds with extensive, concentrated high-risk roads may go untreated for the first few years, while resources are invested to secure higher quality waters from being harmed by an existing road system that is not yet as severely compromised as the more heavily roaded areas. With the goal of ecological effectiveness as the primary driver, targeting choices may also be influenced by considerations such as partnership opportunities and complementary restoration projects in the same watershed.

Within the priority watersheds, we strongly recommend that restoration projects must focus on the following objectives:

—re-routing road runoff to eliminate or reduce direct delivery of sediment to streams;
—decommissioning high-risk, unstable, and unneeded roads;
—fixing culvert crossing to restore fish passage;
—renovating road drainage features to minimize future maintenance and diminish the risk of road failures.

3. Field Assessment.—The Initiative calls for improved inventories of road systems so we are able to use sound, field-based information to make road management decisions. The Forest Service has already collected useful data through Access and Travel Management Plans and Watershed Analyses that provide a good head start on large parts of the Mt. Baker-Snoqualmie and Olympic National Forests, in particular. Funds can get to the ground quickly and effectively in those places.

4. Capacity Building to Support Partnerships.—In order to protect our public investment, we are also asking the committee to specify that funding be directed to increased professional capacity within the Forest Service to effectively design, implement and create local partnerships around roads projects. More Forest Service staff are needed to support project partnerships with landowners, tribes, and other agencies and organizations.

5. Monitoring.—Watershed restoration projects must be monitored to ensure that road work is properly designed and implemented to meet the intended environmental objectives, and to allow for program adjustments where indicated. The Initiative suggests dedicating 2 percent of project funds to monitoring. PRC recommends that monitoring be conducted by the Forest Service's Pacific Northwest Research Station, the best branch to execute and report on restoration effectiveness.

6. Strategic Re-deployment of Expert Agency Staff.—One potential way to stretch agency funding for staff is to enable the Forest Service to temporarily deploy outside Federal agency personnel with expertise in project implementation and oversight. In addition to supplementing local personnel, a generation of field and management staff will gain critical field experience that will build capacity for restoration nationwide.

In conclusion, we believe that this is a chance to fulfill unkept promises. The problems caused by outdated and deteriorating Forest Service roads were highlighted during the early years of the 1993 Northwest Forest Plan. Our request today reflects the unwelcome truth that we have not fulfilled the promise of this Plan to restore our forested watersheds, or our obligations to meet the goals of the Clean Water Act under a Memorandum of Understanding with the Washington Department of Ecology.

The Watershed Restoration Initiative for national forest roads is the Forest Service counterpart of the road restoration work now being undertaken by private

timberland owners in Washington State to protect fish habitat and water quality under the statewide Forest Practices Habitat Conservation Plan. Timber industry reports tell us that road maintenance and abandonment plans are proceeding to provide fish passage, reduce road impacts to streams and restore habitat. The Forest Service is lagging behind by allowing its road problems to grow.

In conclusion, Pacific Rivers Council and our coalition partners are very grateful for your support of watershed restoration in Washington State and across the Northwest. We look forward to working with you ensure that neglected Forest Service roads don't prevent us from meeting our goals for clean water and healthy fisheries in Puget Sound and elsewhere.

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PREPARED STATEMENT OF THE PARTNERSHIP FOR THE NATIONAL TRAILS SYSTEM

Madam Chairwoman and members of the subcommittee: The Partnership for the National Trails System appreciates your support over the past dozen years, through operations funding and earmarked Challenge Cost Share funds, for the national scenic and historic trails administered by the National Park Service. We also appreciate your increased allocation of funds to support the trails administered and managed by the Forest Service and your support for the trails in the Bureau of Land Management's National Landscape Conservation System. To continue the progress that you have fostered, the Partnership requests that you provide annual operations funding for each of the 25 national scenic and historic trails for fiscal year 2008 through these appropriations:

—National Park Service: $11.915 million for the administration of 20 trails and for coordination of the long-distance trails program by the Washington Park Service office.

—USDA Forest Service: $3.79 million to administer 4 trails and $1 million to manage parts of 16 trails administered by the NPS or BLM; Construction: $2.1 million for the Continental Divide Trail, $1.35 million for the Florida Trail, and $1 million each for the Pacific Crest and Iditarod Trails.

—Bureau of Land Management: to coordinate its National Trails System Program: $250,000; to administer the Iditarod National Historic Trail: $420,000, the Camino Real de Tierra Adentro National Historic Trail: $230,000, the Old Spanish National Historic Trail: $331,000 and $3.67 million to manage portions of 10 trails administered by the Park Service or the Forest Service; $1,460,000 for operating five National Historic Trail interpretive centers; $500,000 for planning and projects for the Iditarod National Historic Trail Centennial.

—We ask that you appropriate $4.5 million for the National Park Service Challenge Cost Share Program and continue to direct one-third of it ($1,500,000) for national scenic and historic trails or create a separate $1.5 million National Trails System Challenge Cost Share Program.

—We ask that you add $500,000 to the Bureau of Land Management's Challenge Cost Share Program and allocate it for the national scenic and historic trails it administers or manages.

—We ask that you appropriate $1.253 million to the National Park Service office of Conservation and Outdoor Recreation to support the second year of a 5-year interagency project to develop a consistent system-wide National Trails System Geographic Information System (GIS).

We ask that you appropriate from the Land and Water Conservation Fund for land acquisition:

—to the Forest Service: $23.8 million for the Pacific Crest Trail, $5 million for the Florida Trail; $9.32 million for the Appalachian Trail; $4 million for the Ottawa National Forest/North Country Trail; $195,000 for the Overmountain Victory Trail;

—to the Bureau of Land Management: $200,000 for the Continental Divide Trail in New Mexico;

—to the Park Service: $4.75 million to grant to the State of Wisconsin to match State funds to acquire land for the Ice Age Trail.

NATIONAL PARK SERVICE

We request $1.253 million to fund the second year of a 5-year interagency effort to develop a consistent GIS for all 25 national scenic and historic trails as described in the August 2001 report (requested by Congress in the fiscal year 2001 appropriation) "GIS For The National Trails System." This builds upon work underway on the Ice Age, Appalachian, Florida, Oregon, California, Mormon Pioneer and Pony Express Trails to develop consistent information gathering and mapping that can be applied across the National Trails System. This funding will be shared with the Bureau of Land Management and the Forest Service.

We support the administration's proposed $850,000 for the Connect Trails To Parks project to enhance the public's understanding of the National Trails System and its relationship to the National Park System.

The $11.915 million we request for Park Service operations includes increases for many of the trails to continue the progress and new initiatives made possible by the $975,000 funding increase provided for nine of the trails in fiscal year 2001 and the $500,000 increases provided in fiscal year 2004, fiscal year 2005, and fiscal year 2006. The increases we request—$80,000 for El Camino Real de Tierra Adentro and $135,000 for Old Spanish—will enable the Park Service to continue full-time management and help implement Comprehensive Management Plans for these new historic trails, co-administered with the Bureau of Land Management.

We request an increase of $641,000 to continue and expand Park Service efforts to protect cultural landscapes at more than 200 sites along the Santa Fe Trail, to develop GIS mapping, and to fund public educational outreach programs of the Santa Fe Trail Association. An increase of $521,000 for the Trail of Tears will enable the Park Service to work with the Trail of Tears Association to develop a GIS to map the Trail's historical and cultural heritage sites so they can be protected and interpreted for visitors.

The $232,000 increase we request for the interagency Salt Lake City Trails office will enable the Park Service to continue developing comprehensive interpretation and auto tour guides for the Oregon, California, Mormon Pioneer and Pony Express Trails with a library of trail images linked with the GIS map database of the trails.

We request $1,948,000 for the Lewis & Clark Trail to complete resource protection and interpretation projects and to work with the public/private and inter-agency

partnerships forged through the successful Lewis & Clark Bicentennial commemoration to foster long-term cooperative stewardship of the Trail.

The $879,000 we request for the 4,200 mile North Country Trail will enable the Park Service and Forest Service to collaborate more effectively while also providing greater support for the regional and local resource inventory and GIS mapping, trail building, trail management, and training of volunteers led by the North Country Trail Association, hastening the day when our Nation's longest national scenic trail will be fully opened for use.

The $936,000 we request will enable the Park Service to help Wisconsin DNR and other partners to accelerate land acquisition for the Ice Age Trail and further development of the Trail GIS to more efficiently plan resource protection, trail construction and maintenance to correct unsafe conditions and better mark the Trail for users. The funds will also assist the Ice Age Park & Trail Foundation to better equip, train and support the volunteers who build and maintain the Trail and manage its resources.

Challenge Cost Share programs are one of the most effective and efficient ways for Federal agencies to accomplish a wide array of projects for public benefit while also sustaining partnerships involving countless private citizens in doing public service work. The Partnership requests that you appropriate $4.5 million in Challenge Cost Share funding to the Park Service for fiscal year 2008 as a wise investment of public money that will generate public benefits many times greater than its sum. We ask you to continue to direct one-third of the $4.5 million for the national scenic and historic trails to continue the steady progress toward making these trails fully available for public enjoyment. We suggest, as an alternative to the annual earmarking of funds from the Regular Challenge Cost Share program, that you establish a separate National Trails System Challenge Cost Share program with $1.5 million funding.

USDA—FOREST SERVICE

As you have done for several years, we ask that you provide additional operations funding to the Forest Service for administering three national scenic trails and one national historic trail, and managing parts of 16 other trails. We ask you to appropriate $3.79 million as a separate budgetary item specifically for the Continental Divide, Florida and Pacific Crest National Scenic Trails and the Nez Perce National Historic Trail. Full-time managers have been assigned for each of these trails by the Forest Service. Recognizing the on-the-ground management responsibility the Forest Service has for 838 miles of the Appalachian Trail, more than 650 miles of the North Country Trail, and sections of the Ice Age, Anza, Caminos Real de Tierra Adentro and de Tejas, Lewis & Clark, California, Iditarod, Mormon Pioneer, Old Spanish, Oregon, Overmountain Victory, Pony Express, Trail of Tears and Santa Fe Trails, we ask you to appropriate $1 million specifically for these trails. We also request $1 million for the Chugach National Forest to begin to develop the Southern Trek of the Iditarod National Historic Trail.

Work is underway, supported by funds you provided over the past 6 years, to close several major gaps in the Florida National Scenic Trail. The Florida Trail Association has built 100 miles of new Trail across Eglin Air Force Base, in the Ocala National Forest, Big Cypress National Preserve and along Lake Kissimmee and the Choctawahatchee River. FTA volunteers helped clear trees and other debris scattered across 850 miles of trail by four hurricanes in 2004. The Partnership requests an additional $1.35 million for trail construction in fiscal year 2008 to enable the Forest Service and FTA to build 18 more miles and to manage 3,410 acres of new Florida Trail land.

The Continental Divide Trail Alliance, with Forest Service assistance and funding from the outdoor recreation industry, surveyed the entire 3,200 mile route of the Continental Divide Trail documenting $10.3 million of construction projects needed to complete the Trail. To continue new CDT construction, begun with fiscal year 1998 funding, we ask you to appropriate $2.1 million to build or reconstruct 89 more miles.

A Forest Service lands team is working with the Pacific Crest Trail Association (PCTA) and the Park Service National Trail Land Resources Program Center to map and acquire better routes for the 300 miles of the Pacific Crest Trail located on 227 narrow easements across private land or on the edge of dangerous highways. We request $200,000 to continue the work of the fulltime Trail Manager and the lands team and $100,000 for Optimal Location route planning. We also request $1,000,000 for new trail construction and reconstruction of fire and flood damaged bridges along the PCT in California and Washington by the Forest Service and the PCTA.

BUREAU OF LAND MANAGEMENT

While the Bureau of Land Management has administrative authority only for the Iditarod, El Camino Real de Tierra Adentro, and the Old Spanish National Historic Trails, it has on-the-ground management responsibility for 641 miles of three scenic trails and 3,115 miles of seven historic trails administered by the National Park Service and U.S. Forest Service. The significance of these trails was recognized by their inclusion in the National Landscape Conservation System and, for the first time, in fiscal year 2002, by provision of specific funding for each of them. The Partnership applauds the decision of the Bureau of Land Management to include the national scenic and historic trails in the NLCS and to budget specific funding for each of them. We request that you provide funding for the Bureau to begin to implement its 10 Year "National Scenic & Historic Trails Strategy and Work Plan."

We ask that you increase funding by $19.76 million to provide $69 million as new permanent base funding for the National Landscape Conservation System and that you appropriate as new permanent base funding $250,000 for National Trails System Program Coordination, $420,000 for the Iditarod Trail, $230,000 for El Camino Real de Tierra Adentro Trail, $331,000 for the Old Spanish Trail, and $3,421,000 for management of the portions of the ten other trails under the care of the Bureau of Land Management. We request $166,000 for construction of new sections of the Continental Divide Trail, $115,000 for maintenance of the Pacific Crest Trail, $500,000 to begin planning and projects for the Iditarod Trail Centennial, and $1,460,000 to operate five historic trails interpretive centers.

We request that you add $500,000 to the Challenge Cost Share program and allocate the money for the National Trails System as you have done for many years with the Park Service's Challenge Cost Share program.

To promote greater management transparency and accountability for the National Trails and the whole National Landscape Conservation System, we urge you to request expenditure and accomplishment reports for each of the NLCS Units for fiscal year 2007 and to direct the Bureau to include unit-level allocations by major subactivities for each of the scenic and historic trails, monuments, wild and scenic rivers, and conservation areas within a new activity account for the NLCS in future budgets. Existing accounts for Wilderness Areas and Wilderness Study Areas should also be included in this new National Landscape Conservation System activity account.

LAND AND WATER CONSERVATION FUND

The Partnership requests that you fully appropriate the $900 million annual authorized appropriation from the Land and Water Conservation Fund and that you make the specific appropriations for national scenic and historic trails detailed at the beginning of this statement and in Attachment 2.

The $23.8 million we request for the Pacific Crest National Scenic Trail will continue acquisition underway by the Forest Service and Park Service, protecting 12 miles of PCT in Washington and taking 34 miles off of roads in southern California. The $5 million requested for the Florida National Scenic Trail will continue another successful collaboration between these two agencies to protect another 13 miles of Trail and the $9.32 million requested will protect sections of the Appalachian National Scenic Trail in three national forests in three States. The $4 million requested for the Ottawa National Forest will protect the Sturgeon River Gorge adjoining the North Country National Scenic Trail in Upper Michigan. The $195,000 requested for the Overmountain Victory National Historic Trail will protect a key link and access to a 7-mile section of the trail in the Pisgah National Forest in North Carolina.

The $200,000 requested for the Bureau of Land Management will close a gap in the Continental Divide Trail in New Mexico.

The National Trails System Act encourages States to assist in the conservation of the resources and development of the national scenic and historic trails. Wisconsin has matched $10.9 million of fiscal year 2000–2006 LWCF funding with $16.6 million to help conserve the resources of the Ice Age National Scenic Trail. With this 2:1 match of State to Federal funds, Wisconsin has purchased 35 parcels totaling 6,539 acres and now has another 28 parcels under negotiation, appraisal or option to purchase. All of the LWCF funds appropriated by Congress for the Ice Age NST have been spent. The requested $4.75 Million Land and Water Conservation Fund grant to Wisconsin will continue this very successful Federal/State/local partnership for protecting land for the Ice Age Trail.

The essential funding requests to support the trails are detailed in Attachment 2.

PRIVATE SECTOR SUPPORT FOR THE NATIONAL TRAILS SYSTEM

Public-spirited partnerships between private citizens and public agencies have been a hallmark of the National Trails System since its inception. These partnerships create the enduring strength of the Trails System and the trail communities that sustain it by combining the local, grass-roots energy and responsiveness of volunteers with the responsible continuity of public agencies. They also provide a way to enlist private financial support for public projects, usually resulting in a greater than equal match of funds.

The private trail organizations commitment to the success of these trail-sustaining partnerships grows even as Congress' support for the trails has grown. In 2006 the trail organizations channeled 687,904 hours of documented volunteer labor valued at $12,409,472 to help sustain the national scenic and historic trails. The organizations also applied private sector contributions of $7,934,074 to benefit the trails. These contributions are documented in Attachment 1.

ATTACHMENT 1.—CONTRIBUTIONS MADE IN 2006 TO SUPPORT THE NATIONAL TRAILS SYSTEM BY NATIONAL SCENIC AND HISTORIC TRAIL ORGANIZATIONS

Organization	Volunteer hours	Estimated value of volunteer labor	Financial contributions
Appalachian Trail Conference	190,017	$3,427,600	$4,230,000
Camino Real Trail Association	1,025	18,482	4,849
Continental Divide Trail Society	[1] 1,500	27,060	.....
Continental Divide Trail Alliance	31,225	563,299	645,197
Florida Trail Association	62,380	1,125,335	177,248
Ice Age Park & Trail Foundation	49,524	893,413	257,164
Iditarod National Historic Trail, Inc.	1,898	34,240	[1] 80,000
Heritage Trails/Amigos De Anza & others	2,625	47,355	.....
Anza Trail Coalition of Arizona	4,377	78,961	.....
Lewis & Clark Trail Heritage Foundation	61,424	1,108,089	405,568
Mormon Trails Association	[1] 1,800	32,472	3,653
Iowa Mormon Trails Association	[1] 750	13,530	1,820
Nebraska Mormon Trails Association	[1] 125	2,255	2,580
National Pony Express Association	32,072	578,579	143,672
Nez Perce Trail Foundation	6,830	123,213	12,048
North Country Trail Association	32,090	578,903	257,397
Old Spanish Trail Association	11,948	215,542	48,353
Oregon-California Trails Association	60,200	1,086,008	714,178
Overmountain Victory Trail Association	8,783	158,445	15,000
Pacific Crest Trail Association	55,439	1,000,120	695,841
Potomac Heritage Trail Association	[1] 2,000	36,080	.....
Santa Fe Trail Association	37,420	675,057	193,239
Trail of Tears Association	32,452	585,434	46,267
Totals	687,904	12,409,472	7,934,074

[1] Estimate.

ATTACHMENT 2.—PARTNERSHIP FOR THE NATIONAL TRAILS SYSTEM—REQUESTED FISCAL YEAR 2008 APPROPRIATIONS FOR THE NATIONAL TRAILS SYSTEM

Agency/Trail	Fiscal year			Project/Programs possible with increased funding
	2006 cong. approp.	2008 admin. request	2008 partners request	
PARK SERVICE				
Ala Kahakai	$259,000	$264,000	$264,000	Continue preparation of Comprehensive Management Plan (CMP) for new trail;
Appalachian	1,205,000	1,341,000	1,719,000	Support ''A Trail to Every Classroom'' project with teachers and children, resource monitoring through AT Mega-Transect project, & Comprehensive Facility Management;
Natchez Trace	27,000	27,000	29,000	Planning & building new trail & bridges; backlog maintenance with SCA;
El Camino Real Tejas	49,000	49,000	50,000	Start up administration for new national historic trail;
El Camino Real Tierra	140,000	140,000	220,000	Full-time administrator; implement CMP with Bureau of Land Management
California	278,000	278,000	348,000	Prepare & print Four Trails Auto Tour Route Guides for Wyoming, Utah/Idaho, Nevada;
Captain John Smith	.....	151,000	151,000	Begin administration & Comprehensive Management Plan for new national historic trail;
Ice Age	631,000	704,000	936,000	Accelerate Trail corridor planning and land acquisition by agency partners; Increase Trail development, maintenance and resource management by IAP&TF volunteers;
Juan Bautista de Anza	305,000	360,000	360,000	Coordination of Trail site protection, interpretation & development projects with local agencies & organizations; Outreach to schools and Latino communities;
Lewis & Clark	1,798,000	1,948,000	1,948,000	Planning, coordination & support for local L&CNHT projects after the Bicentennial;
Mormon Pioneer	128,000	128,000	183,000	Prepare & print Four Trails Auto Tour Route Guides for Wyoming, Utah/Idaho, Nevada;
North Country	684,000	732,000	879,000	Advance Trail construction, route planning, protection and public awareness by providing regional services, GIS, and technical assistance for volunteers and partners;
Old Spanish	101,000	101,000	236,000	Full-time administrator; continue preparing CMP with Bureau of Land Management;
Oregon	286,000	304,000	356,000	Prepare & print Four Trails Auto Tour Route Guides for Wyoming, Utah/Idaho, Nevada;
Overmountain Victory	170,000	177,000	335,000	New route signs & interpretive exhibits; Historic Preservation Study of Gilbertown; feasibility study for location of Trail headquarters and visitor contact site;
Pony Express	182,000	182,000	237,000	Prepare & print Four Trails Auto Tour Route Guides for Wyoming, Utah/Idaho, Nevada;
Potomac Heritage	276,000	280,000	280,000	Assistance to local agencies & organizations for planning & educational projects;
Santa Fe	722,0001	875,000	1,516,000	Preserve cultural resources; GIS mapping; produce interpretive media with SFTA;
Selma to Montgomery	328,000	611,000	611,000	Trail interpretation in collaboration with citizen support organizations & local agencies;
Trail of Tears	361,000	361,000	882,000	Develop GIS mapping, interpret Trail sites & provide new visitor facilities with TOTA;
NTS—Washington Office	336,000	347,000	375,000	Program coordination and funding for special projects and training for staff & partners
National Trails System	8,266,000	10,212,000	11,915,000	Total National Trails System operations funding
Challenge Cost Share	[2] 4,843,000	[3] 2,380,000	4,500,000	One-third of $4.5 million for the National Trails System
Interagency GIS Project	.....	.....	[4] 1,253,000	Development of GIS for National Trails System;

ATTACHMENT 2.—PARTNERSHIP FOR THE NATIONAL TRAILS SYSTEM—REQUESTED FISCAL YEAR 2008 APPROPRIATIONS FOR THE NATIONAL TRAILS SYSTEM—Continued

Agency/Trail	Fiscal year			Project/Programs possible with increased funding
	2006 cong. approp.	2008 admin. request	2008 partners request	
BLM				
Iditarod Trail	420,000	248,000	420,000	Coordination and support for collaborative management with other Federal agencies, Iditarod Trail organizations and State of Alaska; bridges and cabins; Interpretive Plan;
El Camino Real de Tierra Adentro	15,000	15,000	230,000	Collaborative administration and management with National Park Service; Full-time Trail Administrator; Site certification and protection;
Old Spanish	273,000	225,000	331,000	Full-time Trail Administrator; Collaborative administration and management with National Park Service; Continue preparation of Comprehensive Management Plan; Site protection and interpretation;
Continental Divide	650,000	179,000	650,000	Planning 101 miles of CDNST in Idaho, Montana and New Mexico; Interagency management collaboration; Full-time CDNST Liaison;
Pacific Crest	294,000	65,000	100,000	PCNST maintenance in California and Oregon; Interagency management collaboration;
Juan Bautista de Anza	95,000	76,000	76,000	Interpretive exhibits for Anza Trail in Arizona and California;
California	155,000	126,000	179,000	California NHT resource inventories in Utah, Nevada and California;
Lewis & Clark	1,902,000	695,000	1,680,000	Completion of Lewis & Clark Bicentennial projects in Idaho and Montana;
Mormon Pioneer	227,000	227,000	227,000	Mormon Pioneer NHT resource inventories in Utah and Wyoming;
Nez Perce	27,000	27,000	149,000	Completion of Lewis & Clark Bicentennial projects in Idaho and Montana;
Oregon	18,000	23,000	210,000	Interagency management collaboration and Oregon NHT resource inventories;
Pony Express	100,000	105,000	147,000	Marking Pony Express Trail in Utah and Nevada;
Potomac Heritage	.....	3,000	3,000	Completion of Lewis & Clark Bicentennial projects in Idaho and Montana;
NTS—Coordinator	.....	.....	250,000	Program coordination and funding for special projects and training for staff & partners;
National Trails System	4,176,000	2,014,000	4,652,000	Total National Trails System operations funding
Iditarod	.....	.....	500,000	Planning and grants for Iditarod NHT Centennial activities;
Challenge Cost Share	.....	.....	500,000	Projects along the various national scenic and historic trails;
California, Casper, Oregon, Sacajawea, & Camino Real Centers.	1,460,000	1,440,000	1,460,000	Operating ONHT, CNHT, MPNHT, L&CNHT, CRTANHT and PXNHT interpretive centers;
Construction of:				
Pacific Crest Trail	.....	.....	115,000	Funding for maintenance and re-construction of Pacific Crest NST in California;
Continental Divide Trail	.....	.....	166,000	Funding for construction and re-construction of 102 miles of Continental Divide NST in Idaho, Montana, and New Mexico;

FOREST SERVICE				
Continental Divide	+742,000	1,500,000	1,500,000	Continued support for full administrative responsibility and for consistent interagency collaboration for each trail; support for consistent management with trail organization and local agency partners; trail brochures, signs, project planning etc.; Also $250,000 to administer new miles of CDT; $200,000 for work of full-time Trail administrator and $100,000 for Optimal Location Planning for PCT and $100,000 to increase Trail maintenance by volunteers coordinated by PCTA; $650,000 to certify 150 miles of the Florida Trail and continue collaboration with Florida Trail Association to inventory 430 miles and further develop Trail GIS; $92,000 for Nez Perce Trail Foundation education and public outreach work and other projects;
Florida	+639,000	1,000,000	650,000	
Pacific Crest	+832,000	1,297,000	1,000,000	
Nez Perce Trails	+634,000	640,000	640,000	
Total	[5] 2,847,000	4,437,000	3,790,000	
Appalachian, North Country, Ice Age, Iditarod, California, Juan Bautista de Anza, Caminos Real Tierra Adentro & Tejas, Lewis & Clark, Oregon, Old Spanish, Mormon Pioneer, Overmountain Victory, Pony Express, Santa Fe, Trail of Tears.	916,000	918,000	1,000,000	Improved trail maintenance, marking, interpretation, archaeological studies, historic site protection and trailhead facilities for trail segments in National Forests; $200,000 to address deferred maintenance, remove blowdown trees on 30 miles of trail, make improvements and provide liaison for collaborative management of the North Country Trail with National Park Service; Re-location and reconstruction of sections of the Appalachian Trail, replacement of major bridges and installation of toilets at shelters;
Construction of	.....	.....	.....	New trail construction and re-construction throughout these national trails.
Continental Divide Trail	995,000	.....	2,100,000	Trail construction projects along the Continental Divide Trail: reconstructing or building 89 miles of trail in Montana, Idaho, Wyoming, Colorado and New Mexico;
Florida Trail	498,000	.....	1,350,000	Trail construction projects totaling 18 miles of new trail and management of 3,410 acres acquired by the Forest Service for the FNST;
Pacific Crest Trail	995,000	.....	1,000,000	Trail construction projects along the Pacific Crest Trail, including reconstruction of fire and storm damaged bridges and structures in California and Washington; Fabrication and installation of roadside interpretive signs at Trail highway crossings;
Iditarod Trail	.....	.....	1,000,000	Construction of the Southern Trek of the Iditarod NHT in the Chugach National Forest;
National Trails System	6,251,000	5,355,000	10,240,000	Total: National Trails System funding
Nat. Forest System Capital Improvement & Maintenance—Trails.	74,205,000	66,387,000	90,000,000	Trail maintenance and new trail construction throughout the National Forest System.
LWCF FOR TRAILS				
LWCF grant—FS Pacific Crest	600,000	.....	23,800,000	Forest Service acquisition of lands in southern California (Tejon Ranch & Agua Dulce), and southern Washington to preserve the scenic integrity of the Pacific Crest Trail.
LWCF grant—FS Florida	.....	.....	5,000,000	Forest Service acquisition of lands in the Northwest Florida Greenway near Eglin Air Force Base, along Suwannee River, and adjacent to St. Marks National Wildlife Refuge.

ATTACHMENT 2.—PARTNERSHIP FOR THE NATIONAL TRAILS SYSTEM—REQUESTED FISCAL YEAR 2008 APPROPRIATIONS FOR THE NATIONAL TRAILS SYSTEM—Continued

Agency/Trail	Fiscal year			Project/Programs possible with increased funding
	2006 cong. approp.	2008 admin. request	2008 partners request	
LWCF grant—FS Appalachian	.....	.....	9,320,000	Forest Service acquisition of 10,020 acres in the Cherokee NF in Tennessee, 425 acres in the Jefferson NF in Virginia (last unprotected segment of the Appalachian NST), and 90 acres at Wesser Bald in North Carolina.
LWCF grant—FS North Country	.....	.....	4,000,000	Forest Service acquisition of 2,000 acres in the Sturgeon River Gorge Wilderness Area in the Ottawa National Forest in Michigan will protect viewshed of North Country Trail.
LWCF grant—Ice Age—Wisconsin [6]	1,000,000	.....	4,750,000	Assistance provided to State of Wisconsin to protect threatened Ice Age Trail corridor and connect trail segments across private land in Dane, Chippewa, Kewaunee, Langlade, Lincoln, Manitowoc, Marathon, Polk, Portage, Sheboygan, Taylor, Washington, Waupaca and Waushara Counties.
LWCF grant—BLM Oregon	1,600,000	.....	.....	BLM acquisition of land along the Sandy River in Oregon.
LWCF grant—FS Overmountain Victory	.....	.....	195,000	Forest Service acquisition of land to protect key link in the Overmountain Victory Trail near North Cove in North Carolina.
LWCF grant—BLM Continental Divide	.....	200,000	200,000	BLM acquisition of land between El Malpais National Conservation Area and the Gila National Forest.
LWCF grant—NPS Lewis & Clark	1,600,000	.....	.....	
Total	4,800,000	200,000	47,265,000	

[1] Includes $261,000 for operations of Santa Fe Park Service office, not related to the Santa Fe Trail.
[2] Includes $2.463 million earmarked for Lewis & Clark Bicentennial projects. One-third of the remaining funds (about $813,000 of $2.44 million) are earmarked for National Trails System projects.
[3] Administration request does not allocate any funds for the National Trails System. The congressional earmark is needed to accomplish this.
[4] Funding request reflects budget detailed in Park Service GIS report delivered to Congress in January 2002.
[5] Appropriation includes: $2.9 million for administration of the Continental Divide, Florida, and Pacific Crest National Scenic Trails and the Nez Perce National Historic Trail, funding for full-time administrators for each trail and land acquisition teams for the Florida and Pacific Crest Trails.
[6] This would be a grant to the State of Wisconsin to be matched at least 1:1.

PREPARED STATEMENT OF THE PONCA TRIBE OF NEBRASKA

Madam Chairwoman, members of the committee, my name is Larry Wright, Jr. I am the Chairman of the Ponca Tribe of Nebraska. On behalf of the Ponca Tribe, I would like to submit the following written testimony on fiscal year 2008 Appropriations for the Bureau of Indian Affairs and the Indian Health Service.

Since our Federal restoration in 1990, the Ponca Tribe has diligently worked to address the socioeconomic needs of our people, including educational assistance, health services, and social services, to name just a few. Restored without a reservation, the Ponca Tribe has designated "service" areas in twelve Nebraska counties where we provide social services to our tribal members and health services to all Indian people. While we support those parts of the President's fiscal year 2008 budget which propose increases in funding, we are concerned that those increases do not fully address the tremendous unmet needs in Indian country. We are especially concerned about those portions of the President's budget that would reduce or cut funding for programs. All of these programs are critical to our ability to educate our children, provide much needed social services programs, provide health care to a large population of Nebraska's Indian people and protect our natural resources. We urge Congress to restore or increase funding in these areas on which we rely to provide essential services to our members.

BUREAU OF INDIAN AFFAIRS

Education.—We urge Congress to restore the proposed cuts to education programs—specifically the Johnson O'Malley program ($16.3 million) and higher education scholarships ($5.3 million). We understand that the administration has requested an increase of $14 million in the Bureau's Improving Indian Education Initiative and to offset this increase, the administration proposes to cut education programs that benefit students outside of BIA schools, such as JOM and higher education scholarships. While we generally support the administration's initiative to improve performance at BIA schools for Indian youth, we cannot support balancing those increases by cutting programs that harm our children who attend public schools and who are pursuing a college education.

As in past years, the administration has proposed to eliminate JOM funding. JOM funding helps Indian children with tutoring, cultural enrichment and Native language education, and is critical to tribal education programs. The majority of Ponca tribal members attend public schools. For the Ponca Tribe, JOM money supports an ongoing partnership with a public school district in one of the Tribe's five primary communities. The already small amount of JOM funding ($6,365) enables the Title VII JOM Coordinator to provide tutoring to Indian students. The balance of the JOM money covers the cost of annual awards and recognition events focused on student attendance, academic performance and senior graduate achievements. Should JOM funds be cut, then the only joint effort of positive encouragement our students receive from both the Ponca Tribe and the local public school will cease. Further, without JOM funding the partnership will end. Thus, we request that Congress restore full funding to these vitally important education programs. A complete cut of funding for this program, as is proposed, would severely erode this irreplaceable source of funds for essential educational services. The administration has attempted to justify the elimination of JOM funding by claiming that JOM funding duplicates funding provided by the Department of Education, but this is not the case. While the Department of Education provides some funds for Indian students under Title VII, the Department has failed to increase the overall budget for Indian student programs for several years. In fact, the Department of Education has indicated that it has not adjusted its budget to cover this loss of funds.

The President's Budget also proposes to cut $5.3 million in funding for higher education scholarships. Again, the President proposes to increase funding for elementary-age students at BIA schools while eliminating funding for Indian youth who are pursuing post-secondary education. The Ponca Tribe is strongly committed to educating our youth and providing them with the necessary tools to succeed in a 4-year or community college. The funding for higher education scholarships is critical to helping our youth achieve their career goals. Last year, we provided 88 scholarships to deserving and hard-working tribal members. In order to continue to provide educational scholarships to our members, we strongly encourage Congress to restore this critical funding.

Human Services.—We urge Congress to reject the administration's proposal to decrease Human Services and Indian Child Welfare funding. These programs are historically under-funded, and an additional decrease in these essential services will be detrimental to protecting our children, elderly and disabled from abuse and neglect. We rely on these funds to provide to our members child care assistance, do-

mestic abuse and family violence services, family outreach and support services and family preservation and reunification services.

Natural Resources.—We strongly support continued funding to the Inter-Tribal Bison Cooperative (ITBC), as was provided in fiscal year 2006. We have been reintroducing the bison to our native homelands since the Tribe was restored in 1990. With assistance from the ITBC, the Ponca Tribe now has a herd of nearly 100 animals in two pastures. Grants from ITBC made it further possible for the Ponca Tribe to install fencing around our two buffalo pastures. Our goal is to continue working with ITBC and to use the bison for education, cultural, and health purposes. We are also working to develop a comprehensive hide-tanning project which will provide Tribal members with employment, as well as give an outlet for bison hide to ITBC member Tribes. As an active member of the ITBC, we urge Congress to fund this important program.

INDIAN HEALTH SERVICE

It is well known that additional funding is needed for health care throughout Indian country. While we support the President's proposal to increase the budget for Indian Health Services, the amount of that increase ($212 million from the current funding level) still fails to meet the actual costs of providing health care to Indian people. The proposed increase fails to address the high rates of medical inflation and the substantial unmet need for health care among Indian people. For instance, Ponca tribal members, like Indian people throughout the Nation, face disproportionately higher rates of diabetes and the complications associated with diabetes, than the rest of the population. Heart disease, cancer, obesity, chemical dependency and mental health problems are also prevalent among our people. While other Federal programs, like Medicare and Medicaid, have seen annual increases in funding of 5–10 percent to address inflation, the budget for IHS has never had comparable increases, and, as a result, IHS programs have consistently fallen short of meeting the actual needs. We support the efforts of all Indian tribes to receive 100 percent of the Level of Need Formula (LNF), which is absolutely critical for tribes to address the serious and persistent health issues that confront our communities.

The Ponca Tribe is in a unique position as a "non-reservation" Tribe. This gives us the opportunity to provide health care services to Ponca members as well as other Federally recognized and enrolled urban Indians from various Tribal affiliations. We opened the Fred LeRoy Health and Wellness Center (Center) in Omaha, Nebraska in order to provide health services to all Federally recognized and enrolled Indians in the Omaha metropolitan area and surrounding counties. The Center is the only IHS health facility operating within an urban setting in Nebraska. Its services are in high demand among urban Indians. Presently, the Center has over 4,000 clients which represent over 100 different Tribes and Bands. We are proud to provide quality health care to over 31.8 percent of the Indian population residing in Nebraska who are typically low to moderate income individuals and families. Notwithstanding our significant need, we have been able to do a great deal with the limited resources that we have. Currently we have a Medical Director, a Physical Therapist, Registered Nurse, a Licensed Practical Nurse, a Public Health Nurse, a Licensed Nurse Practitioner, one Dentist, and two Dental Hygienists along with support staff for the Medical and Dental clinics. Many of these professionals however, only provide part-time services at the Center, which results in limited appointments for our patients. We need additional funding in order to provide full-time Medical and Dental services. Additionally, the Center does not operate a Pharmacy, which places a large strain on our patients who are forced to travel a significant distance to receive their prescriptions. Our vision for the Center's Medical and Dental staff is to provide high quality, comprehensive health care in order to improve the health of Indian individuals and families. This can only be achieved with an increase in the IHS budget, above and beyond the proposed $212 million increase.

CONCLUSION

In conclusion, the needs of the Ponca Tribe and throughout Indian country are substantial. Your support on these funding issues is essential to our ability to maintain vitally important programs and improve the delivery of services to our Tribal members.

If we can provide any additional information, please do not hesitate to contact our counsel, Mary J. Pavel or Katherine E. Morgan at Sonosky, Chambers, Sachse, Endreson & Perry, LLP, 1425 K Street NW, Ste. 600, Washington D.C. 20005; 202–682–0240 (tel); 202–682–0249 (fax); mpavel@sonosky.com; kmorgan@sonosky.com.

PREPARED STATEMENT OF THE POTAPAUG AUDUBON

Madam Chairwoman and honorable members of the committee: On behalf of the Potapaug Audubon, I appreciate the opportunity to present this testimony in support of a $710,000 appropriation from the Land and Water Conservation Fund for land acquisition within the Stewart B. McKinney National Wildlife Refuge. With these funds, the Refuge will permanently protect the 20-acre Menunketesuck Salt Meadow Marsh, which contains important coastal marsh, tidal streams, and forested upland.

Potapaug Audubon has been a "Friend" of Salt Meadow, 1 of the 10 units in the Stewart B. McKinney National Wildlife Refuge, for the last 5 years. Potapaug, a chapter of National Audubon, never had a physical address to call home. Since nurturing this relationship with the refuge and its staff Potapaug now feels right at home there. We hold special programs, meetings and field trips there throughout the year in addition to what we do elsewhere, and hope to continue to do so for years to come. We, and all the people who attend our programs at Salt Meadow, have learned an awful lot about the natural world through walking the trails and hands-on demonstrations. Adding these 20 acres of land to the refuge will preserve critical habitat and will prevent the inevitable disruption of migration if this land is developed.

Named to honor the late U.S. Congressman who was instrumental in its creation, the Stewart B. McKinney National Wildlife Refuge was established to protect migratory bird habitat considered important to wading and shorebird species, including heron, egrets, terns, plovers and oystercatchers among others. Stewart B. McKinney NWR is currently comprised of eight units stretching along 60 miles of Connecticut's coastline. In addition to the increase in habitat protection over the years, the refuge now provides opportunities for scientific research, environmental education, and fish and wildlife-oriented recreation. Located in the Atlantic Flyway, the refuge provides important resting, feeding, and nesting habitat for many species of wading birds, shorebirds, songbirds and terns, including the endangered roseate tern. Adjacent waters serve as wintering habitat for brant, scoters, American black duck and other waterfowl. Overall, the refuge encompasses over 800 acres of barrier beach, tidal wetland and fragile island habitats.

The 20-acres of land available for acquisition is comprised of pristine coastal tidal marsh, a forested upland, scrubland, and a rock outcropping that towers above 1,000 feet of frontage along the gentle Menunketesuck River as it winds its way to Long Island Sound. As a stopover for neotropical migratory birds, this riparian area is the top priority for acquisition for the refuge. The marsh property will enhance the resources of the current Salt Meadow Unit of the refuge—designated as an Important Bird Area by the National Audubon Society—as it contains part of the least developed upland borders of any remaining tidal marsh in all of Connecticut. As much of the State's coastline has been built upon, it is rare to find such a large undeveloped marsh area in Connecticut. Under imminent threat of the development of condominiums, this parcel must be acquired by the refuge if it is to continue to serve as an island of forested habitat land on an otherwise highly developed coastline.

In order to acquire the Menunketesuck Salt Meadow Marsh property, an appropriation of $710,000 is needed from the Land and Water Conservation Fund in fiscal year 2008. This priority acquisition will increase wildlife habitat protection at the Stewart B. McKinney NWR and ensure the public continued opportunities for recreation and environmental education along Connecticut's coastline.

I respectfully request that you include an appropriation of $710,000 for the Stewart B. McKinney NWR in the fiscal year 2008 Interior and Related Agencies Appropriations bill.

Thank you for the opportunity to present this request.

PREPARED STATEMENT OF PRESERVATION ACTION

SUMMARY

Preservation Action, representing grassroots historic preservation interests nationwide, asks that your subcommittee commit $50 million in fiscal year 2008 to support State Historic Preservation Offices, $12 million to support Tribal Historic Preservation Offices, $30 million for the Save America's Treasures Program, $10 million for the Preserve America Program and $10 million for a historic resource inventory effort that will help identify vital historic assets and integrate existing digital historic resource inventories.

STATE HISTORIC PRESERVATION OFFICES

The Historic Preservation Fund plays a vital role in cultivating leadership, inspiring understanding of American history, and revitalizing local economies. Programs supported by the HPF are an integral part of local and State efforts to protect places of the highest value to local residents. The photo attached, of students restoring Illick's Mill in Bethlehem, Pennsylvania, represents how a small amount of Federal engagement in local preservation can provide needed leadership. In this case, the HPF provided funds for the State Historic Preservation Office that reviewed the many drafts of a student-written National Register of Historic Places nomination for Illick Mill, during which students learned about researching and documenting American heritage, learned about history on site, worked with their hands, and contributed to the general public's recognition of the site's value and put into place a tool for Federal-level recognition. The cost of the review of the nomination was nominal, especially when weighed with its benefits.

Bethlehem is home to many historic resources that have become a critical element of the town's economic revitalization. The town was built on industry—steel and shipbuilding—and is finding its way in a new economy. Illick Mill and Bethlehem Iron Works are exemplary of a shift in our national economy and the role preservation can play in reinventing communities. How the Federal Government recognizes the value of historic assets in places like Bethlehem is tied directly to the work of SHPO offices. Though most of the funding for revitalization comes from private sources and agencies other than the Department of Interior, SHPOs and programs they help administer, like the National Register of Historic Places and the Federal Rehabilitation Tax Credit (as well as State tax credits in many cases) insure that the Federal Government recognizes special community assets, and that review of projects involving these assets is professional and quick.

The Historic Preservation Fund (HPF) receives its funding through offshore oil lease revenue. In the 1970s, $150,000,000 in OCS revenues was authorized to be deposited into the HPF. SHPOs received nearly $47 million in 1979. Last year, these offices received $35.7 million. This drop means fewer people to say "yes" when projects are proposed for the Federal and State tax credits, fewer people to reach out to communities who need to understand their opportunities, and fewer people to work proactively to document communities that are not necessarily threatened, but missing out on opportunities because there is no official understanding or documentation of these places' historic value.

TRIBAL HISTORIC PRESERVATION OFFICES

Tribal Historic Preservation Offices (THPO) reflect a growing sensitivity to the diversity of cultural heritage and needs of indigenous populations in this country. THPOs identify, evaluate and protect significant places and practices are based on an understanding that cultural and spiritual values.

The National Park Service anticipates that 77 THPOs will be requesting funding in fiscal year 2008. Since the program first received HPF funding in 1996, the number of THPO offices has substantially increased while funding for THPOs appropriated over the last several years has decreased and leveled out. The result is a winnowing average per office appropriation. In 2001, the THPO average Federal contribution, per office, was around $150,000. This year, with the increased number of THPOs now recognized, the per office average is expected to be around $45,000. The result is slowed tribal engagement in projects that could potentially erase sites and artifacts of extraordinary significance. We ask that you appropriate $12 million for THPOs this year.

SAVE AMERICA'S TREASURES

Save America's Treasures is the only Federal "bricks and mortar" program supporting historic preservation. The SAT program supports the protection of our Nation's most significant historic resources—those considered nationally significant on the National Register of Historic Places and National Historic Landmarks. This program has helped restore assets as diverse as the Rosa Parks Bus (Dearborn, Michigan), John Quincy Adam's diary (Boston, Massachusetts), Frank Lloyd Wright's Robie House (Chicago, Illinois), William Faulkner's Home (Oxford, Mississippi) and Mesa Verde National Park (Cortez, Colorado). This program is threatened by recent cuts. The President's budget has recommended the program receive $10 million of the $30 million it received in recent years. We ask that you restore full funding and appropriate $30 million for the Save America's Treasures program in fiscal year 2008.

PRESERVE AMERICA

Preserve America provides grant to historic places that demonstrate a great degree of historic integrity and are designated as Preserve America Communities. These grants support heritage tourism and educational programming activities that maximize the economic and educational value of historic assets. These communities include distinctive American places like: Wichita, Kansas; Spokane, Washington; Annapolis, Maryland; Biloxi, Mississippi; and Dayton, Ohio. There are now approximately 400 Preserve America Communities all representing our Nation's unique heritage. We ask that you appropriate $10 million for the Preserve America program this year.

RESOURCE INVENTORY GRANTS

Finally, we ask that you provide funding that would complement decades of work at the State and local level, and provide $10 million for competitive historic resource inventory grants. Digital inventory information is invaluable during natural disasters, such as the 2005 hurricanes. Knowing what historic resources are located within disaster areas expedites response time and provides as basis for establishing recovery costs and opportunities. Invaluable in times of crisis, the same information is useful for Federal agencies engaged in projects in the States, and for local communities as they plan thoughtfully. Much of this work is ongoing around the country and needs to be pulled together into a central database. An investment now will save money in the future.

By adequately funding the offices and programs that support preservation nationwide (State Preservation Offices, Tribal Preservation Offices, Save America's Treasures, Preserve America and the historic resource inventory, you are validating and facilitating the hard work of countless individuals who believe in the value of community. These individuals have recognized that without a discernable connection with a shared past, we cannot move ahead with a sense of identity that leads to informed decisions about our present and future. Parks, houses, barns, courthouses, schools, landscapes, bricks and mortar—the elements of a place, public or privately owned—are functional reminders of a common past with slightly different meaning to each of us. This rich and abiding legacy cannot survive without your help.

Thank you for this opportunity to testify on behalf of our members.

PREPARED STATEMENT OF THE PUBLIC SERVICE COMPANY OF NEW MEXICO

Chairman Feinstein and Senator Craig: I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.

3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF THE PUEBLO BOARD OF WATER WORKS

I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program,

2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.

3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS' s Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF THE PUYALLUP TRIBE OF INDIANS

Mr. Chairman, my name is Herman Dillon, Sr., Puyallup Tribal Chairman. We thank the committee for past support of many tribal issues and for your interest today. We share our concerns and request assistance in reaching objectives of significance to the Congress, the Tribe, and to 32,000+ Indians (constituents) in our Urban Service Area.

U.S. Department of Interior—Bureau of Indian Affairs.—The Puyallup Tribe has analyzed the President's fiscal year 2008 budget and submit the following detailed written testimony to the Senate Interior Subcommittee on the proposed funding bill for the Dept. of Interior and Related Agencies. We look forward to working with the 110th Congress to insure that funding levels for programs necessary for the Puyallup Tribe to carry-out our sovereign responsibility of self-determination and self-governance for the benefit of the 3,705 Puyallup tribal members and the members from approximately 345 Federally recognized Tribes who utilize our services are included in the budget.

Puyallup Nation Law Enforcement.—The Puyallup Reservation is located in the urbanized Seattle-Tacoma area of the State of Washington. The 18,061 acre reservation and related urban service area contains 17,000+ Native Americans from over 345 Tribes and Alaskan Villages. The Puyallup Nation Law Enforcement Division currently has 27 commissioned officers to cover 40 square miles of reservation in addition to the usual and accustomed areas. The officers are charged with the service and protection of the Puyallup Reservation 7 days a week, 24 hours a day. With the continuing increase in population, increase in gang related activities on the Puyallup Reservation and the impact of the manufacturing of methamphetamines in the region, the services of the Puyallup Nation Law Enforcement Division are exceeding maximum levels.

A major area of concern is the status of the Tribe's Detention Facility. Due to damages from the February 2001 Nisqually earthquake, we have had to relocate to modular/temporary facilities. Operated as a "regional detention facility" the Puyallup Tribe was able to provide detention service to surrounding Tribes. Since the relocation to modular facilities, the Tribe's ability to effectively and safely incarcerate detainees has been compromised due to the condition of the temporary detention facilities. These and other issues regarding the deplorable conditions existing in Indian Detention facilities are documented in the September 2004 report issued by the U.S. Department of Interior Inspector General's Office. In an effort to protect the safety and welfare of the native community the Puyallup Tribe has initiated the planning and development of a Justice Center to be located on the Puyallup Indian Reservation. The Justice Center will provide necessary facilities for the delivery of judiciary services including a Tribal Court, Court Clerk, Prosecution, Probation, Public Defender and Law Enforcement services including Police Headquarters and a 32 bed Adult Detention facility. As stated earlier, the current facility is inadequate in size/number of beds, was designed as a temporary facility and was not built to any Federal/State or tribal health or construction standards.

—Request subcommittee support to fund the BIA Public Safety and Justice Law Enforcement activities at the $201 million level proposed in the fiscal year 2008 budget to operated law enforcement services;

—Support from the subcommittee on the Tribe's request for funding to design and construct a regional 32 bed Detention Facility on the Puyallup Reservation. The Tribe has committed 1.5 acres of tribal land for the facility valued at $816,750 and $100,000 for the initial "space needs assessment" study(s). For fiscal year 2008 the Puyallup Tribe is requesting appropriations assistance in the amount of $374,850 for the A/E Construction Drawing phase of the project;

—Support from the subcommittee to restore proposed funding cuts to the Tribal Courts budget in the amount of $5.3 million and request that the subcommittee issue directive language to the BIA to include this amount as line item funding for the Tribal Courts in the fiscal year 2008 budget.

Fisheries & Natural Resources Management.—The Puyallup Tribe as steward for land and marine waters in the Usual and Accustomed fish and shellfish areas has treaty and Governmental obligations and responsibilities to manage natural re-

sources for uses beneficial to the regional community. Despite our diligent program efforts, the fisheries resource is degrading and economic losses are incurred by Indian and Non-Indian fishermen, and surrounding communities. Our Resource Management responsibilities cover thousands of square miles in the Puget Sound region of the State of Washington with an obligation to manage production of anadromous, non-anadromous fish and shellfish resources. Existing levels of support are inadequate to reverse the trend of resource/habitat degradation. Resource management is constrained due to funding shortfalls. We seek support and endorsement in the following areas:

—Tribal Fisheries Resource Management, Hatchery Operation and Maintenance funding via Public Law 93–638 contracts have not increased substantially since establishment of base budgets in 1984. The demand on Puyallup Tribal Fisheries Program has grown exponential since the eighties and is currently faced by Endangered Species Act listings on Bull Trout and Chinook Salmon which is in an highly urbanized setting more so than any other Pacific Northwest Tribe. We request committee support to increase base contract funding in the amount of $350,000 for additional fisheries staff. We further ask that the existing BIA hatchery maintenance budget be increased to $1.5 million per year for the next decade to meet basic infrastructure maintenance costs for tribal hatcheries;

—Western Washington Timber-Fish-Wildlife Program/Forest and Fish Report (TFW–FFR). The TFW–FFR Program has allowed for the expansion of tribal participation in the State forest practice rules and regulations that have an affect on listed salmon populations. Tribes bring a high level of skills and technical capabilities that if appropriately funded, would greatly facilitate and enhance a successful outcome in State forest practice, rules, regulations and greater fish protection. However, base funding for this program is being proposed to be discontinued in the President's fiscal year 2008 budget. Continued funding in this area is essential to facilitate tribal participation in monitoring, research, data analysis and adaptive management processes that are a cornerstone to the TFW–FFR process. We request committee support for base funding level of $3 million in base funding for the TFW fiscal year 2008 budget. We further support the Northwest Indian Fisheries Commission's request that the subcommittee issue directive language to the Bureau of Indian Affairs to include this amount in their fiscal year 2009 budget;

—Unresolved Hunting and Fishing Rights Program—The Medicine Creek Treaty secured the Puyallup Tribe and other tribes the right to hunt on open and unclaimed lands. This treaty right is reserved in the same paragraph that also reserved the right to fish and gather shellfish. Unfortunately, the BIA program that is designed to support this treaty activity has not received adequate, if any, appropriations in the last several years. Funds that were made available to tribes have been on a competitive basis with a maximum amount per program due to limited funding. The Puyallup Tribe has established a Hunting-Wildlife Management program that works cooperatively with signatory Tribes to the Medicine Creek Treaty, Washington Department of Fish and Wildlife, U.S. Forest Service and the National Park Service. For further development and participation in unresolved hunting issues, the Puyallup Tribe is requesting committee support to establish annual base funding of $95,000 for the Hunting-Wildlife Management Program.

Operation of Indian Programs & Contract Support Costs.—The President's fiscal year 2008 budget calls for $1.966 billion to be allocated to the Bureau of Indian Affairs Operation of Indian Programs, which is an increase of $4.4 million from the fiscal year 2007 enacted level. For the fiscal year 2008 budget, the Department of Interior reformulated its presentation of the Operation of Indian Programs funding. Previous formulations were based on Tribal Priority Allocations (TPA). The Interior's new format groups program funding according to functions which are; Tribal Government; Human Services; Trust-Natural Resources Management; Trust-Real Estate Services; Education; Public Safety and Justice; Community and Economic Development; and Executive Direction and Administrative Services. These budget functions include the majority of funding used to support on-going services at the "local tribal" level, including; law enforcement, natural resources management (fisheries), child welfare, housing, tribal courts and other tribal governmental services. These functions, as detailed in previous "TPA" allocations have not received adequate funding to allow tribes the resources to fully exercise self-determination and self-governance. Further, the small increases "TPA" has received over the past few years has not been adequate to keep pace with inflation. At a minimum, we request your support and endorsement in the following;

—Support by Congress to fund the Operation of Indian Programs fiscal year 2008 request, at a minimum, at the requested amount of $1.99 billion, an increase of $28.7 million over current level;

—Support by Congress to restore funding for the Johnson O'Malley Program in the amount of $16 million.

Another concern the Puyallup Tribe has with the fiscal year 2008 budget request is the on-going issue of contract support costs. The President's fiscal year 2008 budget request for contract support is for $149 million which is $19 million less than the fiscal year 2007 request. At a minimum, we request your support and endorsement in the following;

—The Puyallup Tribe is in agreement with the U.S. House of Representatives Committee on Natural Resources and requests support by Congress to fund BIA Contract Support Costs for fiscal year 2008 at $187 million, a $37 million increase over the President's fiscal year 2008 budget request. Full funding of Contract Support is a mandate towards the full realization of Self-determination and Self-governance.

DHHS Indian Health Service.—Funding for the Indian Health Service fails to meet the needs of health services for Native Americans. The Puyallup Tribe has been operating their health care programs since 1976 through the Indian Self-determination Act, Public Law 93–638. The Puyallup Tribal Health Authority (PTHA) operates a comprehensive ambulatory care program to an expanding population in Tacoma and Pierce County, Washington. There are no IHS hospitals in the Portland Area so all specialties and hospital care have been paid for out of our contract care allocation. In recent years our Health Authority has had the highest patient visits in both medical and dental services in the Portland Area of Washington, Oregon and Idaho. It is operating at twice the capacity it was designed and staffed for. The Puyallup Tribe is now faced with having to subsidize the Puyallup Tribal Heath Authority when its own tribal members constitute only 14 percent of the patient population. Because of the excessive demand for service we have added staff without the IHS funding to match the workload. An additional $4.8 million is needed to operate at this rate.

Adequate funding for the continued operations and delivery of quality care is essential. PTHA, like most IHS and tribal facilities, are annually asked to do more with less whether the Federal budget is in a surplus or a deficit. This is no longer possible. This continued philosophy has put our clinic system into a funding crisis. IHS has lost $1.9 billion in purchasing power since 1992. Preserving purchasing power and ensuring that medical needs are met must be paramount to Tribes, IHS and HHS.

The IHS Budget request is for an increase of $212 million over the fiscal year 2007 level for pay costs, population growth, inflation and staffing requirement at new facilities. Budget analysis by the Northwest Portland Area Indian Health Board indicate that the actual increase for the IHS budget at only $115.3 million and that the President's fiscal year 2008 budget will leave $356 million in unfunded mandatory costs. It is estimated that it will take an increase of $471 million to maintain current facilities and services in fiscal year 2008. We request congressional support for the fiscal year 2008 IHS budget in the following areas:

—Fund IHS Contract Support Costs at 100 percent. While the President's budget includes an increase of $6.9 million for Contract Support Costs funding, this will not fund tribes' actual contract support costs. It is estimated that IHS Contract Support Cost real funding need to inflation requires an additional $22 million. Funding for IHS Contract Support Costs at 100 percent is requested at $288 million;

—We oppose the proposed elimination of the Urban Indian Health Program, which was funded at $32.7 million in fiscal year 2007. The budget request States that this program duplicates other community health center services, with no evaluation or evidence to support this contention or the impacts of eliminating funding for this program will have on the American Indian and Alaska Native populations. We urge the subcommittee to restore funding for the Urban Indian Health Program, at a minimum $32.7 million, and issue directive language to the Indian Health Service to include this amount in their fiscal year 2009 budget;

—Fund the Puyallup Tribal Health Authority contract health care fund an additional $4.8 million to match documented expenditures paid with Puyallup Tribal resources;

—Index Contract Care to population growth and the medical inflation rate. Contract care is most vulnerable to inflation since services are provided by vendors constrained by IHS guidelines. There are no IHS hospitals in the Pacific Northwest which makes our clinic dependent on Contract Care for necessary specialty

referrals and hospital care. Contract Health Services should be funded at $606 million for fiscal year 2008;

—The Indian Health Care Improvement Act (Public Law 94–437) provides funding for the Indian Health Services and has been pending re-authorization since fiscal year 2000. IHCIA re-authorization has been introduced in the 107th, 108th, 109th Congress. While the Health and Human Services Secretary has pledged support for the IHCIA, the bill has failed to satisfy the administration for re-authorization. In fact, amendments to the IHCIA, S. 1057, were derailed from passage during the pre-election session of the 109th Congress by a Department of Justice white paper released to Senate offices in the last hours of the session. The Puyallup Tribe supports all efforts by Congress and the administration to pass the Indian Health Care Improvement Act during the 110th session of Congress.

PREPARED STATEMENT OF THE RIVERS & TRAILS CONSERVATION COALITION

Madame Chairman and members of the subcommittee, the Rivers & Trails Coalition, composed of local, regional, statewide, and national organizations representing hundreds of thousands of Americans nationwide committed to conservation and recreation, respectfully asks that you fund the National Park Service Rivers, Trails and Conservation Assistance (RTCA) program at $12 million in fiscal year 2008.

Through its Rivers, Trails and Conservation Assistance program, the National Park Service (NPS) implements its natural resource conservation and outdoor recreation mission in communities across America. The Rivers & Trails Coalition formed many years ago to support this valuable field-based technical assistance program that yields enormous conservation and recreation benefits to communities by fostering partnerships between Federal, State, and local interests. The resulting cooperation of local, State, and Federal partners restores rivers and wildlife habitat, develops trails and greenway networks, preserves open space, and revitalizes communities—all contributing to improved quality of life and close-to-home recreation.

RTCA is a very successful and popular program, coordinating nearly 300 projects annually. On average, the program partners protect nearly 700 miles of rivers, create more than 1,300 miles of trails, and conserve more than 61,000 acres of open space each year. RTCA staff provides on-the-ground assistance solely at the request and invitation of communities in coordinating projects, facilitating public meetings, serving as a liaison and convener of government and non-profit groups, assessing and mapping resources, developing promotional materials and events, and identifying sources of funding. Current demand for RTCA services greatly exceeds the program's capacity.

In addition to regional trail systems and greenway development, and open space and river corridor protection, projects include transportation alternatives, brownfield redevelopment, youth conservation projects, and floodplain planning, among numerous other conservation and recreation initiatives. RTCA plays a critical role in creating a nationwide, seamless network of parks and open spaces, supporting conservation partnerships, promoting volunteerism, and encouraging physical activity. The administration's HealthierUS Initiative explicitly highlights RTCA for its efforts in promoting physical activity through the development of local trails, greenways, and parks.

Despite RTCA's demonstrable successes each year, RTCA funding has remained relatively stagnant during the last decade and has lagged well behind the rate of inflation.

The program was cut by $200,000 in fiscal year 2006 and remains flat funded at just above $8 million for fiscal year 2007. As a result, the program's real budget has declined significantly and resulted in substantial staff reductions. Cuts have also reduced staff participation in on-the-ground projects diminishing essential services of this field-based program. RTCA had 90 positions (FTE's) in 2002, and currently has only 66 program staff in 2007.

RTCA receives .003 percent of the total funding for the NPS yet it succeeds in leveraging this investment many times over in local, State, and partnership direct funding and in-kind matches. Each year, the modest amount of NPS funding for staff time has helped leverage millions of dollars from other sources for its projects. Highly effective and cost efficient, the RTCA program is an excellent value for the American taxpayer and merits increased funding to accomplish its mission as a community-based NPS technical assistance and outreach program.

The President's budget for fiscal year 2008 calls for a program increase of $650,000 to provide technical assistance to connect trails to parks through new trail partnership projects. Although the Coalition heartily endorses this increase, it is

still well below the amount required to restore this program to its former status. Members of the Coalition believe that the RTCA budget should be increased by $3.8 million in fiscal year 2008 to $12 million to remedy the program's steady erosion, compensate for losses due to inflation, and enable the program to respond effectively and efficiently to growing needs and opportunities in communities throughout the country.

We see evidence in communities across America of the tremendous value of RTCA-assisted projects and partnerships, and we can report the unparalleled success of RTCA in bringing greenways, blueways, and creative conservation partnerships to fruition.

The requested funding level by the Coalition would allow this extremely beneficial program to continue current projects without interruption, restore recent cuts, put staff closer to the people they serve, and meet the outstanding requests from communities around the Nation. We strongly believe the National Park Service and Congress should strengthen programs such as RTCA that support communities through partnerships and capacity-building, enabling local stakeholders to better manage and conserve their recreational and natural resources from the bottom-up.

We urge the subcommittee to fund the Rivers, Trails and Conservation Assistance program at $12 million in the fiscal year 2008 Interior Appropriations bill to remedy the program's continued erosion, compensate for losses due to inflation, and enable the program to respond to growing needs and opportunities in communities throughout the country.

Respectfully submitted by the Rivers & Trails Conservation Coalition comprised of the following organizations:

The Accokeek Foundation; American Canoe Association; American Hiking Society; American Outdoors; American Rivers; American Society of Landscape Architects; American Trails; American Volkssport Association; American Whitewater; Appalachian Mountain Club; Association of State Floodplain Managers; Bay Circuit Alliance; Bicycle Federation of America; Bikes Belong Coalition; Conservation District of Southern Nevada; East Coast Greenway Alliance; International Mountain Bicycling Association; Jacksonville Woodlands Association; Land Legacy; Land Trust Alliance; League of American Bicyclists; National Association of Service & Conservation Corps; National Audubon Society; National Parks Conservation Association; National Recreation and Park Association; New York-New Jersey Trail Conference; New York Parks and Conservation Association; North American Water Trails; Northern Forest Canoe Trail; Ohio & Erie Canal Corridor Coalition; Outdoor Industry Association; Outside Las Vegas Foundation; Parks & Trails New Yor; Partnership for the National Trails System; Pennsylvania Organization for Watersheds and Rivers; Rails to Trails Conservancy; River Network; Scenic America; South Carolina Dept. of Parks, Recreation, and Tourism; Sporting Goods Manufacturers Association;Student Conservation Association; Trout Unlimited; Walk Boston;Washington Area Bicyclist Association; Washington Trails Association; andWashington Water Trails Association.

PREPARED STATEMENT OF THE ROCKY MOUNTAIN ELK FOUNDATION

Mrs. Chairwoman and honorable members of the subcommittee: I appreciate the opportunity to present testimony in support of an appropriation of $6.3 million from the Land and Water Conservation Fund for the acquisition of the Moose Lake property as well as other key properties within the Wisconsin Wild Waterways of the Chequamegon National Forest in Wisconsin. I also would like to commend the committee for its leadership and general support of Federal land acquisition funding for programs such as the Land and Water Conservation Fund.

We are fortunate to be facing some wonderful opportunities to protect critical properties for their wildlife values and undeveloped lakeshores. Not only are these properties important from a wildlife perspective, but with their loss and development we lose a part of Wisconsin's Northwoods culture that is dependant upon providing ample space for the public to enjoy the outdoors. The Rocky Mountain Elk Foundation is committed to preserving this habitat through our Great Lakes Conservation Initiative. We are fortunate to have the Forest Service and other land trusts as key partners in this effort, and we are working with them to protect these properties for the public and natural good. Several properties included in this current funding need are expected to be important to the future of Wisconsin's wild elk herd as it grows and expands into new areas. And the demand on public lands is sure to increase as we see more private timberlands sold and closed to public use.

The northern hardwood forests of Wisconsin are a considerable natural treasure in our State. The forests are interspersed with an abundance of lakes, rivers, and

streams, providing residents and visitors outstanding recreational opportunities. They also provide tens of thousands of acres of prime habitat for a variety of fish and wildlife.

The Forest Service has recognized the unique attributes of the northern forests in Wisconsin and has undertaken a land protection program focused on undeveloped properties along lakes and rivers and the consolidation of publicly owned lands for the benefit of recreation and natural resources. The Wild Wisconsin Waterways program has been supported by annual congressional funding from the Land and Water Conservation Fund. This year, we have the opportunity to protect a large contiguous tract at Moose Lake and other key inholdings.

The Moose Lake property is a 1,040-acre contiguous tract that the Elk Foundation is especially concerned with as it is surrounded by the Chequamegon-Nicolet National forest. The property and the National Forest share a common 8-mile boundary. The tract includes two entire small lakes and 50 acres of wetlands. It is within the territory of a known gray wolf pack that I have personally seen on the property, and is habitat for fisher and a variety of other game and non-game animals. Again, this property is expected to be important elk habitat for the Wisconsin elk herd.

Also available in Bayfield country is a 987-acre assemblage of inholding parcels consisting of 10 tracts ranging in size from 33 to 240 acres. These inholdings are nearly surrounded by national forest land and share a common 12 mile boundary. They include a one-quarter mile of creek frontage, a tributary to Trapper Lake, 40 acres of wetlands, an entire small lake, and the remaining private ownership on three other small lakes. The tracts are within the planned habitat range of the released Wisconsin elk herd.

The Rocky Mountain Elk Foundation supports these acquisitions for their benefits to elk and other wildlife. These acquisitions enhance hunting opportunities as well as other multi-season recreation including snowmobiling, fishing, hiking, camping, birding, cross-country skiing and snowshoeing. RMEF is involved with the purchase of the Moose Lake property and is working with other organizations to permanently conserve and secure this property.

Due to increased development and conversion of land from forest uses in northern Wisconsin, these properties and their important natural and recreational resources are highly threatened. An appropriation of $6.3 million will protect Moose Lake and several other properties in the Chequamegon National Forest and ensure the continued success of the Wild Wisconsin Waterways program.

I thank you, Mrs. Chairwoman, for your consideration of this testimony in support of these acquisitions, and for your leadership in general support for land acquisition funding of the Land and Water Conservation fund account.

PREPARED STATEMENT OF ROOTS AND SHOOTS FOR THE JANE GOODALL INSTITUTE

Madam Chairwoman and honorable members of the committee: I appreciate the opportunity to testify in support of funding for land conservation in New Mexico and, particularly, for two current important land acquisition projects: A $3 million appropriation from the Land and Water Conservation Fund to permit the purchase of 75-acre Canyon River Ranch by the Bureau of Land Management in the La Cienega ACEC, and, a $4.05 million appropriation for the acquisition of a conservation easement protecting 6,000 acres of the Vallecitos High Country property under the New Mexico Forest Legacy program.

New Mexico continues to grow at a rapid pace and lands of tremendous ecological and cultural significance are being converted into developed lands every day. During the 1990's alone, the population of New Mexico increased 20 percent. Unlike many States experiencing enormous growth, New Mexico does not have dedicated State funding to acquire open space and parkland or protect our farms and ranches. Without Federal funds through the Land and Water Conservation Fund, New Mexico will lose the opportunity to protect our trails, parks, ranches, farms, and natural areas that are vital to our heritage and our future. These protected lands are critical to our physical, economic, and environmental health, and they provide us all with the places where we can form a deep and meaningful connection with the natural world and with each other. A relationship between people and nature is essential for healthy people and a healthy landscape.

Specifically, these two project requests exemplify the historic importance of both the Federal Land and Water Conservation Fund and Forest Legacy programs in assisting communities to protect our Nation's most critical landscapes. The Land and Water Conservation Fund has been the primary funding source to protect our most prized conservation and recreation lands through our Federal parks and forests for over 40 years. In addition, over the past 15 years, the Forest Legacy program has

prevented the loss of over 1 million acres of forest and leveraged an equal amount of matching State, local, and private funding. I commend the chairwoman and committee members for your leadership in supporting adequate land conservation spending in these accounts.

By way of introduction, I am a veterinarian and I received my Doctorate of Veterinary Medicine from Tufts University, with emphasis in wildlife rehabilitation, in 1985. I received my Bachelor's degree in Anthropology and Biology, and a Master's degree in Botany and Plant Ecology from the University of New Mexico, in Albuquerque.

In the early 1990's I served as Special Assistant to Governor Bruce King, with responsibility for environment, natural resources, health, and recreation. I learned how critical it was to invest in protecting sensitive and unique lands for the future and what an enormous cost is incurred when you don't.

During my tenure as the elected New Mexico State Land Commissioner from 1993–2002 I was responsible for 13 million acres of State trust land. I worked to establish collaborative and cooperative partnerships with numerous public and private groups to protect sensitive lands for future generations while earning revenues to support our public schools, universities, and hospitals.

As a former President of the 22 member Western States Land Commissioners Association I saw the clear difference in the quality of life and economic prosperity between States that took care of their unique and special lands and those that did not.

As a member of the United States Secretary of Agriculture's Foreign Animal Disease Board I became acutely aware of the need for healthy landscapes in the prevention of disease among humans, wildlife populations, companion animals, and domestic animals used for agriculture.

During my career I have worked very hard to bring various groups together to find common ground and solve problems and I strongly believe that the projects mentioned in this testimony represent important efforts to protect critical lands. These projects represent a true investment in our future and I strongly believe that this type of effort will pay important dividends for generations to come.

VALLECITOS HIGH COUNTRY FOREST LEGACY REQUEST

The State of New Mexico has identified the Vallecitos High Country project as its number one Forest Legacy Program priority for fiscal year 2008. The Federal request for $4.05 million, to be matched by $1.3 million in land value donation, will protect the first 6,000 acres of this 11,375 acre heavily forested property. Other partners in this project include the New Mexico Forestry Division, New Mexico Department of Game and Fish, the Carson National Forest, Natural Resources Conservation Service, Forest Trust, Continental Divide Trail Alliance, Rio Chama Watershed Group, Southern Rockies Ecosystem Project, the Forest Guild, The Trust for Public Land, and Vallecitos Mountain Refuge.

The Vallecitos High Country property, located within the Rio Vallecitos watershed in Rio Arriba County, is an 11,375-acre parcel of mixed conifer, aspen, and spruce-fir forests interspersed with mountain meadows and creeks. It adjoins Carson National Forest on three sides and is visible from the Continental Divide Trail. The Rio Vallecitos, an important cold water fishery, is managed by the U.S. Forest Service as a Wild and Scenic River. It provides irrigation and municipal domestic water to the downstream villages of Vallecitos and La Madera. The property boasts critical wildlife habitat that includes old growth forest, wet meadows and clear creeks. The wide diversity of wildlife on the property includes several threatened and endangered species. In addition, several miles of riparian woodlands, considered relatively rare in New Mexico, are found along the Rio Vallecitos, Jarosa Creek, and North Creek. The important Rio Vallecitos runs five miles across the property near the national forest boundary, and another 12 miles of tributary creeks on the property feed the Rio Vallecitos.

The old growth mixed conifer and spruce-fir forests on this property provide suitable habitat for the Federally threatened Mexican spotted owl and the State threatened boreal owl and pine marten. The property also provides important habitat for peregrine falcon, bald eagle, northern goshawk, and king fisher. Since it is a large forested property, it is capable of supporting populations of territorial wildlife species with large home ranges such as black bear, mountain lion, bobcat, turkey, and birds of prey. The property is within an area classified as a major wildlife dispersal corridor by the Southern Rockies Ecosystem Project, whose goal is to maintain a network of undeveloped habitats and migratory pathways in the region. The wet meadows and beaver ponds on the property are suitable reintroduction sites for the extirpated boreal toad. This State-endangered amphibian may still exist as an un-

discovered remnant population on the property. Recognizing these critical habitat lands, the landowner has been working with the New Mexico Department Game and Fish to protect the boreal toad habitat.

I respectfully request that the subcommittee provide the necessary $4.05 million in Forest Legacy funding for this critical New Mexico project.

CANYON RIVER RANCH, LA CIENEGA ACEC LAND AND WATER CONSERVATION FUND REQUEST

Also available for acquisition in fiscal year 2008 is the 75-acre Canyon River Ranch property located within the Bureau of Land Management's La Cienega Area of Critical Environmental Concern (ACEC), near the historic village of La Cienega.

The La Cienega ACEC is made up of over 4,500 acres of ecologically and historically significant lands just 8 miles from the city of Santa Fe. In an arid region with little rainfall and few perennial streams, the Santa Fe River, which flows through the ACEC, sustains a thick canopy of cottonwoods and coyote willows, habitat to nesting songbirds such as the southwestern willow flycatcher and numerous other wildlife. Ancient rock art can be found etched into the canyon walls, most likely produced in the 14th through the 17th centuries by the inhabitants of La Cieneguilla Pueblo, a prehistoric Native American site with remnants of adobe rooms and stone and pottery artifacts.

The 75-acre Canyon River Ranch property is located at the confluence of the Santa Fe River and La Cienega Creek. Another stream, Alamo Creek, also flows through this property. The property's western mesa includes petroglyphs and pit houses, erected by ancient Pueblo Indians. It has more than one-half mile frontage on the Santa Fe River, meandering hundreds of feet below the deep canyon walls.

The location of this property and its important historical themes and unique environmental conditions make the protection of Canyon River Ranch extremely important to the future management of the ACEC. The El Camino Real de Tierra Adentro National Historic Trail, the main road that led from colonial New Mexico to Chihuahua and Mexico City, runs near the property. The road dates back to 1598 when the Spanish made their way to northern New Mexico and established the first capital city near San Juan Pueblo. La Cieneguilla Pueblo lies along this historic route, as does a nearby 17th century Spanish hacienda that was burned in the Pueblo Revolt of 1680.

Support for this acquisition has come from the community, local and State governments, archaeological groups, environmental groups, and local pueblos to protect this property. The ACEC and surrounding lands contain important historical and ecological resources that need to be protected as growth from the city of Santa Fe puts additional development pressure on outlying areas.

In fiscal year 2008, $3 million is needed from the Land and Water Conservation Fund to protect 75 acres of the Canyon River Ranch property, before the opportunity to protect this outstanding resource is lost forever. I respectfully request that the subcommittee provide funding to permit the acquisition by the Bureau of Land Management for this project.

Thank you, again, for the opportunity to submit this testimony in support of funding for land conservation in New Mexico and especially these two important New Mexico land conservation initiatives. Protecting our special places gives our communities their character and reminds us of what we value and appreciate in our relationship with the natural world.

PREPARED STATEMENT OF THE SAN DIEGO COUNTY WATER AUTHORITY

Your support is needed to secure adequate funding for the Bureau of Land Management (BLM) for the subactivity that assists the Title II Colorado River Basin Salinity Control Program (Program). To continue the essential work of the Program, the Water Authority urges funding of $5.9 million for fiscal year 2008 with $1.5 million to be designated specifically to salinity control efforts that have been identified.

The Program has been carried out through the Colorado River Basin Salinity Control Act (1974) (Public Law 93–320) and the Clean Water Act. The salinity control projects through the Program benefit water users from seven States through more efficient water management and reduced salinity concentrations in Colorado River water. In addition, the Program assists the delivery of quality water to Mexico in accordance with Minute 242 of the 1944 Water Treaty.

The Colorado River is the primary and single most important source of drinking water for more than 3 million people in San Diego County. Excess salinity causes economic damages in the San Diego region worth millions of dollars annually, and hundreds of millions of dollars nationally.

For every 30 milligrams per liter increase in salinity concentrations there are $75 million in additional damages in the United States. Locally, impacts of excess salinity in the San Diego region include, but are not limited to, the following:

—Reduced crop yields, impacting more than $1 billion of agricultural products in the San Diego region.
—Decreased useful life of commercial and residential water pipe systems, water heaters, faucets, garbage disposals, clothes washers, and dishwashers.
—Increased household use of expensive bottled water and water softeners.
—Increased water treatment facility costs and a decrease in the life of the treatment facilities.
—Increased treatment to meet Federal and California wastewater discharge requirements.
—Fewer opportunities for water recycling due to excess salt in the product water, which limits usefulness for commercial and agricultural irrigation.

The BLM budget, as proposed by the administration in the BLM budget justification document, calls for five principal program priorities within the Soil, Water, and Air Management Program. One of these priorities is reducing saline runoff to meet the interstate, Federal, and international agreements to control salinity of the Colorado River.

Due to geological conditions, much of the lands that are controlled and managed by the BLM, the largest landowner in the Colorado River Basin, are heavily laden with salt. Past management practices have led to human-induced and accelerated erosional processes from which soil and rocks, heavily laden with salt have been deposited in various stream beds or flood plains. As a result of this disposition, salt is dissolved into the Colorado River system causing water quality problems downstream. Congress has charged Federal agencies, including the BLM, the Bureau of Reclamation and the U.S. Department of Agriculture, to proceed with programs to control the salinity of the Colorado River. BLM's rangeland improvement programs can lead to some of the most cost-effective salinity control measures available.

In keeping with the congressional mandate to maximize the cost-effectiveness of the salinity control program, the Colorado River Basin Salinity Control Forum (California and the other six Basin States) has recommended that Congress appropriate $5.9 million to BLM in fiscal year 2008 for activities that help control salt contributions from BLM managed lands in the Colorado River Basin. In the past, BLM has used $800,000 of this funding for salinity control project proposals submitted by BLM staff for consideration. The BLM has now identified projects that in fiscal year 2008 could use $1.5 million. We believe this amount of funding should be specifically marked for the Colorado River Basin Salinity Control Program, consistent with subcommittee direction in past years.

The Program has proven to be a very cost-effective approach to mitigate the impacts of increased salinity in the Colorado River, which is an investment that avoids millions of dollars in economic damages caused by excess salinity.

The Water Authority supports the recommendation for BLM funding and urges this subcommittee to support this level of funding for fiscal year 2008. The Water Authority appreciates your assistance in securing adequate funding for this vital water resource.

PREPARED STATEMENT OF THE SAN JUAN WATER COMMISSION

I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.

3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF SAVE THE SOUND

Madam Chairwoman and honorable members of the committee: I appreciate this opportunity to testify in support of a $710,000 Land and Water Conservation Fund appropriation for the Stewart B. McKinney National Fish and Wildlife Refuge in Connecticut to acquire the 20-acre Menunketesuck Salt Meadow Marsh property. Although this testimony focuses on this one important land acquisition need in Connecticut, it is representative of the general importance of Federal land acquisition funding provided by the Land and Water Conservation Fund program. Therefore, I would also like to take this opportunity to commend the Chairman and subcommittee members for your leadership in supporting LWCF and other land acquisition accounts, and to urge you to provide increased funding for these programs in fiscal year 2008.

Save the Sound, a Program of Connecticut Fund for the Environment, is dedicated to the protection and restoration of Long Island Sound and its watershed through advocacy, education and research. Save the Sound collaborates with government agencies and other non-profits on the restoration and stewardship of key areas around the Sound. As an active member of the Long Island Sound Stewardship Initiative Work Group of the of the EPA Long Island Sound Study, we collaborate with the Connecticut Department of Environmental Protection, Connecticut Audubon, the Trust for Public Land, the U.S. Fish and Wildlife Service, and other partners to identify critical areas needing increased protection and stewardship. Salt marshes are recognized as a priority habitat type, providing important ecosystem functions such as flood control, filtering of polluted runoff, provision of wildlife habitat, and recreational opportunities. The protection of the Menunketesuck Salt Marsh as a component of the Stewart B. McKinney Wildlife Refuge is an important step in increasing the protection of critical habitats with high ecological, educational and recreation value.

Named to honor the late U.S. Congressman who was instrumental in its creation, the Stewart B. McKinney National Wildlife Refuge was established to protect migratory bird habitat considered important to wading and shorebird species including heron, egrets, terns, plovers and oystercatchers among others. The refuge, which is located on the southeastern coast of the Connecticut on the Long Island Sound, was initially designated with 150 acres located in four separate units. Since that time, additional protected lands have more than doubled the habitat in the area, significantly increasing populations of shore and wading birds. Stewart B. McKinney NWR is currently comprised of eight units stretching along 60 miles of Connecticut's coastline. In addition to the increase in habitat protection over the years, the refuge now provides opportunities for scientific research, environmental education, and fish and wildlife-oriented recreation.

Located in the Atlantic Flyway, the refuge provides important resting, feeding, and nesting habitat for many species of wading birds, shorebirds, songbirds and terns, including the endangered roseate tern. Adjacent waters serve as wintering habitat for brant, scoters, American black duck and other waterfowl. Overall, the refuge encompasses over 800 acres of barrier beach, tidal wetland and fragile island habitats.

This area is one of the most important fall migratory stopover areas for Neotropical migratory landbirds along the Long Island Sound, providing important habitat for numerous species of songbirds. At least 29 species of warblers have been recorded in the fall migration. This habitat type of relatively unfragmented coastal forest, scrubland and high salt marsh are extremely rare in Connecticut.

Available for refuge acquisition in fiscal year 2008 is the 20-acre Menunketesuck Salt Meadow Marsh in Westbrook, Connecticut. The property is comprised of pristine coastal tidal marsh, a forested upland, scrubland, and a rock outcropping that towers above 1,000 feet of frontage along the gentle Menunketesuck River as it winds its way to Long Island Sound.

As a migratory stopover for neotropical migrant land birds, this riparian area is the top priority for acquisition for the refuge. The marsh property will enhance the resources of the current Salt Meadow Unit of the refuge, as it contains part of the least developed upland borders of any remaining tidal marsh in all of Connecticut. As much of the State's coastline has been built upon, it is rare to find such a large undeveloped marsh area in Connecticut. Under imminent threat of development into condominiums, the refuge must acquire this parcel if it is to continue to serve as an island of forested habitat land on an otherwise highly developed coastline.

The total cost of this property is approximately $1.11 million, and the FWS has already directed $400,000 of existing funds towards this purchase. In order to complete the acquisition of the Menunketesuck Salt Meadow Marsh property, an appropriation of $710,000 is needed from the Land and Water Conservation Fund in fiscal

year 2008. This priority acquisition will increase wildlife habitat protection at the Stewart B. McKinney National Wildlife Refuge and ensure the public continued opportunities for recreation and environmental education along Connecticut's coastline.

Mr. Chairman, thank you for this opportunity to submit testimony about this important Connecticut protection effort at the Stewart McKinney National Fish and Wildlife Refuge Association.

PREPARED STATEMENT OF THE SHARON LAND TRUST

Madam Chairwoman and honorable members of the committee: The Sharon Land Trust (SLT) appreciates the opportunity to present this testimony in support of a $770,000 appropriation to the State of Connecticut from the Forest Legacy Program for the second phase of the Skiff Mountain project. SLT is a non-profit land conservation organization with a mission to preserve important conservation lands in the Town of Sharon, Connecticut. Founded in 1982, the SLT owns over 1,000 acres and manages another 1,000 acres under conservation easement.

Our organization strongly supports the effort to protect the assemblage of forested properties on Skiff Mountain, due to its high conservation value and the recurring threat of development in the area. In 2004, the SLT purchased over 200 acres of adjacent forestland that was slated for residential development and is now managing it for conservation purposes. This opportunity to protect hundreds of acres of forested lands on Skiff Mountain through the Forest Legacy Program will greatly enhance our ongoing conservation efforts in the area.

Located on the town line between Sharon and Kent, the Skiff Mountain properties are within a patchwork of other protected lands and are in an area with significant development pressures. The assemblage is directly west of the Appalachian National Scenic Trail and the Housatonic River (a major supplier of freshwater to Long Island Sound) and is located within the newly legislated Upper Housatonic National Heritage Area.

The protection of these properties will curb additional development pressures in the northwestern part of the State, help preserve the Housatonic watershed, and conserve a large tract of unfragmented forest that provides linkages to over 7,000 acres of other protected land. The protection of forests on Skiff Mountain will also enhance efforts to preserve wildlife habitat within the Housatonic watershed. In fact, forty-four species identified as endangered, threatened, or species of special concern by the CT Department of Environmental Protection are found on or near Skiff Mountain.

In fiscal year 2006, Congress appropriated $1.182 million in Forest Legacy funding for the protection of the first 473 acres. In order to complete the project in fiscal year 2008, $770,000 is needed from the Forest Legacy Program to help preserve the remaining 292 acres and keep intact this conservation corridor of the Housatonic River Watershed and four-state Highlands region. These funds will be matched by local funding and land value donation. We hope that you will provide the $770,000 to ensure the success of this effort in the fiscal year 2008 Interior appropriations bill.

Thank you for the opportunity to present this request.

PREPARED STATEMENT OF THE SHOSHONE-BANNOCK TRIBES FORT HALL BUSINESS COUNCIL

BIA Facilities Construction.—The Tribes are operating our Police Department, detention center, and Tribal courts in unsafe and deteriorated conditions. Our corrections facility operates at 132 percent over capacity. Many buildings were built in the late 19th century. The tribal courts building was built in 1868 and the building is now condemned and will be preserved as a historic site. We have designed a comprehensive, state-of-the-art facility to house all three programs and have contributed $4 million of our own funds toward this project. The site work was completed in June 2006, but without adequate BIA and other Federal funds to assist us in this effort—an additional $13.7 million is required—the project will be delayed and the costs only increase. We will need to purchase a trailer to house a portion of our Tribal Court staff since the existing structure is too old and too costly to renovate and it is currently unsafe. We encourage you to support requested funding to construct and properly staff the Tribal Justice Center.

Sanitation Facilities Construction.—Restore and increase the IHS Facilities Construction budget by at least $75 million above previously enacted levels so that Indian tribes may address issues such as water contamination on their reservations.

We are building a 145 mile water line to provide safe drinking water for Fort Hall Reservation communities. Ethylene Dibromide and nitrates have contaminated our Reservation's drinking water to unsafe levels. We should not have to wait a generation to provide safe drinking water to our Reservation, yet Federal funds remain inadequate for this critical program. Over $68 million is needed to complete this vital project.

BIA Fisheries.—Many of the Tribe's streams and tributaries have been negatively affected by various environmental factors which have caused a loss of riparian vegetation, down-cutting, spawning and rearing substrates. The Tribes resident fisheries program works to restore and protect Reservation streams so that they can support native fish populations. Please increase funding to the BIA's Wildlife and Parks budget so the Tribes can protect our fish and wildlife.

Local Tribal Programs.—By far the greatest consequence to the Tribes will be the planned cut of $20.5 million in Tribal Priority Allocations (TPA) funding from fiscal year 2007 levels, while military spending is increasing dramatically. Instead of escalating funding in foreign lands, it would be far better to increase funding for the health and safety of the first Americans. This reduction in Tribal Priority Allocations will undermine Law Enforcement and Tribal court efforts, as well as Social Service programs (which include child protection and child welfare initiatives). Our members will feel these impacts in job creation, job training, economic development efforts, scholarships, training for Indian youth and adults, and the management, protection and preservation of natural resources such as fisheries, forestry, minerals/mining and agriculture and water resources.

The Tribal Priorities Allocations account funds thousands of jobs in Indian country. Unless planned cuts are restored, many tribal employees will lose their jobs and the efficiency and capabilities of many Tribal and agency offices will be compromised.

BIA Budget Cuts.—The administration's announcement that current-year funds would be shifted away from Indian programs to pay the fees of Cobell attorneys adds insult to injury by compounding cuts for Indian programs in the fiscal year 2007 budget proposal. The impact to elderly, women and children is unfathomable, and is a violation of the Federal trust responsibility. We are opposed to any legislation that will terminate the Federal trust responsibility and end any pending litigation for mismanagement of trust assets.

Johnson O'Malley Funding.—The Tribes support full restoration of $16.4 million in funding for the Johnson O'Malley grant program which supports Indian children attending public schools. The program provides grants to tribes so that tribes can distribute the money to public schools for tutoring, counseling and other services for Indian students.

FDIR Programs.—Another change comes from the Commodity Supplemental Food Program at the Department of Agriculture. The USDA program is initiating a new funding methodology for allocating funds to tribes for a gradual implementation of a funding methodology that will take several years to stabilize and will not impact current funding levels. Some smaller tribes receive more funding than larger tribes and this will be changed in the future. The new methodology seeks to improve funding on a more equitable basis which provides monthly food packages to low-income women, infants, children and elderly in 32 States.

Indian Health Care Improvement Act.—We are entering the seventh year without reauthorization of this important act, which authorizes funding for Indian health care. The administration proposes to cut funding for urban health care center facilities. In previous year, the administration has failed to provide access to better health care for families in Native communities. It is essential that the government lives up to the promises of providing better access to health care for Indians, which is the reason why the government should reauthorize the Indian Health Care Improvement Act.

Urban Health Clinics.—Impending budget cuts for urban health care will end health care for Indians living in urban areas. The urban population must find jobs in cities or do not have housing. This creates problems for Tribal elders who cannot afford to or cannot drive to reservations located hundreds of miles from their homes. Federal trust responsibility does not end at the reservation boundaries.

Indian Housing.—Currently, 40 percent of Americans are under-housed, but the administration has terminated the BIA's Housing Improvement Program (HIP)—a vital initiative that provides native families with money to repair a leaky roof, or provide heat and electricity for their families. Sanitation funding has also been slashed in the Presidents budget, failing to take into account the long-standing backlog of needs for basic sanitation facilities and clean drinking water.

Welfare Assistance.—We oppose the administration's intent to significantly decrease BIA Welfare Assistance grants program, because 48 percent of the American

Indians residing on the Fort Hall reservation are below the poverty level and 50 percent of the Indian people are unemployed or under-employed.

Contract Support.—Full Funding for Contract Support Costs must be provided in order to provide quality health care for contract programs. The proposed increase is inadequate and forces tribes to subsidize IHS programs by using direct program funds to pay for administrative costs not paid for by the IHS as mandated by Public Law 98–638 and the 2005 Supreme Court decision in *Cherokee Nation* v. *Leavitt*. The subcommittee should fund the estimated $92 million short fall in IHS Contract Support Costs in the fiscal year 2008 budget.

Trust Management.—The management of trust assets for Indian tribes needs great improvement. Such improvement should not include interruption of services to Indians and for drastic changes in BIA regulations and reduction of employees to manage trust assets that ensure tribal sovereignty and the trust responsibility, including government to government relationships. The bill also includes $226.1 million for the Office of the Special Trustee, with $58 million for historical accounting activities.

Indian Education.—Education of our youth is a high priority for Indian tribes. For that reason, we cannot understand the administration's plans to reduce funding for safe and drug free schools program, the JOM Program, TRIO Upward Bound, comprehensive school reform, vocational education, handicapped and many more programs assisting Indian schools. The White House budget for special programs for Indian Children is $19.4 million, but only $5.7 million is available for programs similar to JOM, a fact not mentioned in the OMB report. Further, the administration is proposing to severely cut funds for the Morris K. Udall Foundations Native Nations Institute, which, for years has provided training for over 1,700 tribal leaders representing 360 tribes to attend its executive education courses.

BIA Law Enforcement.—We encourage funding for the COPS program. We are experiencing an alarming increase in gang violence and the presence of methamphetamines on our reservation. We strongly urge the subcommittee to build on the administration's proposal and significantly increase BIA Law Enforcement funding above the $16 million proposed by the administration for staffing new detention facilities, hiring officers, and fighting Methamphetamine abuse. This funding is far too limited to provide adequate law enforcement services, especially on large Indian reservations such as the Fort Hall Indian Reservation which has witnessed an increase in crime and gang violence.

Other Program Reductions.—The proposed budget cuts includes reductions in programs due to mismanagement of Indian trust funds and neglect of the Federal trust responsibility. These reductions include $11 million for welfare assistance, $2.6 million for road maintenance, $1.1 million for community fire protection, and $1.9 million for water management and planning. Indian tribes, and their members, served by the programs of the Interior Department deserve adequate funding of Federal programs designed to improve their living conditions.

Thank you for affording the Shoshone-Bannock Tribes the opportunity to present testimony on the fiscal year 2008 Interior and Related Agencies budget.

PREPARED STATEMENT OF THE SKOKOMISH TRIBE OF WASHINGTON STATE

My name is Denese LaClair, I am Chair of the Skokomish Tribe of Washington State. The Skokomish Indian Reservation is a rural community located at the base of the Olympic Peninsula with a population of over 1,000 people. The 5,300 acre Reservation is a fraction of the 2.2 million acre of the Tribe's Treaty area. The Skokomish Tribe appreciates the work of the subcommittee and asks that you provide funding in areas that are key to the continuing development of tribal communities: Law Enforcement, Education, Environment and Health Care.

Law Enforcement.—The Skokomish Tribe respectfully requests increased funding for our law enforcement programs within the Bureau of Indian Affairs. We commend the BIA's requested increase of $16 million for law enforcement services, but more needs to be done.

In the last 11 years, the Skokomish Department of Public Safety has grown from one untrained officer, to a force of 10 Washington State certified/Washington State equivalency trained or BIA certified law enforcement officers. To be fully staffed at a baseline minimum for the area and scope of service that the Skokomish Department of Public Safety is tasked with, we need a total of 18 officers. Thus, we are almost 50 percent below what is needed to safely serve our community.

The Tribe experienced a significant growth in the Reservation's population during the 1980s and early 1990s. Along with the increased population, the Skokomish Indian Tribe experienced an alarming increase in the extent and severity of drug

abuse among the residents of the Reservation. In the last 4 months, our tribal police officers have responded to approximately 1,600 calls for service, which are classified as Part One and Other than Part One Offenses or Other Service Incidents.

It is not uncommon to find our officers working shifts alone. Our tribal police agency has used strategies such as requesting assistance from outside agencies to respond and provide the second officer for backup during high risk incidents. We have been lucky so far that those other agencies, in the time of our officer's need, were available. Increasingly however this resource is becoming almost nonexistent because surrounding agencies are also finding themselves with less staff due to continued population growth and cost of living increases.

These cost of living increases are forcing officers to consider other departments for employment because of the higher pay and additional benefits which also magnifies our inability to attract qualified applicants.

The scope of our service responsibility is broad because the Skokomish Department of Public Safety frequently provides immediate marine law enforcement and boat rescue services in Hood Canal.

Our tribal officers also play a pivotal role in the suppression of crimes related to illicit drug and alcohol abuse on the reservation. By our continued working relationship with non-tribal law enforcement agencies, we combat the scourge of drug problems in this isolated rural area by sharing; gathered intelligence, conducting surveillance on suspected traffickers and or their residences as well as forwarding completed felony drug investigations to the Mason County Sheriff's Office for prosecution. As an example, the latest case forwarded involved two adults being charged with soliciting a minor to sell pills at his school

Despite the growth in law enforcement need, there has not been a corresponding growth in law enforcement funding. The Skokomish Tribe does not received an appropriate share of funding from the BIA, as compared to other Tribes in the State. In fact, the Skokomish Tribe receives only $90,000 in BIA law enforcement base funding. This is the same amount we have received for the last several years. This is the lowest in our Region. The next closest Tribe, the Shoalwater Bay Tribe, receives $142,000 in BIA law enforcement funding. The Shoalwater Bay Tribe has approximately 235 members as compared to Skokomish's approximately 700 members. Consequently, to adequately fund our department, we are forced to cut other programs like education and social services. To address this, we ask that Congress increase the overall funding for law enforcement by at least twice the amount BIA has requested (an additional $16 million) and that the additional funds be earmarked for personnel and equipment.

Education.—The BIA once again proposes to eliminate Johnson O'Malley funding. The Johnson O'Malley program provides funding to local public schools to provide outreach and academic assistance to Indian children attending these schools. At Skokomish, most of our children attend two public schools—Hood Canal Elementary and Jr. High and Shelton High School. Both are public schools, and without the JOM program, we could not track or assist our children to succeed academically. We believe the JOM funding is money well spent and we would urge Congress to maintain funding for this Program.

The Skokomish Tribe is especially disheartened by the administration's proposed elimination of higher education scholarships. For any of our children who are lucky enough to be accepted into a 4 year college or a community college, it is important that the Tribe have some resources to help them succeed. I can spend an entire day sharing stories of people who would not have made it through college if they did not have this assistance from the BIA. These people will be our nurses, doctors, business managers and biologists in the future. We need to be able to invest in them now.

Environmental Protection Agency.—We greatly appreciate the subcommittee's continuing support of funding for critical programs within the Environmental Protection Agency. We ask for increased funding for the Clean Water Act Revolving Loan Fund and State Tribal Assistance Grants (STAG). We are especially concerned CWA—Section 106 funding may be at risk. This program has provided successful base-funding for many tribes, improving tribal capacity.

Our homeland, the Hood Canal, is considered the jewel of the Puget Sound. Unfortunately, the health of the Hood Canal is in danger. Last year, our Natural Resource and Fisheries staff identified a 6 mile Dead Zone in the Hood Canal. Nothing in this 6 mile area was alive—not shellfish, finfish or plant life. In one fifty foot area, we found 25 dead Dungeness crab. Apparently, once life entered the area it could not escape and it died. The floor of the Hood Canal in this area was covered with white bacterial mats and the surface with a jelly like substance.

We know the cause of the Dead Zone is the Low Dissolved Oxygen Levels (LDOLs) in the Hood Canal, which creates a breeding ground for the bacteria

Beggiatoa. Essentially the animal and plant life are suffocating in the Hood Canal. We also know the primary causes of the LDOLs are man-made. Sewage waste discharged directly into the Hood Canal and nonpoint source agricultural runoff in the Hood Canal are the biggest contributors.

This issue is so important to the Skokomish people, because the Hood Canal is not just a place where we live and recreate, it is the very life blood of the Skokomish People. It is the foundation of our economy and more importantly it is the foundation of our culture. Consequently, anything that threatens the health and vitality of the Hood Canal threatens the health and vitality of the Skokomish people. Thus, improving the health of the Hood Canal is a top priority for the Skokomish Tribe. We are committed to working with all local, State, and Federal agencies to address what we believe to be a crisis. We cannot stand by and allow this issue to only be studied. We believe the solutions already exist to the known problems, and we want to be part of the team that brings these solutions to the table.

Specifically, we urge the subcommittee to continue funding for the efforts to build regional sewage treatment facilities for the people who live and work on the Hood Canal. We greatly appreciate the subcommittee's past support of these efforts and hope for your continued support through the STAG process and the Clean Water Act Revolving Loan fund.

Forest Service.—The Skokomish Tribe strongly supports the Skokomish Watershed Action Team's (SWAT) request for $4.6 million. The Skokomish Watershed Action Team—a diverse, informal partnership of governments, land managers, and others who are working collaboratively to restore the Skokomish watershed—has a 3-year action plan to help inspire and guide Skokomish River restoration work. The Skokomish River lies within a critical watershed for recovery of multiple species of endangered fish and wildlife, for recovery of our troubled Hood Canal marine ecosystem, and for rejuvenation of local communities threatened by significant, persistent flooding. Salmon recovery for the Hood Canal and Puget Sound is keyed on Skokomish River restoration.

The requested $4.6 million funding will be used for road stabilization, culvert repair and road decommissioning on roads within the Olympic National Forest. Undertaking these activities will reduce the delivery of fine and coarse sediment into the South Fork Skokomish River mainstem and its tributaries, which contributes to the channel aggradation and decreased carrying capacity of the mainstem Skokomish River. This will improve aquatic and terrestrial species habitat and decrease flooding. Significantly, these efforts will also increase the quality of water flowing into the Hood Canal, which will assist in addressing the low dissolved oxygen problem in the Hood Canal.

Indian Health Service.—The need for increased funding for health care throughout Indian country is well known. While we support the President's proposal to increase the budget for Indian Health Services, the amount of that increase ($212 million from the current funding level) still will not meet the actual costs of providing health care to Indian people. The proposed increase fails to address the high rates of medical inflation and the substantial unmet need for health care among Indian people. At Skokomish, like Indian people throughout the Nation, we face disproportionately higher rates of diabetes and the complications associated with diabetes. Heart disease, cancer, obesity, chemical dependency and mental health problems are also prevalent among our people. While other Federal programs, like Medicare and Medicaid, have seen annual increases in funding of 5–10 percent to address inflation, the budget for IHS has never had comparable increases, and, as a result, IHS programs have consistently fallen short of meeting the actual needs. We supports the unified tribal effort to increase funding so that all tribes receive 100 percent of the Level of Need Formula (LNF), which is absolutely critical for tribes to address the serious and persistent health issues that confront our communities. We understand that an additional $800 million is necessary to bring tribes to this level.

Notwithstanding our significant need, we have been able to do a great deal with the limited resources that we have. We have eight health professionals at our clinic (one Doctor, one Physicians Assistant; one Nurse Practitioner; two Nurses, three CHRs), who provide primary care, women's health services, and diabetes prevention services.

However, we do not have a pharmacy. Consequently forty-percent of our contract health dollars are spent to purchase medicine for our patients who have chronic illnesses like hypertension, heart disease and diabetes and because we are a small ambulatory clinic, the remainder of our contract health funds are used for our patient who must be hospitalized at the local hospitals in Shelton and Olympia or if the case is serious to Seattle. These facilities provide terrific care to our patients, but when we have reached the limit of funding for contract health care we have no ability to pay for the care that our patients have received. Consequently, our con-

tract health care program remains at Priority I, which means that only those patients who are in need of life or limb care can receive care. As many have said, this is penny wise and pound foolish in terms of health care treatment and prevention.

CONCLUSION

I want to thank the subcommittee for the opportunity to present testimony on these important issues.

PREPARED STATEMENT OF THE SOCIETY FOR ANIMAL PROTECTIVE LEGISLATION

The Society for Animal Protective Legislation (SAPL) respectfully requests that the Senate Appropriations Subcommittee on Interior, Environment and Related Agencies appropriate a total of $215.8 million to the U.S. Fish and Wildlife Service (FWS) for Endangered Species Act enforcement, and an additional $45 million to the FWS Office of Law Enforcement (OLE). The President's fiscal year 2008 proposed budget falls far short of providing the funds needed by agencies within the Department of the Interior to preserve, recover and manage America's wildlife, including threatened and endangered species, as required by law and by their public trust obligations to the American people. SAPL also asks Congress to reign in the mismanagement of America's wild horses and burros by the Bureau of Land Management (BLM).

ENDANGERED SPECIES LISTING AND RECOVERY

The FWS is the principal agency responsible for implementing the Endangered Species Act. The ESA is a landmark law that has provided protection and prevented the extinction of thousands of species since it was promulgated in 1972.

FWS biologists estimate that 200 currently listed species are on the verge of extinction because of a lack of funding for recovery activities. An additional 280 candidate species are waiting to be listed under the ESA, with some languishing without ESA protection for years due to insufficient funds to cover the costs of listing. Despite these facts, the President has again proposed a budget that is inadequate to the many responsibilities under the ESA. SAPL respectfully requests that Congress appropriate a total of $215.8 million for the FWS endangered species program with $13.6 million, $30 million, $55.5 million, and $113.6 million allocated to candidate species conservation, listing, consultation, and recovery, respectively.

OFFICE OF LAW ENFORCEMENT

A seeming increase for this function in the President's budget is actually a decrease when higher uncontrollable and fixed costs are taken into account. SAPL requests that an additional $45 million be allocated to the FWS to increase and expand the activities of its Office of Law Enforcement in its critical role of combating wildlife crime. The OLE investigates both domestic and international wildlife crimes that involve the transgression of over a dozen Federal wildlife and conservation laws. Though it is well known that the illegal trade in wildlife and wildlife products is second only to the trade in narcotics in terms of revenue generated globally, and despite the fact that the United States remains a source of or destination for much of this contraband, the OLE has consistently been underfunded and understaffed and, thus, shortchanged in its efforts to combat this illegal trade.

SAPL has heard that, for budgetary reasons, the FWS has closed or has proposed to close its covert wildlife crimes investigation unit. Given the severity of the illegal wildlife trade problem and the inherent underground nature of the trade, covert investigations are essential for enforcing wildlife laws and identifying, capturing, and prosecuting those responsible for wildlife crimes. The OLE and its employees cannot effectively enforce Federal wildlife laws without a covert investigations unit. Congress must direct the Secretary of the Interior to reinvigorate the OLE, including its covert investigations unit and provide the funding necessary to restore the OLE as the preeminent wildlife law enforcement organization in the world.

FWS Special Agents.—Federal and State wildlife law enforcement agents perform what is consistently ranked as one of the most dangerous jobs as they attempt to fulfill their mandate to protect this Nation's and this world's wildlife heritage. In fiscal year 2006, FWS agents inspected over 180,000 wildlife shipments; they pursued over 15,000 investigations resulting in over $11 million in fines, 60 years of jail time for the perpetrators, and 446 years of probation. Following are a few examples of cases resolved. An investigation of illegal interstate trafficking in live endangered ocelots resulted in Federal criminal charges against six individuals in four States and secured civil penalties from three others. A Chicago couple involved in

the unlawful purchase and sale of 101 leopard sharks in the pet trade agreed to pay $10,000 to the Lacey Act Reward Account. Prosecutions were completed in a multiyear investigation of the illegal harvest and sale of U.S. paddlefish in the black market caviar trade. Defendants paid $470,941 in fines and restitution and were sentenced to serve 93 months in Federal prison.

Despite these impressive statistics, the illegal trade in wildlife and wildlife products continues to imperil wildlife species in the United States and around the world. The ability of the OLE to expand its efforts to combat this trade requires far greater funding than what has been proposed in the fiscal year 2008 budget.

Currently, there are only 207 FWS agents responsible for the enforcement of Federal wildlife laws throughout the entire United States. This number is 4 fewer than in fiscal year 2006, which was 11 fewer than existed in 2005 and is 56 fewer than the number of agents that are authorized. Filling these 56 vacancies is essential to protecting wildlife and stemming the increasing threat of illegal trade. SAPL respectfully requests an additional $11.2 million ($200,000 each) to fill these 56 agent vacancies and an additional $12 million to ensure sufficient operational funds for the existing agents and for those hired in the future.

Port Inspectors.—Given the events of September 11, 2001, and the recent scrutiny applied by Congress on the security of U.S. ports, the value of FWS inspectors should be indisputable. In addition to being the first and only line of defense against the illegal import of protected wildlife and wildlife products into this country, FWS inspectors along with their colleagues from the U.S. Coast Guard, Department of Homeland Security, and other agencies involved in port inspections, represent America's best hope of intercepting bioterrorism agents or items that may represent a security threat to America. Often contraband is hidden in the body cavities of wildlife or in their transport containers; who except FWS wants to look inside the box of a dangerous animal?

Though it may be hard to see that thwarting an illegal shipment of wildlife is as important as thwarting an illegal shipment of weapons, wildlife pose much greater risks to America due to the potential for the wildlife to be vectors for non-native diseases or insects that could pose a threat to public health (e.g. avian flu), domestic wildlife health, domestic livestock health (e.g. Newcastle's disease, foot and mouth disease), or to our native flora. A recent news report noted that "five of the six diseases the [CDC] regards as top threats to national security are zoonotic" Because legal shipments, which amounted to 650 million animals in the last 3 years, are not screened properly, Americans are left "vulnerable to a virulent disease outbreak that could rival a terrorist act."[1] Couple the threats from the legal trade with those from the illegal trade, including the surge in the amount of bushmeat entering the country, and the potential for catastrophe is mind boggling.

The North American Free Trade Agreement has exacerbated the problem through increased movement of wildlife and wildlife products across the United States border with Mexico. Such contraband includes highly endangered neotropical parrots, cacti, reptiles, and exotic wildlife leather products. The United States border with Canada is a conduit for the illegal import of a variety of international species including the Asian arowana fish, the rare Madagascar radiated tortoise, and protected corals and domestic species including black bear gall bladders, bald eagle parts, and other wildlife products. The current lack of sufficient operational funds for the FWS port inspection program weakens FWS efforts to promote the conservation of species of international concern, to protect all natural resources, and to sustain biological processes. The virtually unregulated smuggling of parrots not only has put new pressure on Western hemisphere parrot species, 30 percent of which are already on the brink of extinction, but also presents a disease transmission risk to the U.S. poultry industry and native U.S. birds. The illegal import of parrots into California has been linked to an outbreak of Newcastle's disease in that State. Moreover, smugglers are dealing in both illegal wildlife and illegal aliens. For example, a cooperative investigation by FWS, Immigration and Customs Enforcement (ICE), and the U.S. Coast Guard documented the smuggling of illegal aliens and live Clarion angelfish from Mexico. A Los Angeles man was sentenced to 46 months in Federal prison and ordered to pay a $60,000 fine.

Clearly, then, to protect domestic and international wildlife and to secure our borders, Congress must provide the funding to hire and train a sufficient number of FWS inspectors to ensure round-the-clock coverage at each designated U.S. port of entry. $3.1 million is requested for the ports of entry. An example of how understaffed the FWS port inspection staff may be can be found at the United States/Canada border crossing at Blaine, Washington, where a single inspector is responsible

[1] ("Imports of exotic animals mean health risks," AP, Nov. 27, 2006).

for inspecting all imports even though that point of entry has experienced a 45 percent increase in the number of wildlife shipments in the past decade.

CLARK R. BAVIN NATIONAL FISH AND WILDLIFE FORENSICS LABORATORY

We respectfully request that Congress appropriate $4 million for the FWS forensic laboratory in fiscal year 2008. Despite the lab's expanding workload and a $1.7 million increase in fixed costs, the President's budget calls for a $1.4 million decrease in funds.

The FWS forensic laboratory is a key resource used by FWS investigators and inspectors for prosecuting wildlife crimes. It uses complex tests and tools to identify wildlife products as to species, determine cause of death, and make other findings critical to a successful legal case. All such findings must adhere to exacting evidentiary standards to be used in court, thus increasing the cost of testing each sample. Due to an increasing backlog of samples (from16 at the end of fiscal year 2002 to 3,451 in fiscal year 2006), the lab is running 6 to 18 months behind in its casework, causing FWS investigators, inspectors, and Federal prosecutors to wait longer to continue their investigations or initiate prosecutions. The new protocols that will be needed in the crackdown on shark finning will only worsen this problem. This lab is the only such facility in the world and it has historically aided the fish and game departments of all 50 States and the 162 CITES countries. But the backlog jeopardizes this cooperation and has forced it to stop accepting samples from State and international wildlife investigators, weakening the longstanding partnerships supporting cooperative conservation efforts in this country and around the world.

The backlog is largely a product of staffing shortages. These shortages, combined with a loss of expertise when seasoned veteran forensics experts retire before new experts are trained, threaten the forensics lab's ability to help solve wildlife crimes. To reduce both these staffing shortages and the existing analytical workload and backlog, SAPL respectfully requests that Congress appropriate $4 million for the lab. Such funds would allow both for the hiring of three new senior forensics examiners (for mammals, birds and reptiles), one new chemist, one new technician, and for much needed spending on training, travel, equipment, and supplies.

MULTINATIONAL SPECIES CONSERVATION FUND

Since 1988, the U.S. Congress has made clear its commitment to global conservation efforts through the passage of a number of funds to benefit specific species. These funds include the African Elephant Conservation Fund, the Asian Elephant Conservation Fund, the Rhinoceros and Tiger Conservation Fund, and the Great Ape Conservation Fund. To address these problems, SAPL respectfully requests that Congress appropriate an additional $4 million above the President's request for each of these funds.

CAPTIVE WILDLIFE SAFETY ACT

In December 2003 the Captive Wildlife Safety Act was signed into law. It is intended to prevent the interstate and foreign commerce in lions, tigers, leopards, cheetah, jaguars, or cougars, or any hybrid of such species—for personal possession as "exotic" pets. This law is needed to reduce the number of big cats kept by inexperienced persons who do not have the training or facilities to properly, humanely or safely care for these animals. Such "exotic" pets frequently become news when they bite, maul, or kill those responsible for their care or innocent victims. The legislation authorized an appropriation of up to $3 million to ensure that the FWS can enforce this important law yet we are unaware of any funding specifically earmarked for this purpose. SAPL, therefore, respectfully requests that Congress appropriate a minimum of $2 million for the implementation of this law.

WILD HORSE AND BURRO ACT

The BLM continues to use virtually all of its budget simply to remove and warehouse wild horses and burros, despite the fact that numerous herds have already been eliminated and many others are currently managed at population targets that seriously jeopardize their genetic health and viability. To make matters worse, the BLM has embraced a devastating rider requiring the sale of certain wild horses and burros without restrictions. With no legal authority to protect these horses once sold, they will be re-sold for slaughter—the very thing which prompted Congress to act to protect wild horses over 30 years ago.

From the very inception of the act in 1971, the BLM has ignored the clear intent laid out in the Senate Interior and Insular Affairs Committee report, which said, "It is the expressed intent of the committee to remove the possibility of monetary

gain from the exploitation of these animals." Thirty-five years later the Congress must swiftly act again before the BLM's reckless actions wipe out our wild horses and burros forever. With nearly as many, if not more, animals in holding facilities as are in the wild today, SAPL respectfully requests that Congress instruct the BLM that, until such time as the agency either finds qualified adopters for those animals now being held and/or returns animals to suitable herd areas (particularly those from which all wild horses and burros have been removed or whose populations are not self-sustaining), that no funds be used to conduct further round-ups. In addition, we request that Congress instruct the BLM to use its statutory authority to explore the potential for further designating and maintaining specific ranges on public lands as sanctuaries for the protection and preservation of wild horses and burros as provided in the Wild Free-Roaming Horses and Burros Act.

PREPARED STATEMENT OF THE SOUTHWESTERN WATER CONSERVATION DISTRICT

On behalf of SWCD, I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget. The SWCD was established by the Colorado legislature in 1941 to ensure the waters of the Dolores and San Juan Rivers in all or parts of nine counties in southwest Colorado.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.
3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

LETTER FROM THE STATE ENGINEER'S OFFICE, CHEYENNE, WYOMING

STATE ENGINEER'S OFFICE,
Cheyenne, Wyoming, April 18, 2007.

HON. DIANNE FEINSTEIN, *Chairman,*
HON. LARRY CRAIG, *Ranking Member,*
Subcommittee on Interior, Environment and Related Agencies, Committee on Appropriations, U.S. Senate, Washington, DC.

Support for funding of $5,900,000 in fiscal year 2008 within the Bureau of Land Management's Soil, Water and Air Account Management Program for implementing Colorado River Salinity Control Program measures; Requesting the Specific Designation of $1,500,000 be spent on identified salinity control and salinity control-related projects and studies.

DEAR CHAIRMAN FEINSTEIN AND RANKING MEMBER CRAIG: This letter is sent in support of fiscal year 2008 funding for the Bureau of Land Management (BLM) for activities directly benefiting the Colorado River Salinity Control Program. The activities needed to control salts reaching the Colorado River system from lands managed by the BLM fall within that agency's Land Resources Subactivity—Soil Water and Air Management Program. We request $5,900,000 be directed to enhancing Colorado River water quality and accomplish salt loading reduction in the Basin.

The State of Wyoming is a member State of the seven-State Colorado River Basin Salinity Control Forum, established in 1973 to coordinate with the Federal Government to assure maintenance of basin-wide Water Quality Standards for Salinity that have been in place for more than three decades. The Forum is composed of gubernatorial representatives who interact with the involved Federal agencies on the joint Federal/State efforts to control the salinity of the Colorado River. The Forum annually makes funding recommendations, including the amount believed necessary to be expended by the Bureau of Land Management for its Colorado River Basin Salinity Control Program. Overall, the combined efforts of the Basin States, the Bureau of Reclamation, the Bureau of Land Management and the Department of Agriculture have resulted in one of the Nation's most successful non-point source control programs.

The basin-wide water quality standards for salinity consist of numeric water quality criteria established and maintained at three Lower Colorado River points (Below Hoover Dam, Below Parker Dam and At Imperial Dam) and a Plan of Implementation that describes the Program's components, including the specific salinity control projects being implemented to remove sufficient salt from the River system to assure the River's salinity concentrations at the Standards' three points do not exceed the numeric criteria values. Pursuant to the Clean Water Act, the water quality standards for salinity are reviewed at least once each 3 years. At those intervals, the Plan of Implementation is jointly adjusted and revised by the States and involved Federal agencies, including representatives of the Bureau of Land Management, to ensure that the planned actions are sufficient to maintain continuing compliance with the numeric criteria.

Successful implementation of land management practices by the Bureau of Land Management to control soil erosion and the resultant salt contributions to the Colorado River system is essential to the success of the Colorado River Basin Salinity Control Program and compliance with the water quality standards adopted by each of the seven Colorado River Basin States and approved by the Environmental Protection Agency. Inadequate BLM control efforts will result in significant additional economic damages to downstream water users.

The BLM's fiscal year 2008 Budget Justification document reports that the agency continues to implement on-the-ground projects, evaluate progress in cooperation with the Bureau of Reclamation and the Department of Agriculture and report salt-retaining measures in furtherance of implementing the Plan of Implementation. As noted in the testimony subjected by the Colorado River Basin Salinity Control Forum (as submitted by Jack A. Barnett, the Forum's Executive Director), the Forum's member States, including the State of Wyoming, believe that fiscal year 2008 Soil, Water and Air Management Program funds should be used, in part, to continue efforts that will directly reduce salt contributions from BLM-managed lands within the Colorado River Basin, consistent with BLM's fiscal year 2008 Budget Justification document. At its recent October 2006 meeting, the Forum, in consultation with BLM officials, recommended that the U.S. Bureau of Land Management should expend $5,900,000 in fiscal year 2008 for salinity control. Accordingly, we request that the BLM be directed to expend from Soil, Water and Air Management Program funds not less than $5,900,000 for activities to reduce salt loading from BLM-managed lands in the Colorado River Basin in fiscal year 2008.

As one of the five principal Soil, Water and Air Program priorities identified by the BLM, projects that will directly provide salinity control should also be funded. In the past, the BLM has used $800,000 of Soil, Water and Air Program funding for specific salinity control project proposals submitted by BLM staff in the seven Colorado River Basin States to BLM's salinity control coordinator. Through this competitive proposal consideration process, the funds have been awarded to those projects having the greatest merit (as measured by their salt loading reduction and ability to quantify the salinity reduction that would be accomplished). At the October 2006 Forum meeting, the BLM and the member States of the Colorado River Basin Salinity Control Forum cooperatively determined that BLM has proposals in hand totaling over $1,500,000 that are of sufficient merit that they should be funded. Accordingly, the Forum's testimony to this subcommittee requests designation of $1,500,000 for this purpose. As one of Wyoming's Forum members, I wish to advise that the State of Wyoming concurs in that request.

Through studying hundreds of watersheds in the States of Utah, Colorado and Wyoming, the collaborative efforts of the collective State/Federal agencies and organizations working through the auspices of the Colorado River Basin Salinity Control Forum have selected several watersheds where very cost-effective salinity control efforts can be implemented without additional delay or study. In keeping with the congressional mandate to maximize the cost-effectiveness of salinity control, the State of Wyoming joins with the Forum in requesting that the Congress appropriate and the administration allocate adequate funds to support the BLM's portion of the Colorado River Salinity Control Program as described in the adopted Plan of Implementation.

The State of Wyoming appreciates the subcommittee's funding support of the Bureau of Land Management's statutorial responsibility to participate in the basin wide Colorado River Salinity Control Program in past years. We continue to believe this important basin-wide water quality improvement program merits funding and support by your subcommittee.

With best regards,

PATRICK T. TYRRELL,
Wyoming State Engineer.

PREPARED STATEMENT OF THE SWAN ECOSYSTEM CENTER

Madam Chairwoman and honorable members of the committee: My name is Neil Meyer from the Swan Valley of Northwest, Montana. I am chairman of the nonprofit Swan Ecosystem Center. We thank you for the opportunity to testify in support of continued Federal investment in the Swan Valley conservation effort, specifically a fiscal year 2008 $8 million appropriation to the U.S. Forest Service from the Land and Water Conservation Fund (LWCF) and a $4 million appropriation to the State of Montana from the Forest Legacy Program (FLP).

I've been a logger all my life. My wife and I have managed the timber on our land for over 50 years and we still have trees for the future. As a longtime resident of this place, myself and others have a deep concern for what is happening. This area has been rural forest-based with woods jobs—logging, outfitting and small ranches. It is the best, most diverse, healthy wildlife and fish habitat in the State and probably the best tree-growing site. Bull trout and other endangered species in the Swan Valley have the best habitat in Montana. This provides for a diversity of plant species and the scenic and recreation opportunities are superb.

Now the problem we face with land ownership issues: The valley floor is every other section industrial timber ownership, with the balance in State forest, national forest and small private ownership. The industrial forestland, some 80,000 acres, that has historically been managed for timber and open for public access is now being put on the market, a few sections at a time for real estate development. Such development means land clearing, private roads, houses, fences, and No Trespassing signs—the results being a big impact on wildlife and public access and added risk to streams and fisheries. These changes in forestland use not only reduce acreage under forest management but also constrain the management of adjacent forestlands.

Swan Valley residents are being closed out of lands long cherished for hunting, fishing and huckleberry picking. Native wildlife species, such as grizzly bears, are increasingly at risk as second-home development encroaches on their habitat. State and county resources for roads and other services are stretched thin. Fire fighters are spending more time than they should protecting homes, due to new development, when they are needed to fight wildfires.

People in the Swan Valley have been working effectively since 1999 on a multi-partner effort that has resulted in considerable conservation success. Yet, much remains to be accomplished if the Swan Valley and Mission Mountains Wilderness are going to remain connected to the greater Bob Marshall Wilderness. Residents care deeply about this place and need help protecting it. As I look around this Swan Land it occurs to me that at sometime every one of us will leave this place. Shouldn't we leave it as good or better than it is today. Please read our written testimony and support this program.

Swan Ecosystem Center (SEC) formed in 1996 as an inclusive 501(c)(3) nonprofit community group in the Swan Valley of northwest Montana. Anyone who lives in the Swan Valley and participates is a member. Swan Ecosystem Center has an office and visitor center in the U.S. Forest Service Condon Work Center through a partnership with the Forest Service. SEC staff and volunteers with diverse backgrounds and opinions annually contribute over 6,000 hours each year, a substantial commitment from a community of about 900 people. According to surveys, most people in the Swan Valley want to protect forests, wildlife and public access. This request is an important component of our multi-stakeholder strategy as indicated in the Swan Ecosystem Center Mission: We, citizens of the Upper Swan Valley, Montana, have a self-imposed sense of responsibility to maintain a strong, vital community, one involved in setting its own destiny through partnerships that encourage sustainable use and care of public and private land.

The Swan Valley conservation effort is a cooperative venture among private landowner's, public land management agencies, public resource management agencies, the community, and non-governmental organizations. These groups are working to develop a multi-faceted, long-term conservation strategy that effectively protects the significant ecological and recreational resources of the Swan Valley, while promoting the sustainable management of the valley's forest resources. This process has included a science-based assessment of wildlife and fisheries resources, timber productivity, and recreational activities as well as considerable input from a broad base of Swan Valley residents. Conservation strategies include:

—Land and Water Conservation Fund program to protect critical habitat and public recreation opportunities through Forest Service acquisitions.

—Forest Legacy Program to protect working timberlands with multiple resource values through conservation easements and limited acquisitions by the State of Montana.

—Residential land conservation easement program through local land trusts.
—Habitat Conservation Plan program and other mitigation programs to protect core habitat for threatened or endangered species.
—Special conservation areas to be managed by a nonprofit community group with a broad representation of interests and backgrounds.
—Private foundation funding and investment capital to further conservation objectives.

This year, 1,222 acres are available for acquisition through the Land and Water Conservation Fund to continue the conservation efforts in the Swan Valley. The parcels are located within grizzly bear habitat and are important for species recovery. Some parcels also contain stream reaches important for bull trout habitat and other native species, important habitat for elk and other big game, and/or recreation resources important to Montana residents and visitors alike. These acquisitions will prevent further fragmentation of forestland ownership and land uses, and improve coordinated land management through blocking up of public ownership in areas of checkerboard ownership.

The Swan Forest Legacy Program conservation easements and acquisitions will promote a sustainable working forest in the Swan Valley in order to maintain the forest-based economy of the Valley by protecting the most productive forestlands from conversion to non-forest uses. This year's proposal helps to protect access to public lands, maintain traditional outdoor recreation activities and conserve important wildlife and fisheries habitats. The proposal includes acquisition of 910 acres of Plum Creek lands within the Swan River State Forest checkerboard area, which would be conveyed to the State of Montana for on-going forest management.

It should be noted that private investment and commitment to conservation in the Swan Valley plays a significant role alongside the public conservation efforts. There is growing recognition that the conservation resources of the area blanket much of the Swan Valley, regardless of land ownership boundaries and that effective resource protection requires a multi-faceted approach. The efforts of private landowners, the Swan Ecosystem Center, other organizations, and private foundations are all contributing toward successful implementation of the conservation strategy.

The funding this committee has most generously provided for fee and easement acquisitions in the Swan Valley in previous fiscal years has reduced the checkerboard ownership pattern in the area, protected sensitive habitat and recreation lands from development, and protected forestlands from conversion to non-forest uses. We are extremely grateful for those past appropriations, and we ask you for your continued support as the committee considers the fiscal year 2008 Interior and Related Agencies Appropriation bill. Please support the Swan Valley Conservation Effort. Thank you for the opportunity to present this request.

PREPARED STATEMENT OF THE TEAMING WITH WILDLIFE NATIONAL STEERING COMMITTEE

On behalf of the Teaming with Wildlife National Steering Committee, we urge you to support funding in the amount of $85 million for the State Wildlife Grants Program in the fiscal year 2008 Interior, Environment, and Related Agencies Appropriations Act.

Teaming with Wildlife is a coalition of more than 5,000 organizations, agencies and businesses who support increased funding for state-level wildlife programs of conservation, education, and recreation aimed at keeping wildlife from becoming endangered. The Teaming with Wildlife coalition includes wildlife biologists, hunters and anglers, birdwatchers, hikers, visitors' bureaus, nature-based businesses and other conservationists who believe that working together to advance proactive wildlife conservation will save both wildlife and tax dollars over the long term.

The State Wildlife Grants Program supports proactive on-the-ground conservation projects aimed at declining fish and wildlife species and their habitats. State Wildlife Grants is not just a grants program. It is the Nation's core program for preventing wildlife from becoming endangered in every state. As a coalition of conservation organizations, wildlife management professionals, outdoor enthusiasts, and other supporters of wildlife conservation we have seen the tangible benefits of these projects in the communities where we live and work. Now, in response to a charge from Congress, the state wildlife agencies and their many conservation partners have worked together to complete Wildlife Action Plans for every state and territory. These plans were all officially approved by the U.S. Fish and Wildlife Service in January 2007. Organizations like ours and the State wildlife agencies we work with are eager to take the next step and begin implementation, but we are counting on

funding from the State Wildlife Grants Program to help us put these plans into action. It is the only funding nationwide that is dedicated for this purpose.

We understand the difficult decisions you have to make during this time of tight budgets. Now more than ever, Congress should be focusing limited resources on this kind of smart, proactive conservation investment. Experience shows that efforts to restore imperiled wildlife are difficult and costly. State Wildlife Grants enable States to be proactive and avert such conservation catastrophes, concurrently saving wildlife and taxpayer dollars, and improving our quality of life by conserving wildlife for the benefit of millions of Americans. The program also leverages significant funding from private, State, and local sources to magnify the impact of Federal dollars.

We are very pleased that the President has recognized the significance of this program and supported an increase above fiscal year 2007's enacted level of $67.5 million. A funding level of $85 million would help bring this program back up to the highest level of funding it has ever received, in fiscal year 2002, and would send an important message about the Congress's commitment to following through on providing the support needed to implement the state wildlife action plans. By restoring funding to this program at this critical juncture in the program, the Congress would help protect the foundation of the investment it has made in this program to date. We are pleased that at least 58 have already formally signed on to this commitment in the form of a "dear colleague" and we hope you will match that strong demonstration of support.

Additionally, the President's budget proposes that $5 million of the new funds recommended for State Wildlife Grants be set aside for a new competitive grants program. The Teaming with Wildlife Steeling Committee strongly believes that it would not be an effective use of taxpayer dollars to carve out a new program at current funding levels. The strength of the State Wildlife Grants Program has been the boost it has provided to the capacity of every State to address wildlife conservation. However, considerable work remains to be done at current funding levels. Injecting a competitive program in the current context would serve primarily to reward states that already have high-capacity conservation programs and punish those that are still developing. Allocating funds in this manner would aggravate disparities rather than advance the national interest in keeping wildlife from becoming endangered. We recommend that the Congress hold off on carving out any kind of competitive program until funding for State Wildlife Grants has reached the stable, increased levels that were outlined when the program was created.

We are very grateful for your leadership in funding this program over the last several years. You have helped make this program and its emphasis on preventive conservation a priority for the U.S. Fish and Wildlife Service. Although the budget is tight, we look forward to the U.S. Congress continuing to provide reliable and adequate funding to ensure the continued success of the State Wildlife Grants Program.

PREPARED STATEMENT OF THE THEATRE COMMUNICATIONS GROUP

Theatre Communications Group—the national service organization for the American theatre—is grateful for this opportunity to submit testimony on behalf of our 445 not-for-profit member theatres across the country and the 32.5 million audience members that the theatre community serves. We urge the subcommittee to support an increased appropriation of $176 million for the National Endowment for the Arts.

Indeed, the entire not-for-profit arts industry stimulates the economy, creates jobs and attracts tourism dollars. The not-for-profit arts generate $134 billion annually in economic activity, support 4.85 million jobs and return $10.5 billion in Federal income taxes. Art museums, exhibits and festivals combine with performances of theatre, dance, opera and music to draw tourists and their consumer dollars to communities nationwide. Federal funding of the arts creates a significant return, generating many more dollars in matching funds for each Federal dollar awarded, and is clearly an investment in the economic health of America. In a difficult economy where corporate donations and foundation grants are diminished, and increased ticket prices would undermine efforts to broaden and diversify audiences, these Federal funds simply cannot be replaced. Maintaining the strength of the not-for-profit sector, along with the commercial sector, will be vital to restoring the economic health of our Nation.

Our country's not-for-profit theatres develop innovative educational activities and outreach programs, providing millions of young people, including "at-risk" youth, with important skills for the future by expanding their creativity and developing problem-solving, reasoning and communication abilities—preparing today's students

to become tomorrow's citizens. Our theatres present new works and serve as catalysts for economic growth in their local communities. These theatres also nurture—and provide artistic homes for the development of—the current generation of acclaimed writers, actors, directors and designers working in regional theatre, on Broadway and in the film and television industries. At the same time, theatres have become increasingly responsive to their communities, serving as healing forces in difficult times, and producing work that reflects and celebrates the strength of our Nation's diversity.

Here are some examples of NEA funding impact:

FROM THE NEA'S ACCESS TO ARTISTIC EXCELLENCE PROGRAM

Through a grant of $30,000, Perseverance Theatre in Douglas, AK, will present the world premiere production of The Raven Odyssey. The project will weave together folkloric Raven stories to create a contemporary pan-Alaskan celebration of the State's history and indigenous cultures. Combining traditional song and dance, and gathered through interviews with Elders and storytellers, this theatrical retelling brings together Alutiiq, Athabascan, Haida, Inupiaq, Siberian Yup'ik, Tlingit and Yup'ik performers from around the State.

The Idaho Shakespeare Festival in Boise, ID, has received a $25,000 grant to support its educational touring programs. The annual tour of Idaho Theater for Youth will bring 50-minute contemporary plays to elementary schoolchildren, and the Shakespearience program will bring fully staged Shakespeare productions to middle and high school students. The Festival annually reaches over 50,000 school-age children, particularly those in rural and underserved communities, and integrates theatre arts programming into the curricula of approximately 95 percent of the school districts in Idaho as well as to parts of Oregon, Wyoming and Nevada.

The National Endowment for the Arts has been a major contributor to Greenbrier Valley Theatre. NEA funding has enabled the theatre to further its arts educational outreach programs into the State of West Virginia, in addition to enriching the experience of the 15,000 patrons that are served yearly. Most recently the Access to Artistic Excellence Award (2006) afforded Greenbrier the ability to produce The Diary of Anne Frank for 3,000 middle and high school students in State of West Virginia. This project encompassed a multi-disciplinary approach to history, theatre, literature and current events to students, many of whom have never attended a theatrical event. Greenbrier is grateful to the NEA for the financial assistance and the prestige that accompanies an award from such an important agency.

Support from the NEA is allowing California Shakespeare Theater to realize an immediate and revelatory production of Shakespeare's King Lear and to expand and deepen their relationships with community-based organizations serving at-risk youth in Oakland and San Francisco as part of their New Works/New Communities program. Targeted Oakland participants are primarily low-income, African American and Latino youth, hailing from neighborhoods suffering from high rates of unemployment and violent crime, lack of services, and low-scoring public schools. San Francisco youth partners are at-risk gay, lesbian, transgender, and questioning teens, whose sense of isolation, fear of discovery, and experiences with verbal and physical harassment have led to high risk behavior. Cal Shakes will engage 280 of these youth in discovering and creating short plays inspired by King Lear, then host a culminating event at the Theater. At this event, professional actors will present these original plays written by participating youth, whose unique voices will be affirmed before an audience of their peers, adult mentors, and Cal Shakes patrons. This reading will be followed by a picnic lunch and a matinee performance of King Lear on the main stage. California Shakespeare's target population for the full run of King Lear includes 5,000 subscribers, and 4,500 single and group ticket buyers, including 1,000 patrons developed through the New Generations program, which targets 18 to 35 year-olds. Funding from the NEA is vital to achieving their goals of stimulating individual creative expression, giving voice to the experience and perspective of marginalized communities, and developing the academic engagement and performance of participants. The impact that this process will have on youth in seeing their work performed by professional actors, is expected to boost their confidence in their own unique voices and their investment in creative pursuits.

These are only a few examples of the kinds of extraordinary programs supported by the National Endowment for the Arts. Indeed, the Endowment's Theater Program is able to fund only 40 percent of the applications it receives, so 60 percent of the theatres are turned away because there aren't sufficient funds. Theatre Communications Group urges you to support increased funding for fiscal year 2008 for the NEA, so that more not-for-profit professional arts organizations can continue to

educate and entertain audiences, train the next generation of artists, and generate local revenue nationwide.

The American public favors spending Federal tax dollars in support of the arts. Today, Federal arts funding enjoys solid bipartisan support in the House and Senate. Unfortunately, the NEA is funded at only $124 million in the present fiscal year (fiscal year 2007); it has never recovered from a 40 percent budget cut in fiscal year 1996 and its programs are seriously under-funded. It has had only small incremental increases in the past 6 years. A total appropriation of $176 million for fiscal year 2008 would represent an increase of $52 million, restoring the agency to its 1992 level of $176 million, which was then equal to 69 cents per capita. In 2007, 15 years later, the Federal Government spends only 41 cents per capita. If adjusted for inflation, this per capita spending cut would be even deeper.

Thank you for considering this request.

PREPARED STATEMENT OF THE WILDLIFE SOCIETY

The Wildlife Society appreciates the opportunity to provide comments on the proposed fiscal year 2008 budget for the Department of Interior, Environment, and Related Agencies. The Wildlife Society is the association of over 7,500 professional wildlife biologists and managers dedicated to excellence in wildlife stewardship through science and education.

U.S. FISH AND WILDLIFE SERVICE

Funding assistance for State wildlife agencies is one of the highest priority needs for wildlife at this time, providing essential resources to conserve wildlife, fish, and habitat, and to prevent further declines in at-risk wildlife populations in every State. We appreciate the administration's recognition of the importance of the State Wildlife Grants Program through the $69.5 million request, but we strongly encourage even greater funding to achieve species conservation. States have recently completed their comprehensive wildlife conservation plans as mandated by Congress. These Wildlife Action Plans detail each State's species of greatest concern, their related habitats, limitations, and related needed conservation actions. With the completion of all 56 State and territorial Wildlife Action Plans, it is critical this program receive increased funding to assist States with the implementation of on-the-ground actions associated with the plans. We recommend that $85 million be appropriated for State Wildlife Grants in fiscal year 2008.

Federal programs, such as the State Wildlife Grants and the Partners for Fish and Wildlife Programs provide key support for Wildlife Action Plan implementation but equally critical is the Landowner Incentive Program, which acts in a unique way to bring a source of funds to landowners from the States. TWS urges you to fund the Landowner Incentive Program at the fiscal year 2006 level of $21.7 million. This program is both an essential tool for wildlife conservation and a cost-saving mechanism that institutes actions on the ground that prevent wildlife species from becoming threatened or endangered. Funds invested in LIP today mean potential savings of millions in the future, by preventing species from declining to a point that requires listing under the Endangered Species Act. Maintaining funding for LIP is essential to sustaining the investment in delivery infrastructure already in place at State agencies, as well as supporting participation by private landowners in cooperative conservation.

The North American Wetlands Conservation Act is a cooperative, non-regulatory, incentive-based program that has shown unprecedented success in restoring wetlands, waterfowl, and other migratory bird populations. We are pleased by the administration's support of this program through its $42 million request, but recommend that you appropriate $50 million for the North American Wetlands Conservation Fund in fiscal year 2008.

The Neotropical Migratory Bird Conservation Act provides a broad-spectrum approach to bird conservation. The Wildlife Society recommends that Congress fund the Neotropical Migratory Bird Conservation Act at its full authorization of $5.5 million in fiscal year 2008.

We are pleased by the $29.52 million request for Migratory Bird Management in fiscal year 2008, especially since public interest in migratory birds and the need for migratory bird management are increasing, and support funding at the recommended level.

Over the last several years, the Cooperative Alliance for Refuge Enhancement (CARE), a broad coalition of 21 conservation organizations, including The Wildlife Society, has worked cooperatively with Congress and the administration to highlight the needs of the National Wildlife Refuge System and secure strong investments in

this remarkable network of lands and waters. We are grateful for the budget increases that Congress provided the Refuge System leading up to its 100th anniversary, and seek your support as Congress considers fiscal year 2008. The backlog in operations and maintenance needs within the Refuge System budget now total more than $2.5 billion. Several years of stagnant or declining budgets have also exacerbated the operations and maintenance backlog, and forced a dramatic 20 percent cut in staff across the Nation. The FWS stopped filling vacant positions in the Refuge System after its centennial in 2003, in recognition that funding was not keeping pace with cost of living increases and inflation. The reduction in staff has already impacted the day-to-day services and achievements of the national wildlife refuge system. Refuge visitors often find roads and visitor centers closed, biological and education programs eliminated and a reduced or non-existent law enforcement presence.

Congress provided modest but significant funding increases leading up to the Refuge System's centennial in fiscal year 2004. Since then, however, annual appropriations have consistently failed to keep pace with ever-increasing fixed costs and inflation. Based on an analysis of rising fixed costs, the Refuge System needs an annual $15 million increase just to break even each year. Simply put, to keep the modest fiscal year 2004 budget on pace with inflationary costs, the Refuge System needs $451.5 million for its operations and maintenance accounts for fiscal year 2008.

The Wildlife Society supports maintaining the funding levels for all subactivities within the Endangered Species Program, and is especially concerned with the proposed reduction of $5.5 million from fiscal year 2006 for the Recovery Program. Endangered species recovery efforts can ultimately lead to delisting actions that result in significant benefits to species through State management efforts. We recommend that Congress restore the $5.5 million to the Endangered Species Program for use in recovery efforts.

The Wildlife Society is very disappointed that funding for the Science Excellence Initiative has been discontinued. The $493,000 reduction will prevent the Office of the Science Advisor from expanding the Service's on-the-ground scientific capacity in adaptive resource management (ARM), structured decision analysis, and conservation genetics. These key programs have allowed FWS to partner with USGS in the application of ARM principles and practices on National Wildlife Refuges in Regions 3 and 5, improving refuge planning and management; to ensure that FWS employees in the field have access to the expertise and assistance they need to make more frequent use of the principles and practices of ARM in managing natural resources; to apply structured decision analysis principles and practices in documenting, explaining and defending its decisions more thoroughly and more effectively; and to focus on expanding the Service's capacity in conservation genetics. We are concerned that the elimination of these programs will reduce the Service's capacities in these key areas and prevent the expansion of these programs to other regions of the Service. The Wildlife Society strongly recommends that Congress reinstate the proposed reduction and fund the Science Excellence Initiative at $493,000 in fiscal year 2008.

BUREAU OF LAND MANAGEMENT

The proposed fiscal year 2008 budget for BLM's Wildlife Management program is $28.347 million, a $181,000 increase over fiscal year 2006. This will allow BLM to maintain and restore wildlife and habitat by conserving and monitoring habitat conditions, conduct inventories of wildlife resources, and develop cooperative management plans. However, in light of the many wildlife management needs on our public lands, The Wildlife Society urges Congress to increase the Wildlife Management budget by an additional $3 million to meet ongoing needs.

The President has requested a $740,000 increase in BLM's Threatened and Endangered Species Management Program from fiscal year 2006 levels. However, this request ignores the Agency's March 2001 Report to Congress which called for a doubling of the current Threatened and Endangered Species budget to $48 million and an additional 70 staff positions over 5 years. The fiscal year 2008 request is woefully inadequate to meet identified needs or allow the BLM to carry out its important responsibilities under the ESA. In view of this gross inequity between resource needs versus funding levels, The Wildlife Society strongly encourages Congress to add an additional $5 million to the Threatened and Endangered Species fiscal year 2008 budget.

U.S. GEOLOGICAL SURVEY BIOLOGICAL RESOURCES DIVISION

As a member of the USGS Coalition, The Wildlife Society supports $1.2 billion in funding for USGS in fiscal year 2008. This level of support would enable USGS

to meet new challenges while continuing to provide essential data for land-use management, sustainable natural resource development, economic growth, and enhanced security from natural and manmade hazards. More investment is needed to strengthen USGS partnerships, improve monitoring networks, produce high-quality digital geospatial data and deliver the best possible science to address critical environmental and societal challenges.

We also request sufficient fiscal year 2008 funding to make greater use of the U.S. Geological Survey's Cooperative Fish and Wildlife Research Units (CFWRU) in this Nation's pressing natural resource challenges. To begin meeting the CFWRU's high priority research and training needs in fiscal year 2008, we ask that you request establishment of a competitive, matching fund program within existing CFWRU legislative authority that would make available $20 million annually in new funds beyond base operational costs. These new funds would support future cooperative, high priority research efforts and essential training of new natural resource professionals to replace the large number who will retire within the next decade.

In order to fill current scientist vacancies, restore seriously eroded operational funds for each CFWRU, and enhance national program coordination, the fiscal year 2008 budget for the CFWRUs must increase by approximately $5 million over the recommended fiscal year 2007 funding level. This support would restore necessary capacity in the CFWRU program and allow it to meet the Nation's research and training needs. It would also ensure that the Interior Department provides the Federal scientist scientific staffing agreed to with partners, so that the return on their continuing investment in the CFWRUs is realized and fully leveraged. Without an infusion of funds, one quarter of all CFWRU scientist positions (29) will be vacant by the end of fiscal year 2008.

U.S. FOREST SERVICE

The Wildlife Society is deeply concerned that the President's budget proposes a $14 million decrease from fiscal year 2006 for the Wildlife and Fisheries Habitat Management Program. We urge Congress to restore $17 million, for a total of $135 million in fiscal year 2008. The Wildlife Society requests that the USFS closely coordinate use of these funds with State fish and wildlife agencies to recognize and fully utilize the State's authorities for fish and wildlife management. To maximize benefits from these funds, however, the USFS needs to facilitate cooperative design and conduct of programs and activities to reduce duplication with State programs and to increase utility of programs in achieving measurable land and resource objectives.

The Wildlife Society is very concerned about the Forest Service's proposal to sell about 175,000 acres of National Forest System lands around the Nation for a total of $800 million, through the National Forest Land Adjustment for Rural Communities Act. The National Forest System lands provide valuable habitat for our Nation's wildlife, as well as research and recreational opportunities for our members and others. The proposal to sell 175,000 acres of public land to raise funds for rural schools is shortsighted and unwise. While we understand the need to find alternate funding for rural schools in light of decreasing timber revenue, the best way to meet these needs is not by permanent reduction of the Federal land base. The land targeted for sale provides important habitat for wildlife and is necessary to maintain healthy and productive terrestrial and aquatic ecosystems on our Federal lands. We understand that land exchanges, and in some cases sales, can serve important management purposes, where they are carefully planned and analyzed. However, we see a clear distinction between decisions made to exchange land and thereby improve available habitat and the current proposal to permanently reduce the Federal land base for short-term profits.

Thank you for considering the comments of wildlife professionals. We are available to work with you and your staff throughout the appropriations process.

PREPARED STATEMENT OF THE WILDERNESS SOCIETY

Madam Chairman, The Wilderness Society (TWS) would like to thank you for the opportunity to provide recommendations and comments on the fiscal year 2008 Department of the Interior and Related Agencies Appropriations bill. On behalf of the more than 250,000 members and supporters of TWS, a 70-year-old organization dedicated to preserving America's last remaining wild places, I provide below our fiscal year 2008 funding recommendations for a number of important conservation programs. Adequate funding for the programs discussed below is vital to protect America's wild areas and environmental values.

Land and Water Conservation Fund.—The Land and Water Conservation Fund (LWCF) is our Nation's premiere tool to create and preserve parks, forests, wildlife refuges and open space. Unfortunately, the administration's proposed fiscal year 2008 budget provides only $58 million for LWCF's core programs—funding Federal land acquisition at $22.5 million and eliminating the stateside assistance grants completely. National treasures from the Santa Rosa and San Jacinto Mountains National Monument and Long Island near the Boundary Waters Canoe Area Wilderness to our neighborhood parks will suffer unless funding is increased for the LWCF program.

We urge the subcommittee to provide $220 million for Federal land acquisition and $100 million for stateside assistance grants in fiscal year 2008, and to make a commitment to fully fund these programs at the authorized level of $900 million annually in the coming years. Funding in the President's Budget for National Park Service, Fish and Wildlife Service, Bureau of Land Management and U.S. Forest Service land acquisition is cut from a proposed $130 million in fiscal year 2006 to $58 million proposed for fiscal year 2008. Americans have long relied on Federal land acquisition to protect and complete its parks, forests and refuges. The administration's cuts would result in degraded lands and fewer recreation experiences.

We recommend LWCF Federal land acquisition funding for 49 priority projects for fiscal year 2008, listed in Appendix A. Federal acquisition of these lands is necessary to avert immediate and permanent environmental damage, and to protect and restore wildlands of significance (e.g. those with rare ecosystems, endangered species, and/or other special qualities).

Forest Legacy.—We urge the subcommittee to allocate $100 million for the Forest Legacy program. The Forest Legacy program is a popular and effective means to combat the conversion of privately-owned timberlands to development. According to the recent USDA Forest Service report, "Forests on the edge," over 40 million acres of private forestlands are likely to be developed in the next three decades, threatening critical water and other ecological resources. In fiscal year 2008, 41 States submitted 82 projects totaling $192 million in need from Forest Legacy. Despite these enormous needs, the President's budget proposed only $29 million for 14 projects, leaving many forests at risk. Funding to the Forest Legacy program must rise to respond to these increasing development pressures and better meet demand from participating States.

Fish and Wildlife Service.—National wildlife refuges throughout the country face a crippling $2.5 billion budget backlog. A restructuring of the Refuge System workforce cut national staffing levels 20 percent and eliminated 565 essential employees. Nearly $800 million annually is needed to fully fund the Refuge System, but for fiscal year 2008 President Bush requested a mere $396 million. This amount fails to factor-in inflation costs and falls $55 million short of the amount needed to keep pace with current needs. As a step toward full funding of the Refuge System, we urge the subcommittee to appropriate $451.5 for fiscal year 2008.

National Park Service.—We support increased funding for operations of the National Park System at $206 million over the enacted fiscal year 2007 funding level. Investing in interpretation, enforcement, and natural resource protection staff is critical in order for the agency to provide visitors with safe, enjoyable, and educational experiences in the park system. We continue to have serious concerns about the growing backlog on critical systems deferred maintenance which has reached over $1 billion according to the agency as well as a significant back log for land acquisition needs. A crumbling infrastructure will only get worse over time. We strongly recommend a larger investment in the maintenance backlog than the administration's proposal.

Forest Service Open Space Preservation.—The Forest Service has identified the loss of open space as one of the four major threats to forests across our Nation. The United States loses approximately 6,000 acres of open spaces and forests every day (the equivalent of 240 football fields per hour). These are fish and wildlife habitats, the sources of clean water, and places where Americans recreate. In addition to funding programs like Forest Legacy and LWCF, which aid in the acquisition and protection of open spaces, other programs within the Forest Service also aid in protecting our open spaces and require funding adjustments. We urge that the Wildlife and Fisheries Habitat Management program receive $160 million, Recreation, Heritage, & Wilderness program receive $64 million for Wilderness and Wild & Scenic Rivers, Road Maintenance be increased to $500 million to address the maintenance backlog and to decommission roads that cannot be sustainably maintained, and Urban and Community Forestry receive at least the fiscal year 2003 funding level of $36 million. Reducing timber funding levels to the fiscal year 2000 level of $237 million and reducing the construction and reconstruction funding for new logging

roads would also prevent the degradation of wildlife habitat, soils, streams and recreation sites and aid in the protection of open spaces.

Forest Service Wildfire Management.—The Wilderness Society believes there are two key actions that can address the escalating cost of suppressing wildland fires: expanding Wildland Fire Use (WFU) and increasing funding for the community fire assistance program. We urge Congress to provide increased resources specifically for WFU training and staffing and increase funding for State Fire Assistance to $145 million to meet projected needs for local communities throughout the country.

BLM's Oil and Gas Program.—We support the administration's proposal to repeal provisions of Sec. 365 of the Energy Policy Act of 2005 and the $3.1 million request for inspection and monitoring. However, any allocations for this purpose should be accompanied by a clear directive that such funds be used solely for inspection and enforce activities, and not be diverted to other uses, such as processing drilling permit applications, as has been the case in recent years.

The BLM's oil and gas program budget has ballooned from $57.8 million in fiscal year 2000 to a record $121.2 million request for fiscal year 2008, a more than doubling in appropriations for this program during a period when overall appropriations for the BLM's conservation programs have either stagnated or declined. Despite the fact that about 24 million acres of leased public lands are idle, the BLM continues to issue new leases to industry on demand, often in environmentally sensitive areas, some of which have been proposed by Members of Congress for Wilderness designation. We recommend that this overall request be reduced by $15 million and the savings be used to cover other BLM programs that are badly in need of funding, such as the National Landscape Conservation System and the "Healthy Lands Initiative."

The committee should demand from the BLM more information about the "Healthy Lands Initiative"—for example, how much money will be spent on what activities over how long a period of time. Since a major rationale for the "Healthy Lands Initiative" is to address the damage that has occurred to public lands as a result of oil and gas activities, the committee should insist on precise information from the BLM about what the industry's responsibilities are for preventing damage to wildlife, fisheries, and other environmental values, and to what extent the industry will be held responsible for financing the clean-up and restoration efforts that are needed. Sufficient funds should also be allocated to the National Academy of Sciences to complete the coal bed methane water study authorized in sec. 1811 of the Energy Policy Act, but which heretofore the BLM has refused to fund.

Oil Shale.—We urge the committee to adopt language to prohibit the BLM from developing a commercial oil shale lease program in fiscal year 2008. The BLM has recently issued a number of research and development oil shale leases however, the results of this program will not be known for several years. Nevertheless, the BLM intends to finalize commercial oil shale regulations by the end of this year, and issue commercial leases by the end of calendar year 2008. The BLM should await the results of the R&D programs of its various lessees, take into account the results of that program, incorporate the relevant knowledge into its regulatory program, and only then decide whether it is prudent to offer commercial oil shale leases.

BLM and Forest Service Land Sales.—The administration has once again proposed to sell BLM and Forest Service lands for "deficit reduction" and other purposes. This proposal is virtually identical to the administration's proposal last year, which was not accepted by the committee. We urge the subcommittee to reject this proposal again this year.

National Landscape Conservation System.—We urge the committee to provide $69 million in fiscal year 2008 for operations and maintenance, to conserve the unique National Monuments, National Trails, and other areas that comprise the 26 million acre System. This modest increase in funding will help address priority unmet needs including additional rangers, investments in monitoring and restoration, cultural site protection, and volunteer program support. We also ask the committee to support member requests for Conservation System units in their districts. To promote accountability, we urge the committee to request expenditure and accomplishment reports for each of the System's Monuments and Conservation Areas for fiscal year 2007 and inclusion of unit-level allocations by major sub-activities for all System units but Wilderness and Wilderness Study Areas (WSAs). These unit-level allocations should be combined with Wilderness and WSAs under a new System activity account.

TABLE A.—RECOMMENDED FEDERAL LWCF PROJECTS FOR FISCAL YEAR 2008

State	Project name	Amount
AL	Alabama National Forests	$1,800,000

TABLE A.—RECOMMENDED FEDERAL LWCF PROJECTS FOR FISCAL YEAR 2008—Continued

State	Project name	Amount
AR	Ouachita National Forest	1,500,000
AZ	San Pedro National Conservation Area (rail-trail)	500,000
CA	Sierra Nevada Checkerboard	2,500
CA	Santa Rosa and San Jacinto Mountains National Monument	4,200,000
CO	Uncompahgre National Forest (Ophir Valley)	2,500,000
CO	Gunnison Gorge National Conservation Area	856,000
CO	Canyons of the Ancients National Monument	7,000,000
CT	Stewart McKinney National Wildlife Refuge (Menunketesuck)	710,000
CT	Highlands Conservation Act	2,500,000
CT	Silvio Conte National Fish & Wildlife Refuge	3,250,000
GA	Chattacchoochee River National Recreation Area (Hyde Farm NPS portion of project)	5,000,000
GA	Chattahoochee-Oconee National Forests—Riparian Project (USFS portion of project)	4,000,000
KY	Cumberland Gap National Historic Park (Fern Lake)	1,900,000
LA	Bayou Savage National Wildlife Refuge (Brazilier)	3,000,000
LA	Tensas National Wildlife Refuge (Chicago Mill)	500,000
MA	Cape Cod NS	4,000,000
MA	Silvio Conte National Fish & Wildlife Refuge	4,000,000
ME	White Mountain National Forest (Haystock Notch)	550,000
MI	Ottawa National Forest (Sturgeon River Gorge)	4,000,000
MN	Superior National Forest (Long Island)	1,500,000
MT	Flathead National Forest	8,000,000
MT	Greater Yellowstone Ecosystem (Sun Ranch)	4,500,000
NC	Uwharrie National Scenic Trail	800,000
NC	Appalachian National Scenic Recreation Trail,	270,000
NH	Lake Umbagog National Wildlife Refuge (Mollidgewock)	1,000,000
NH	Silvio Conte National Fish & Wildlife Refuge	1,230,000
NJ	E.B. Forsythe National Wildlife Refuge	1,375,000
NJ	Delaware Water Gap (Minisink Bluffs)	1,200,000
NJ	Highlands Conservation Act	2,500,000
NM	La Cienega ACEC	3,000,000
NY	Highlands Conservation Act	2,500,000
OH	Cuyahoga National Park	8,000,000
OR	Rogue WSR (Winkle Bar)	1,500,000
OR	Cascade Siskiyou National Monument	1,800,000
OR	Steens Mountain Cooperative Management and Protection Area	1,800,000
PA	Delaware Water Gap (Santos Farm)	4,000,000
PA	Highlands Conservation Act	2,500,000
TN	Rocky Fork	7,000,000
TN	Chickamauga Chattanooga NMP	2,200,000
TN	Appalachian National Scenic Recreation Trail,	500,000
TX	Balcones Canyonlands National Wildlife Refuge	275,000
TX	San Bernard NWR	3,000,000
VI	Virgin Islands National Park (Maho)	4,500,000
VT	Silvio Conte National Fish & Wildlife Refuge	261,000
VT	Green Mountain National Forest	2,883,000
WA	Mt. Ranier (Carbon River)	1,500,000
WA	Central Cascades (Dandy Pass)	1,925,000
WI	Chequamegon National Forest	6,200,000
	Total	129,487,500

Prepared Statement of The Wilderness Society

The Wilderness Society (TWS) appreciates this opportunity to provide recommendations and comments on the fiscal year 2008 appropriations for wildfire management (at both the Department of the Interior and the U.S. Forest Service) in the Department of the Interior and Related Agencies Appropriations bill. There are four areas in which we would like to provide recommendations or convey concerns: (1) Wildland Fire Use (WFU), (2) insufficient funding for State and Local Assistance programs, (3) hazardous fuels treatments, and (4) suppression funding.

WILDLAND FIRE USE (WFU)

The default response to most fires, even those burning in remote areas, has been to fight them; contributing to $1 billion in suppression costs in four of the last seven fire seasons. Ironically, the resulting absence of fire has lead to unnaturally dense vegetation in many areas, resulting in more intense fires that require more aggressive attack. Fire spending has already eroded other agency programs—like improving fish and wildlife habitat, managing wilderness, and providing needed assistance to States. In fact, funding for non-fire Forest Service programs decreased 14 percent between fiscal year 2002 and fiscal year 2006 (adjusted for inflation). Fire costs now threaten to totally eclipse the agencies' other mission areas. The Forest Service's (USFS) wildland fire costs increased from 13 percent of their budget in fiscal year 1991 to a staggering 45 percent projected in fiscal year 2008, and experts are predicting that global climate change will only lengthen the fire season. It's clear that something needs to change—a mandate for restoration is needed. To put us on a path towards restoration, fire must be returned to the landscape, where safe and where appropriate. A tool that land managers can use to accomplish this is WFU, the practice of actively managing naturally-ignited fires in designated sections of forests to accomplish resource management goals.

WFU is widely accepted by scientists and practitioners alike as an important tool to help restore forests, and reduce fire suppression costs. For example, in 2006 the Sequoia National Monument completed a 9,000 acre WFU fire in the South Sierra Wilderness for only $149 an acre. The USDA IG recently recommended that the Forest Service expand its WFU program and other policy initiatives, including the National Fire Plan (NFP), the 10-year Strategy, and the Healthy Forests Restoration Act (HFRA), have endorsed the use of fire to improve ecosystem health. The Forest Service's fiscal year 2008 budget proposes some important shifts in the way fire is managed, introducing the concept of a "risk-based fire suppression approach" that acknowledges that wildland fires should be managed according to the risk they pose. TWS supports this shift in wildland fire management. However, we recognize that while these are promising changes, institutional shifts like this one require resources and the right incentives to be successful and measurable milestones to mark progress. Currently, the agencies have inadequate funding and staffing to expand WFU, and internal policies act as disincentives. It is critical that Congress engage to both increase opportunities for the application of WFU as well as provide the additional resources necessary to capitalize on these opportunities. As such, we recommend that the subcommittee: (1) designate funding from the suppression or preparedness line items to increase training and staffing for WFU at DOI and USFS; (2) direct the agencies to make fire policy changes that allow a wildland fire to be managed for both suppression and WFU and that allow the agencies to "get credit" for hazardous fuels treated using WFU; (3) direct the agencies to develop performance measures for WFU; (4) direct the agencies to recognize that WFU, not suppression, should be the "default" fire management action, with the land management plan and/or Fire Management Plan designating specific areas (like near communities) where WFU is not appropriate; (5) use the fiscal year 2008 Interior Appropriations bill to strongly endorse WFU.

STATE AND LOCAL ASSISTANCE

To successfully reduce suppression costs and restore forests, we must approach fire management on the terms dictated by fire itself—across ownership boundaries. Significant investments must be made in cross-jurisdictional management. In 2001, the USFS and the Department of the Interior identified over 11,000 communities adjacent to Federal lands that are at risk from wildland fire; State Foresters estimate at least 45,000 communities at risk. TWS research has shown that up to 85 percent of the land around communities that is at the highest risk for wildfires is State or private. State and Local Assistance programs have been designed to help promote fire-adapted communities in fire-dependent landscapes, but funding for these programs has been minimal and continues to decline—the fiscal year 2008 budget proposes a 17 percent reduction in community fire funding. In fact, total funding dedicated to forest and fire management activities by non-Federal partners[1] amounts to less than 10 percent of the $14 billion appropriated to the NFP

[1] Specifically Forest Health Management (Coop Lands), State Fire Assistance and Volunteer Fire Assistance under Wildland Fire Management and Forest Health Management (Coop Lands), State Fire Assistance and Volunteer Fire Assistance under State and Private Forestry Appropriations, as well as other State and Private Forestry programs that assist communities in managing forests, including the Economic Action Program, Forest Stewardship, Urban &

in the last 5 years. One of the most important community assistance programs is State Fire Assistance (SFA). It is a key part of a long-term strategy to reduce suppression costs because it funds proactive fire risk reduction activities, fire prevention campaigns, public education, and most critically, Community Wildfire Protection Planning (CWPP). This program has significant and wide-ranging support; TWS has joined with over 40 diverse groups, ranging from the Society of American Foresters to the Idaho Conservation League, to ask for increased and sustained funding for SFA. Unfortunately, the President's fiscal year 2008 Budget proposes reducing the already woefully underfunded State Fire Assistance program by 14 percent (from $78.7 million to $68.1 million). The National Association of State Foresters estimates fiscal year 2008 SFA funding needs at a minimum of $145 million—the program's fiscal year 2008 proposed budget is less than half that. We appreciate that the subcommittee has consistently provided stable SFA appropriations responsive to on-the-ground realities. We again request your leadership to restore and enhance SFA funding. TWS recommends no less than 20 percent of the 5-year average of NFP appropriations be allocated to State and Local Assistance Programs generally, and 50 percent of that be targeted specifically to SFA, through a steady increase over 3 years. The first year should reflect an 80 percent increase above the historical average for SFA, resulting in a $144 million appropriation that would meet the State Forester's projected 2008 needs.

For restoration to be successful and suppression costs reduced, the agencies also need programs that deliver technical assistance, business training, and grants to build restoration-based businesses and community capacity to participate in collaboration, planning and monitoring. The Forest Service's Economic Action Programs (EAP) provided this assistance, served as leverage for additional private dollars, and was another critical Federal funding source for CWPPs. TWS supports Chairman Rahall's recommendation that funding for this program be restored and increased to $52.6 million, with $40 million for the base program and $12.6 million for the NFP portion.

TWS also recommends that funding for the BLM's Rural Fire Assistance program be restored to $10 million or an additional $10 million be added to USFS's Volunteer Fire Assistance program.

HAZARDOUS FUELS

While it is agreed that many forest types have been altered by fire suppression and thus require active fuel reduction, the debate over where to target these projects is contentious. Current methods for identifying treatment priorities and tracking and reporting accomplishments hamper efforts to achieve the desired outcomes. Current incentive structures strongly favor treating a high number of acres, without requiring consistent priority-setting or ensuring those acres treated actually reduce risk. This is because most targets are in the form of "acres treated".

To identify those acres, the agencies largely rely on a method of classifying vegetation called Fire Regime Condition Class (FRCC), which purports to represent the degree of departure of current vegetation from historical conditions. FRCC has been misinterpreted as a measure of "fuel load" and has widely—and inappropriately—been applied to identify treatment priorities. Excitement over the use of FRCC in priority setting has led to its incorporation into agency performance measures and inclusion in HFRA. FRCC has never undergone formal scientific scrutiny, and many in the scientific and management communities have expressed concerns about over-reliance on FRCC for priority-setting. TWS supports the concept behind FRCC. However, we have identified a number of ambiguities and methodological flaws that undermine our confidence in using it to prioritize fuel treatments, assess performance, and measure financial return on taxpayer investments. For example, FRCC classification relies on subjective, unrepeatable expert opinion; FRCC tells us nothing about reducing risk to communities; and FRCC accounts for any and all departures from historical conditions, including disturbances that are not likely to result in fuel build-up, like grazing or road-building. Accordingly, TWS recommends that the subcommittee (1) require an objective, scientific review of FRCC and (2) direct the agencies to review the efficacy of all the current performance measures that use FRCC as a metric.

In addition, despite the HFRA requirement that community priorities, as expressed in a CWPP, are considered when implementing hazardous fuel treatments, it is unclear if this is occurring, as reported recently by the USDA IG. TWS recommends that the subcommittee: (1) ask the agencies to report on the status of

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Community Forestry and Forest Research & Information Analysis (except Forest Legacy) Data source: USFS Budget Justifications 2005, 2006, 2007, and 2008.

CWPPs, how priorities identified in CWPPs are incorporated into fuel treatments, and the number of fuel treatment projects that resulted from a CWPP and (2) direct the agencies to prioritize funding for those projects that are developed collaboratively.

Lastly, despite problems identifying priorities for hazardous fuels treatments, some Forests have implemented hazardous fuels projects that are successful in reducing risk, particularly using prescribed fire. TWS has specifically documented these successes in National Forests in California, particularly in mixed conifer, ponderosa pine and other short interval fire regimes. We have found that reintroducing low severity fire has significantly reduced both potential fire intensity and beetle risk in these forest types. For example, a prescribed fire on the Los Padres National Forest in 2004 virtually "fire-proofed" a stand of old growth pine. When the 130,000 acre Day Fire burned through this area last year it killed almost no trees and left a green healthy stand in this prescribed fire treatment area. On the Mendocino National Forest, fire managers are regularly using prescribed fire in pine stands as young as 35 years old, safeguarding adjacent communities and preventing bark beetle epidemics. Despite widespread support from local communities, this is unfortunately happening only on a very small scale on in these California Forests because of lack of funding. Accordingly, TWS recommends that the subcommittee: (1) designate increased hazardous fuels funding for Forests that have demonstrated success in implementing hazardous fuels projects that reduce risk and are cost effective, like the Los Padres National Forest and the Mendocino National Forest in California.

SUPPRESSION FUNDING

The cost of suppression continues to grow and threatens to eclipse the agencies' other critical mission areas (as described above). Despite increases in suppression funding, appropriated dollars often fall short. As a result, the agencies have to borrow money from other programs. Recognizing that past borrowing caused significant problems, Congress provided emergency funding intended to preclude this practice in 2004 through a supplemental appropriation of $500 million ($100 million to the DOI and $400 million to the USFS) that the agencies could use when their normal suppression appropriations were exhausted. Congress also included similar authority and funding in its fiscal year 2005 appropriations. Both the House and Senate Interior Appropriations Subcommittees have requested that authority and funding in this year's emergency supplemental (which is still pending passage). TWS supports maintaining this reserve account and appreciates that the subcommittee included it in the supplemental.

While this reserve account will help to reduce the negative impacts associated with transferring funds, it is a short-term solution. Longer-term solutions are also needed, including those outlined above: increasing WFU and better funding community fire assistance programs. Another option is to take a portion of suppression funding out of the agencies' suppression budgets and place it in an emergency account. Though we recognize that off-budget accounting does nothing to lessen our national deficit, in some emergency situations, it may be warranted. This funding would be used to pay for those large fires that can be correctly categorized as "emergencies" (generally those approximately 2 percent of fires that are responsible for over 85 percent of all suppression costs). For example, in 2006 the 20 largest fires cost more than $400 million to suppress. TWS encourages the subcommittee to explore this possibility, with appropriate sideboards. Those sideboards should require that a portion of the funding "freed up" from suppression be returned to the agencies' base funding to be used only for (1) core mission programs outside of Wildland Fire that have been reduced due to increased suppression costs—like Recreation and Wilderness and Fish and Wildlife Management; (2) those activities that are part of Wildland Fire that are proven to reduce suppression costs, like community fire assistance and expanded WFU.

PREPARED STATEMENT OF THE WILDERNESS SOCIETY, PACIFIC NORTHWEST REGION

Thank you, Chairman Feinstein and members of the committee, for this opportunity to present testimony in support of funding to the USDA Forest Service for watershed restoration in Washington State's national forests. The Wilderness Society requests appropriations for two complementary restoration proposals—one for the Skokomish River Watershed on the Olympic Peninsula, and the other for national forest watersheds throughout the Puget Sound and Hood Canal Basin (including the Skokomish). Both proposals deal with a common theme—the impacts of old Forest Service roads on water quality, flooding, and fish habitat. The proposals re-

quest funding for the Forest Service in fiscal year 2008 to fix road problems and improve watershed conditions through appropriations of (a) $4.6 million in the Skokomish Watershed and (b) $30 million in the Puget Sound/Hood Canal Basin.

SKOKOMISH WATERSHED ACTION TEAM

The Skokomish River Watershed in the southeast corner of the Olympic Peninsula exemplifies many of the challenges and opportunities in fixing roads and restoring watershed health. The Skokomish River is the largest source of freshwater in the southern end of Hood Canal. It is notorious as the most frequently flooded river in Washington State. It is also one of the most heavily logged and roaded national forest watersheds in the Pacific Northwest, due to accelerated timber production after World War II. Excessive sediment and gravel have washed down from roads, ditches, and culverts in the upper watershed's steep slopes and deposited in the river channel that runs through the flat and fertile Skokomish Valley. Consequently, the river overflows its banks much more frequently and floods the valley's farm lands and homes, including the Skokomish Indian Reservation near the mouth of the river. Furthermore, in recent years portions of the river have gone completely dry by late summer, blocking all salmon migration into the upper watershed during spawning season.

Recognizing the dire condition of the watershed, a diverse partnership quickly came together in 2005 to form the Skokomish Watershed Action Team (SWAT). The SWAT includes representatives from more than 20 organizations, including the Skokomish Tribe, Mason County, State and Federal regulatory agencies, conservation groups, and the timber industry. The Olympic National Forest staff participates in an ex-officio capacity and has been very cooperative in providing technical information and logistical assistance to the group.

The SWAT works together to promote and implement appropriate restoration projects in the Skokomish Watershed. While our primary focus is on projects in the upper watershed on Forest Service lands, we also share information and provide mutual support for restoration work throughout the watershed. I am pleased to say that the SWAT has been remarkably successful in fostering cooperation and coordinated action in the Skokomish. One sign of our success has been to raise more than $2 million for restoration work in the watershed, including $250,000 generated last year through timber sale receipts from the Flat Stewardship Project.

This winter, the SWAT reached another milestone when it produced a detailed 3-year action plan and funding strategy to restore the Skokomish Watershed. For the upper watershed, based on information provided by the Forest Service at the SWAT's request, the plan identifies a total of $17.8 million of projects, with a need for Federal funds totaling $15.5 million. On the basis of our 3-year action plan, the SWAT has submitted an appropriations request of $4.6 million for the Forest Service in fiscal year 2008.

The 3-year plan's upper watershed actions will improve water quality and flows, promote recovery of endangered salmon and bull trout, and reduce flooding impacts, primarily through implementation of road treatments such as decommissioning, stabilization and drainage upgrades, and culvert replacements. The watershed restoration work will benefit the Skokomish Tribe and other residents of the lower watershed whose homes and livelihoods have been so devastated by the frequent winter flooding.

In the lower watershed, the SWAT's plan identifies projects totaling $24.5 million, along with $1.73 million to complete the U.S. Army Corps of Engineers' General Investigation of the Skokomish River Basin.[1] The SWAT recognizes that implementation of these restoration projects will require funding from a variety of sources. Accordingly, the 3-year plan includes a Capital Improvement Program and funding strategy for Skokomish Watershed restoration that identifies 25 separate sources of financial support. However, most of these funding sources are only available for projects in the lower watershed and estuary. Restoration of the upper watershed will likely have to rely predominantly on Forest Service funding.

WASHINGTON STATE WATERSHED RESTORATION INITIATIVE

While the Skokomish is a dramatic example of watershed restoration needs and collaboration, many other Pacific Northwest watersheds are also in serious need of help. Unfortunately, Federal funding to fix roads and restore watersheds has greatly diminished in recent years. Currently in Washington State, the Federal budget provides only $3 million annually for Forest Service road maintenance, allowing the

[1] The Mason Conservation District, Skokomish Tribe, and Mason County have submitted a separate appropriations request for the Skokomish General Investigation.

maintenance backlog to grow by at least $8 million each year. Inadequate maintenance is largely to blame for more than $30 million of road damage in Washington's national forests following heavy rains last November. According to the Forest Service, if the needed road work begins now, it will cost an estimated $300 million to bring Washington's national forests into compliance with today's standards.

What should be done about the roads problem? A coalition including Governor Gregoire, the Washington State Department of Ecology, Department of Fish and Wildlife, the Western Washington Treaty Tribes, and 12 conservation groups has prepared a "Watershed Restoration Initiative" for the State's national forests. Our coalition is suggesting the following 6-step solution.

First, the Federal Government should significantly increase funding to fix Forest Service roads. Wiping out the Forest Service road maintenance backlog in the next decade state-wide will cost about $30 million annually. We think it makes sense initially to prioritize the national forests watersheds that flow into the already ailing Puget Sound and Hood Canal Basin—i.e. the Mount Baker-Snoqualmie National Forest and the eastern Olympic National Forest. We believe we must pay attention to the top of the watersheds if we are going to heal Puget Sound and Hood Canal.

Second, the Forest Service and its restoration partners should pick watersheds where road work will deliver the biggest bang for the buck. These are areas with threatened or endangered fish, sensitive geologies, partnership opportunities, and complementary restoration projects occurring elsewhere in the watershed. Within the priority watersheds, we are encouraging restoration projects to emphasize—

—re-routing road runoff to eliminate or reduce direct delivery of sediment to streams;

—decommissioning high-risk, unstable, and unneeded roads;

—improving fish passage;

—renovating road drainage features to minimize future maintenance and risk of road failures.

Third, the Initiative calls for improved inventories of road systems so we are able to use sound, field-based information to make road management decisions. Fortunately, the Forest Service has already collected useful data through Access and Travel Management Plans and Watershed Analyses that provide a good starting point in some areas.

In addition, more Forest Service staff are needed to support project partnerships with landowners, tribes, and other agencies and organizations. One potential solution to inadequate funding for staff is to bring in outside Federal agency personnel with expertise in project implementation.

Finally, watershed restoration projects must be monitored to ensure that road work is properly implemented and is effectively achieving the intended environmental benefits. The Initiative suggests dedicating 2 percent of project funds to monitoring.

The Watershed Restoration Initiative for national forest roads would be consistent with the road restoration work by hundreds of private timberland owners in Washington State to protect fish habitat and water quality under the auspices of the statewide Habitat Conservation Plan. According to industry statistics, road maintenance plans have been developed covering 8,000 miles of stream; already 1,400 fish blockages have been repaired, opening 800 miles of stream.

In conclusion, The Wilderness Society and our partners in Washington State want to emphasize our commitment to work with Congress to take on the serious challenge of watershed restoration to heal the Skokomish River, Hood Canal, and Puget Sound. Thank you for considering the information and funding requests that we have provided, and we look forward to working with you to solve the problems associated with Forest Service roads.

PREPARED STATEMENT OF THE TOWN OF OPHIR, COLORADO

Madam Chairwoman and honorable members of the committee: As Manager of the Town of Ophir, located in southwest Colorado, I am writing to respectfully request that $2.5 million be allocated to the U.S. Forest Service's fiscal year 2008 budget from the Land and Water Conservation Fund for the Ophir Valley Project. These funds will be used for the 400-acre second phase of the proposed public purchase of 1,200 acres of privately owned patented mining claims in the Ophir Valley by the Uncompahgre National Forest. In the fiscal year 2007 budget, $850,000 was appropriated for the initial phase of the Ophir Valley Project. This is a great start, but in order to complete the project, additional funding is needed in subsequent years. In fiscal year 2008 an appropriation of $2.5 million from the LWCF will per-

mit acquisition of the 400-acre phase II of this outstanding land conservation project.

The Ophir Valley Project enjoys broad and deep community support in San Miguel County, and throughout southwest Colorado, for the following reasons:

(1) The Ophir Valley is one of Colorado's most breathtaking places, and is a cherished corner of San Miguel County. Against a backdrop of unsurpassed alpine scenery, the Ophir Valley offers an abundance of recreational opportunities for residents and visitors. Hiking, camping, mountain biking, cross-country skiing, four-wheeling, and fishing are all popular pastimes. In addition, the Ophir Valley supports habitat for the Canadian lynx, a Federally listed threatened species, and provides important habitat for the endangered Uncompahgre fritillary butterfly and other sensitive species. It also contains the headwaters of the Howards Fork, a key tributary to the San Miguel River, which sustains globally rare streamside habitats.

(2) Federal acquisition of this property will facilitate improved public lands management in eastern San Miguel County and will protect access to surrounding public lands. The property to be acquired consists of patented mining claims that occur as inholdings within surrounding National Forest system lands. Purchasing these inholdings will ensure that they can be managed for their natural and recreational values in a manner that is consistent with management of adjacent lands already in public ownership. Importantly, acquisition of the property will guarantee access to surrounding public lands, and will help avoid conflicts between traditional public access expectations and private property rights.

(3) The current property owner, Mr. Glenn Pauls, is a willing seller. Mr. Pauls has purchased the mining claims that comprise his property from many different sellers over the last several years. He has offered them for sale to the public through the Trust for Public Land (TPL), a national non-profit land conservation organization with a successful track record of acquiring thousands of acres of mining claims in the area under the Red Mountain Project. The opportunity that Mr. Pauls has afforded the public to acquire such a large number of mining claims from a single seller is a rare one that should not be missed.

The Town of Ophir is located in San Miguel County, approximately 10 miles south of Telluride, in an alpine mountain valley at an elevation of 9,600 feet, surrounded by mountain peaks and ridges rising to 13,000 feet. Incorporated in 1881, Ophir has a long and colorful history, beginning as a mining town, later becoming a ghost town, and now is a thriving residential mountain community. The mountainsides surrounding the town are as of yet undeveloped, but these hillsides are checkerboarded with fee simple patented lode claims—including the Pauls claims—which are developable, privately owned inholdings within the national forest.

Recognizing the development potential of the patented claims, the Ophir community has actively sought to protect this stunning area from sprawl development for more than 13 years through a town-funded and staffed Open Space Protection Program. With limited financial resources, the town has shown its commitment to conservation over the past 15 plus years. By working cooperatively with landowners, Ophir has acquired and conserved over 200 acres of remote lands, which are protected through conservation easements and are open to the public for recreational purposes.

The Ophir Valley Project is part of a larger regional preservation project, the San Juan Skyway Initiative, which seeks to protect key natural landscapes in order to develop and ensure outdoor recreational opportunities along the San Juan Skyway, one of only 21 designated All American Roads in the National Scenic By-ways Program. An extension of the successful Red Mountain Project, funding for the Ophir Valley Project will be used as matching funds for a $5.7 million grant awarded in 2004 from the Great Outdoors Colorado Trust Fund to purchase and protect public access on additional mining claims along the San Juan Skyway.

The scenic value of the high country in the San Juan Mountains has long been recognized by San Miguel, Ouray and San Juan Counties. All three counties have portions of dramatic mountain jeep passes within their jurisdictions which attract visitors from around the globe. Protection of the high country open space will guarantee the future existence of the scenic vistas that are an important asset to the regional economic engine.

We want to thank you for your support and leadership in conserving Colorado's land and water resources. Protection of the Ophir Valley with LWCF funding will contribute greatly to ensuring that Colorado remains the special place that it is.

Thank you for your consideration of this request.

PREPARED STATEMENT OF THE TOWN OF WEST FAIRLEE

Madame Chairwoman and Honorable Members of the subcommittee: Thank you, Madame Chairwoman, for the opportunity to provide testimony in support of a $1.5 million request from the Forest Legacy Program to protect the 1,800-acre Brushwood Community Forest property connecting the towns of West Fairlee and Fairlee, Vermont.

West Fairlee, like most Vermont towns, is still blessed with an abundance of forestland despite the rate of new development in our area. New residents are moving to the Upper Valley with good reason: it's a fabulous place to live and raise a family. By establishing the Brushwood Community Forest—a municipally-owned working town forest that will be open to the public—West Fairlee will be grabbing its destiny in its own hands. We will be conserving a key community asset under local control for the long-term well being of our culture, community, and quality of life. By creating this new community forest, we believe we can retain—and even enhance—the land-based economy and rural way of life our current residents treasure.

As a member of West Fairlee's Selectboard, I am one of the three elected officials on the town's governing body. Our town, chartered in 1797, is small: we have 726 residents according to the 2000 census. We are also a community of moderate means. Our per capita income is just $18,000, 15 percent below the State average. Some of our residents have deep roots in town with local ties dating back two centuries. They are most likely to work in town, perhaps plowing our roads, logging our forests, or repairing our cars. Other residents are new, drawn to the area because of its quality of life. They are most likely to commute 45 minutes to an office job or telecommute from home. Due to our cultural and economic differences, our community often does not see eye to eye on issues. But there is one topic we all do agree on: creating a town forest.

The selectboard and town have been discussing the idea of creating a town forest in the Brushwood area since the idea was first proposed in 1971. The Orange County Natural Resource Technical team recommended the town establish a town forest with the vision of consolidating "a [single, expansive] tract in public ownership." Consistent with their vision, the Brushwood Community Forest will strategically link town forests in the adjacent communities of Fairlee and Bradford to create more than 3,300 acres of contiguous public lands.

In 2004, 86 percent of respondents in a town-wide survey said that "the town should work with landowners and land trusts to conserve land." To our surprise, no other question received as strong a response as this one. Then, at our Town Meeting in March 2006, we voted unanimously in favor of the town establishing a community forest through the purchase of privately owned forestland. Today, we are hoping to secure a Federal Forest Legacy grant of $1.5 million in order to realize our shared dream.

Town forests and woodlots are a tradition in Vermont. In the past, harvested wood might have been used to pay the local schoolmaster or provide firewood to residents. Historically, these woodlands have been managed primarily for timber production but often also looked to for public recreation, wildlife, and watershed conservation.

I would also like to take this opportunity to urge your support for a significant increase in funding for the Forest Legacy Program in fiscal year 2008 to enable the protection of more forest resources than are proposed in the President's budget. As you may know, States and territories submitted 92 projects this year, but only 14 are proposed for funding. This is inadequate if we are to ensure the continued existence of forests across this country, and your support is appreciated. For example, the Brushwood Community Forest property was not among those included in the President's budget.

The Forest Legacy Program in Vermont seeks to achieve significant conservation goals for the State by protecting large contiguous and productive forest blocks, wildlife habitats dependent on such large contiguous forest blocks, threatened and endangered species habitat, State fragile areas and undeveloped shoreline, significant wetlands, and important recreation corridors.

The State's top Forest Legacy Program priority for fiscal year 2008 is the 1,800 acre Brushwood Community Forest. Located between the towns of West Fairlee and Fairlee in Vermont, the Brushwood Community Forest initiative is a collaborative effort to conserve and connect 3,300 acres by consolidating 11 separate ownerships into one contiguous forested parcel and connecting it with previously created town forest lands that encompass 1,500 acres. By reversing the pattern of forest fragmentation that is occurring in Vermont and other forested States across the Nation, the Brushwood Community Forest project will ensure public access to a variety of

recreational opportunities and protect a highly productive and diverse forest for wildlife habitat and water quality protection.

The Brushwood Community Forest conservation effort is particularly significant because it will help protect the ecological integrity and water quality of the upper Connecticut River, an important ecological focus area for Vermont and New Hampshire. The assembled properties are located in the upper Connecticut River watershed and encompass more than 10 miles of stream frontage, numerous vernal pools, and the entire 40-acre Mill Pond Brook wetland complex. In addition, the Brushwood Forest project is located within the focus area of the Silvio O. Conte National Fish and Wildlife Refuge, which was designated by Congress for the purpose of preserving, protecting and enhancing the Connecticut River watershed.

Trails throughout the Brushwood Forest connect people to each other and the landscape, by not only connecting towns, but also by providing a place for year-round recreation. Conservation of the Brushwood Community Forest would help complete one of the last missing links in the 40-mile Cross Rivendell Trail, which connects to the Appalachian National Scenic Trail in New Hampshire. Residents hike, snowshoe, cross-country ski, snowmobile, hunt, trap, and watch wildlife in the Brushwood Forest. There are miles of mountain bike trails throughout the Brushwood Forest, and there are over ten miles of hiking trails maintained by Lake Morey Trails Association. The Vermont Association of Snow Travelers (VAST) also maintains trails for snowmobiling that run through this property.

Wildlife abounds in the Brushwood forest property due to its unfragmented nature, diverse mixture of forest cover types and proximity to the ecologically-rich Connecticut River Valley. Since the property has an abundance of mast-producing trees, such as beech and red oak, and also many shelter species such as hemlock and pine, the Brushwood Forest supports a large concentration of wildlife, including deer, moose, bear, bobcat, snowshoe hare, beaver, and a mix of amphibians and birds. The University of Vermont recognizes the Brushwood Community Forest as a "hot block" for bird conservation due to its species richness and diverse habitat areas. A 15–20 acre old growth northern hardwood forest—approximately 185 years old—and an old growth hemlock forest are located within the Brushwood Forest on the West Fairlee/Fairlee town border. The northern hardwood forest includes a wet cove forest and a scrubbier hardwood forest on the ledges and borders adjacent to the ridge tops.

This area of New England is in high demand for residential development as outlined in the U.S. Forest Service's "Forests on the Edge" report. Already adjacent properties are being marketed for potential residential development, and construction of private residences is already occurring. Since affordable low and moderate priced housing in the Hanover region is scarce, towns such as West Fairlee and Fairlee are within easy commuting distance and targets for housing developments. Agreements to sell for conservation have been reached with several private landowners and negotiations are ongoing with the remaining owners to secure these acres and ensure their permanent protection.

In fiscal year 2008, $1.5 million in Forest Legacy Program funds is needed to acquire and protect the properties that will make up the Brushwood Community Forest. Federal funds will be matched by $500,000 in private donations and land value donations. In addition to the Town of West Fairlee, partners in this project are the State of Vermont Department of Forest Parks and Recreation, Town of Bradford, Town of Fairlee, Quebec-Labrador Foundation, the Northern Forest Alliance, the Eastern Forest Partnership, the Vermont Town Forest Project, Upper Valley River subcommittee of the Connecticut River Joint Commission, and the Cross Rivendell Trails Association.

I thank you again, Madame Chairwoman, for the opportunity to present this testimony and to express my support of this project to the subcommittee.

PREPARED STATEMENT OF THE TRIBAL COUNCIL OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD NATION

Honorable Chairman Feinstein, Ranking Member Craig, and members of the subcommittee, the Confederated Salish and Kootenai Tribes of the Flathead Nation (CSKT or Tribes) present testimony on the President's fiscal year 2008 budget request for the Department of the Interior. Our testimony will address our concerns and specific budgetary requests for the Bureau of Indian Affairs, Office of the Special Trustee for American Indians, Indian Health Service, and National Park Service. Overall, our goal is to promote and perpetuate our sovereignty, self-determination, and self-sufficiency as all are key to our prosperity and survival. In the imme-

diate, we strive to improve the well-being of our people and to preserve and protect our homeland and resources for future generations.

INTRODUCTION

The CSKT's homeland, the Flathead Indian Reservation, is a result of the cession of tribal lands made by the Salish, Kootenai, and Pend d'Oreille Indians under the Hellgate Treaty of 1855. In the Hellgate Treaty the Tribes ceded over 20 million acres of ancestral land (much of what is now considered western Montana) in exchange for a reservation of title to lands within an area of 1.3 million acres in northwestern Montana. In 1904, Congress opened the Flathead Reservation to allotment and widespread transfer of tribal land into the hands of individual tribal members and ultimately to non-Indians took place. Beginning in the 1940's, the CSKT began to recover some of the lands over which the Tribes had lost ownership. Currently, we have over 600,000 acres of land in trust, almost 71,000 owned by the Tribe in fee, as well as over 36,000 acres owned in trust by individual tribal members, within the Reservation. The Flathead Nation has been on the cutting edge not only of land consolidation in Indian Country, but also in the exercise of tribal self-determination. As of December 31, 2006, the enrolled membership of the Tribes is 7,101.

The CSKT is a Self-Governance tribe, which means that we operate almost all of the programs and services that the Federal Government, mainly through the Bureau of Indian Affairs and Indian Health Service, would be required to provide. In addition to the more traditional programs that many tribes operate, we operate the Land Realty program, operate and manage the electric power utility (Mission Valley Power), and the Financial Trust Services program, including Individual Indian Money (IIM) accounts, as well as most Indian Health Service functions. While we are confident that the Tribe is the entity best suited to carrying out all of these activities, they require major obligations of financial support from the Federal Government.

REQUESTS FOR THE FISCAL YEAR 2008 INTERIOR BUDGET

The CSKT participated in the DOI Tribal/Budget Advisory Committee (TBAC) meetings in fiscal year 2006 when the fiscal year 2008 budget priorities were formulated. In general, the CSKT does not object to the DOI's priorities of Public Safety and Justice, Education, Natural Resources, and Contract Support Costs. However, we are compelled to advocate for issues specifically impacting our people and our homeland as described in the following.

HEALTH CARE FUNDING

The CSKT is greatly encouraged that the United States Senate Committee on Indian Affairs, in its views and recommendations regarding the fiscal year 2008 budget, is giving great emphasis on health care funding for Indians. The CSKT has continually advocated for substantial increases in the Indian Health Service's budget, particularly in the funding appropriated for Contract Health Services (CHS), which is the cornerstone of our health care system on the Flathead Reservation with a beneficiary population of almost 11,000 people in a four-county area. We do not have an IHS or Tribal Hospital or any type of a large facility with direct care and we are therefore especially dependent on contract heath services. For the entire IHS-funded system, the funding requested for CHS is about $550 million while the true need is at least $1 billion. The most important aspect of CHS funding is that it provides services beyond the limited care that is provided in IHS-funded clinics and hospitals. CHS funding provides services for specialty care, surgical procedures, and other services that the average American can receive through mainstream health insurance plans. With the limited funding presently allocated to CHS, Indian people receive health care on a "threat to life and limb" basis. The CSKT knows firsthand the tremendous need for CHS funding because we operated that program under self-governance from 1993 through 2005, and with great reluctance had to return the program to the Indian Health Service due to increasing financial liability for health care claims. In fiscal year 2005, the final year that CSKT operated the CHS program, the funding we received from the IHS budget was just over $8 million but our actual CHS expenditures were over $17 million. On a final note, the infusion of CHS funding benefits the non-Indian community on the Flathead Reservation because it supports the private health care sector of doctors and hospitals.

FLATHEAD LAND CONSOLIDATION PROJECT

The CSKT requests funding in the amount of $658,000 for our ongoing ILCA program. We have received money from the BIA ILCA program for the past 3 years

(fiscal year 2004, 2005, and 2006) and it is critical that it be continued. Our congressional delegation has written to the Interior Department urging continued funding in fiscal year 2007, which would have been directed via report language had an fiscal year 2007 Interior bill been enacted. To our knowledge the CSKT are the only Tribes in the country that are using limited tribal dollars to supplement the ongoing BIA ILCA program, essentially creating a local match and further demonstrating the importance of this program to our people. Additionally, we can demonstrate progress in reducing fractionated parcels, and we frankly wonder if such progress can be demonstrated in areas where OMB has pressured BIA to direct ILCA funds. While the CSKT has purchased hundreds of undivided fractional interests of trust and fee land allotments using both Tribal and Indian Land Consolidation Act (ILCA) funding, we still have surface interests and severed mineral interests that remain fractionated.

The fractional surface interests and severed mineral interests are negatively impacting Tribal ownership and land management including negative impacts on Tribal economic development initiatives. This committee is aware of how surface acres became fractionated. Beyond that surface acreage became separated from mineral ownership through BIA policies which encouraged Indians to retain mineral ownership when selling or deeding surface ownership. Fractionation limits economic development in several ways. For example, without consent from a majority of the owners, Indian trust land cannot be leased. With hundreds of owners in some allotments, obtaining consent can be time-consuming and prohibit a lease agreement. Once leased, rental income for small-interest owners can be as little as a few cents and higher-return business leases cannot be negotiated if most owners do not agree on the type of use proposed. Some ownership interests are so small that subdividing the land into portions for each owner would result in parcels too small for building even a home.

With additional funding, Tribal Land Acquisition Technicians would contact landowners with fractional interests to determine if they are willing to sell their undivided, ownership interests. If they are a land sale application is developed; fair market value determined; a deed is prepared to transfer undivided, fractional interests to the Tribe; and the owners paid for their fractionated parcel. In our meetings last year with staff in the BIA's Indian Land Consolidation Office we were told that the ILCA monies could be used to consolidate both surface and mineral fractions but only if the mineral interests were appraised by someone certified in that field. Under our proposal we will budget money for land and subsurface appraisals and consolidation efforts and believe that over the course of 2 years we can make significant progress is fixing this problem on our reservation.

TRUST PROGRAMS MANAGEMENT

The White House, Congress, and the Department of the Interior continue to be challenged by resolution of the Cobell litigation. In the interim, it is imperative that funding for trust programs management be sufficiently allocated to achieve trust reform whether the programs are managed by the Federal Government or by tribes. Nationwide, there continue to be significant backlogs in probates, appraisals, leasing, and fee-to-trust transactions. The backlogs contribute to delays and other issues affecting Indian beneficiaries as well as the tribes. As a self-governance tribe, the CSKT is the only tribe in the United States that operates all trust resource programs (lands, forestry, water, etc.) in addition to Individual Indian Money Accounts. As with Indian health care funding, trust programs funding must double in order to make meaningful progress. In fiscal year 2006, the CSKT documented an additional funding need in trust programs of $2.7 million for land planning, records, forest management, individual indian money accounts supervision, and other program needs.

The CSKT further requests that Interior funding for trust programs include earmarks for the CSKT, Salt River-Pima Maricopa Community, Chippewa-Cree Tribes, and California Tribal Trust Reform Consortium to demonstrate the funding, staffing, and program capacity needed to operate our trust programs as envisioned in the Fiduciary Trust Model developed by the Department of the Interior. The CSKT's earmark totals $2.7 million, but the funds requested by the other tribes are unknown at this time. The aforementioned tribes were excluded from the Trust Reorganization of the Department of the Interior due to those tribes operating trust programs under self-governance.

WATER RIGHTS NEGOTIATION

The CSKT's need is $450,000 for stream gaging, litigation and negotiation support, development of the Tribal/Federal work plan, groundwater resource evaluation and other activities.

In 1979, the State of Montana established the Reserved Water Rights Compact Commission (RWRCC) as part of a statewide General Stream Adjudication. The Montana RWRCC negotiates water rights settlements with Tribal governments and Federal agencies claiming Federal and Indian reserved water rights in the State of Montana. The CSKT first met with the Montana RWRCC in the mid 1980's. In 1995 the United States created the Federal Flathead Water Rights Negotiation Team (Federal Team), chaired by Chris Kenney, Bureau of Reclamation. In 1996 and 1997, the CSKT and Federal Team established a data sharing agreement. In 1998, the CSKT, State, and Federal teams established a Memorandum of Understanding to create a framework for communications between the parties.

At the December 19, 2002, formal negotiation meeting, the CSKT requested clarification from the State of Montana on their consideration of the CSKT's proposed framework for negotiations. The State of Montana would not consider the proposed framework and the CSKT proceeded to develop our claims. Meanwhile, the State of Montana is moving ahead on the water right adjudication process. On July 3, 2003, the Montana Water Court filed an Order directing the Montana Department of Natural Resources and conservation (DNRC) to examine claims in the Jocko River hydrologic sub-basin 76L within the exterior boundaries of the Flathead Indian Reservation.

Funding is critical to the continued progress and success of the water rights negotiations for the CSKT. The CSKT first submitted a proposal to the Bureau of Indian Affairs for funding in 1996, and have continued to submit proposals every year. While the level of negotiation activities has increased, the level of funding is decreasing. For instance, the CSKT have received only partial funding each year and in the last few years have been funded only for stream gaging (USGS and Tribal) and Tribal participation. This is a concern for CSKT with the Montana Water Rights Compact Commission scheduled to terminate in June 2009. The Tribal water rights negotiations are currently funded primarily with Tribal funds. It has operated as such since fiscal year 1982. In fiscal year 1995, its size and responsibilities increased substantially in preparation for water rights negotiations with the State of Montana. Partial funding from the BIA, as has been pointed out, has been inadequate for this effort. The requested $450,000 for 2008 funding is necessary to continue this important effort.

ANCESTRAL TRAILS PROJECT

The CSKT requests $223,000 through the National Park Service for this project. For the Salish, Kootenai, and Pend d'Oreille people, ancestral trails are woven into nearly every facet of tribal history, culture and tradition. They form the foundation upon which legends, place names, cultural practices, sacred areas, daily life and life patterns of the people converge. Creation of a resource toolbox including video, audio, oral histories, aerial images and written documentation is essential to ensuring long-term understanding of the ancestral trails and their impact upon the past and present people of this region. Drawing upon previous studies conducted by local Tribes, Federal and State agencies, and academic institutions in the northern Rockies, the CSKT will develop a baseline trails map of the study area using GIS. A comprehensive review of tribal oral history archives and linguistic resources will be undertaken including oral history interviews with tribal elders and historical experts to obtain information about trail systems used by the CSKT. A special emphasis will be placed on working with language specialists and archived oral history resources at the CSKT in documenting Salish and Kootenai language place names that identify the travel routes and important natural and cultural features contained within these corridors.

PREPARED STATEMENT OF THE TRI-COUNTY WATER CONSERVANCY DISTRICT

I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.

3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF WILLIAM ULLMAN

I appreciate the opportunity to provide testimony on behalf of a request for a $550,000 Land and Water Conservation Fund appropriation in fiscal year 2008 to permit the U.S. Forest Service to acquire the 664-acre Haystack Notch property in the White Mountain National Forest in Maine.

I would also like to commend the Chairman and other subcommittee members for your support for Federal land acquisition and urge you to increase funding for the Land and Water Conservation Fund, which is so vital to protecting critical resource and recreation lands nationwide.

I am a resident of Mason Township, active in Outward Bound and the National Outdoor Leadership School. I am in the process of donating my property to a nonprofit organization that will use it for outdoor educational purposes.

With 770,000 acres of endless great granite stretching from New Hampshire to Maine and located just over an hour and a half drive north of Boston, the White Mountain National Forest is one of the most popular recreation areas in the highly developed Northeastern area of the United States. The forest contains the majestic Presidential Range, which includes Mt. Washington, one of the highest and most visited mountains in the United States. In addition, the heavily traveled Appalachian Trail runs throughout the forest. Moose, black bear, bald eagles and American peregrine falcons find home in the White Mountains, and a thorough network of trails provides easy access to the forest for the 6.5 million campers, hikers, hunters, fishermen, swimmers, boaters, skiers and other outdoor enthusiasts who annually visit the forest. Over 184 species of birds find habitat in the forest and numerous aquatic species such as the Eastern Brook trout and Atlantic salmon are found in the many pristine rivers that run throughout the forest. A small portion of the WMNF is located in Maine and includes the Caribou-Speckled Mountain Wilderness Area, designated by Congress in 1990 and covering 12,000 acres of public land on the WMNF. It is the largest and one of only two Wilderness areas in Maine, located south of Route 2 near the small town of Gilead.

Immediately adjacent to the Caribou-Speckled Mountain Wilderness Area and surrounded on three sides by U.S. Forest Service ownership is the 664-acre Haystack Notch property available for acquisition in fiscal year 2008 that will provide significant public access into the wilderness area. The property is located in Mason Township in western Maine, where recently a large amount of timber company lands are being disposed of and turned over to development and subdivision. The local public desires that opportunities continue for traditional uses such as hiking, sightseeing, fishing, hunting, trapping and snowmobiling. In particular, the Miles Notch and Haystack Notch trailheads are located on this property and link to other trails, including the Red Rock and Great Brook trails, which also pass through the Caribou-Speckled Wilderness. From a recreational perspective, this acquisition would solidify access to these trails, trailheads, and this part of the wilderness and these opportunities could be lost if the tract is sold to another private entity and the property is subdivided.

This property also provides important wildlife values and has natural wetlands and two key perennial streams, the West Branch of the Pleasant River and Miles Brook, which are tributaries of the Androscoggin River, along with several intermittent streams. The WMNF recently evaluated the West Branch of the Pleasant River and found it to be eligible for Wild and Scenic designation. Lower reaches of the West Branch are believed to have important habitat for the wood turtle, a Regional Forester's Sensitive Species. The river also offers significant fishing opportunities as it contains runs of wild rainbow trout and brook trout. Purchase of the property will provide additional protection for the watershed and the fisheries and aquatic species dependent on high water quality.

The White Mountain National Forest is one of most intensively used national forests in the country and is within a day's drive of over 70 million people. If this land is not acquired and protected by the U.S. Forest Service, it is likely that it will be

developed and subdivided soon. Thus, the recreation, watershed, wildlife and fisheries, and vegetation management values would be foregone. The acquisition has support from the community in and around the town of Mason.

An appropriation of $550,000 in fiscal year 2008 from the Land and Water Conservation Fund is needed to ensure the addition of this critical public access property to the forest.

Thank you, Madam Chairwoman, for this opportunity to provide testimony.

PREPARED STATEMENT OF THE UNCOMPAHGRE VALLEY WATER USERS ASSOCIATION

I am requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

2. Appropriation of $475,000 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.

3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF THE UNITED TRIBES TECHNICAL COLLEGE

For 38 years, United Tribes Technical College (UTTC) has been providing postsecondary vocational education, job training and family services to Indian students from throughout the Nation. We are governed by the five tribes located wholly or in part in North Dakota. We have received funding through the Bureau of Indian Affairs (now Bureau of Indian Education) every year since our founding, and since 1978 under Public Law 93–638 (Indian Self Determination Act) contract authority.

The administration's proposal to eliminate funding for UTTC for fiscal year 2008 signals a failure in understanding our educational mission and our accomplishments in Indian education. We do appreciate that the Office of Management and Budget and the Department of Interior determined that UTTC meets merit-based criteria and should be provided funding for the balance of fiscal year 2007, under the appropriations approved by Congress on February 15 of this year.

UTTC is an educational institution that consistently has excellent results, placing Indian people in good jobs and also enabling them to pursue education beyond UTTC. The elimination of BIE funding for UTTC would result in, among other things, cancellation of courses, laying off of instructors, and of course, denying services to students and their families. It would negatively affect our ability to compete for discretionary funds, such as those in the Department of Agriculture and the National Science Foundation, to enhance our curricula. BIE funds constitute half of our operating budget. We do not have a tax base or State funds on which to rely. We are hopeful that the North Dakota Legislature will soon enact legislation to provide modest support for the non-Indian students that attend UTTC and the other tribal colleges in the State.

The request of the United Tribes Technical College Board for the fiscal year 2008 BIE budget is:

—$4.5 million in BIE funds for UTTC, which is $1.01 million over the fiscal year 2007 level.

—Requirement that the BIA/BIE place more emphasis on funding and administrative support for job training and vocational/technical education. The administration's fiscal year 2008 request for Job Placement and Training is $8,051,000 with an additional $2,441,000 under TPA adult education for a total of $10.5 million. This is a $5 million reduction from fiscal year 2005 a shadow of its former self. The fiscal year 1970 appropriation for this program was $60 million. There is no BIA/BIE leadership or advocacy for job training or vocational/technical education at the central or regional office levels.

UTTC Performance Indicators. UTTC has:

—An 87 percent retention rate.

—A placement rate of 95 percent (job placement and going on to 4-year institutions).

—A projected return on Federal investment of 1 to 20 (2005 study comparing the projected earnings generated over a 28-year period of UTTC Associate of Applied Science and Bachelor degree graduates of June 2005 with the cost of educating them.).

—The highest level of accreditation. The North Central Association of Colleges and Schools has accredited UTTC again in 2001 for the longest period of time allowable—10 years or until 2011—and with no stipulations.

The demand for our services is growing and we are serving more students. For the 2006–2007 school year we enrolled 1,018 students (an unduplicated count). The majority of our students are from the Great Plains States, an area that, according to the 2003 BIA Labor Force Report, has an Indian reservation jobless rate of 76 percent. We are proud of our annual placement rate of 95 percent.

In addition we served 237 students in our Theodore Jamerson Elementary school and 317 children in our Child Development Center age birth to five during school year 2006–2007.

Course Offerings.—We offer 15 vocational/technical programs and award a total of 24 2-year degree and 1-year certificates, including:

Licensed Practical Nursing.—This is our program with the highest number of students. We have an agreement with the University of North Dakota system that allow our students to transfer their credits to these 4-year nursing programs.

Medical Transcription and Coding Certificate.—Our newest academic endeavor is our Medical Transcription and Coding Certificate Program which is offered through our Exact Med Training program and supported by Department of Labor funds.

Tribal Environmental Science.—Through a National Science Foundation grant we are undertaking a 5-year project to establish and implement a 2-year Associate of Applied Science degree in Tribal Environmental Science.

Injury Prevention.—Through our Injury Prevention Program we are addressing the injury death rate among Indians, which is 2.8 times that of the U.S. population. With IHS initial assistance, we now offer the only degree-granting Injury Prevention program in the Nation. Injuries are the leading cause of mortality among Native people for ages 1–44 and the third for overall death rates.

Online Education.—We are working to bridge the "digital divide" by providing web-based education and Interactive Video Network courses from our North Dakota campus to Indians residing at other locations and as well as to students on our campus. This Spring semester 2007, we have 61 students registered in online courses, of which 48 students are studying exclusively online (approximately 34 FTE) and 13 are campus-based students. These online students come from Colorado, Georgia, Hawaii, Idaho, Kentucky, Nebraska, North Dakota, Oklahoma, Oregon, South Dakota, West Virginia and Wisconsin.

Online courses provide the scheduling flexibility students need, especially those students with young children. Our online full degree programs are in the areas of Early Childhood Education, Injury Prevention, Health Information Technology, Nutrition and Food Service and Elementary Education. We are accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools to provide associate degrees online. This approval is required in order for us to offer Federal financial aid to students enrolled in these online courses. We are the only tribal college accredited to offer associate degrees online. All totaled, 156 online course seats are filled by students this semester. Over 50 courses are currently offered online, including those in the Medical Transcription and Coding program and those offered through an MOU with Owens Valley Career Development Center.

Our newest on-line course is suicidology—the study of suicide, its causes, and its prevention and of the behavior of those to threaten or attempt suicide—and we expect that with additional outreach that there will be a significant demand for this course. We are also offering a training program through the Environmental Protection Agency to environmental professionals in Indian Country. The Indian Country Environmental Hazard Assessment Program is a training course designed to help mitigate environmental hazards in reservation communities.

Computer Information and Technology.—The Computer Support Technician program is at maximum student capacity because of limitations on learning resources for computer instruction. In order to keep up with student demand and the latest technology, we will need more classrooms, equipment and instructors. Our program includes all of the Microsoft Systems certifications that translate into higher income earning potential for graduates.

Nutrition and Food Services.—UTTC will meet the challenge of fighting diabetes in Indian Country through education. Indians and Alaska Natives have a disproportionately high rate of type 2 diabetes, and have a diabetes mortality rate that is

three times higher than the general U.S. population. The increase in diabetes among Indians and Alaska Natives is most prevalent among young adults aged 25–34, with a 160 percent increase from 1990–2004. (fiscal year 2008 IHS Budget)

As a 1994 Tribal Land Grant institution, we offer a Nutrition and Food Services Associate of Applied Science degree in an effort to increase the number of Indians with expertise in nutrition and dietetics. Currently, there are only a handful of Indian professionals in the country with training in these areas. Among our offerings is a Nutrition and Food Services degree with a strong emphasis on diabetes education, traditional food preparation, and food safety.

We also established the United Tribes Diabetes Education Center to assist tribal communities and our students and staff in decreasing the prevalence of diabetes by providing diabetes educational programs, materials and training.

Business Management/Tribal Management.—Another of our newer programs is business and tribal management designed to help tribal leaders be more effective administrators. We continue to refine our curricula for this program.

Job Training and Economic Development.—UTTC is a designated Minority Business Development Center serving Montana, South Dakota and North Dakota. We also administer a Workforce Investment Act program and an internship program with private employers in the region.

Economic Development Administration funding was made available to open a "University Center." The Center is used to help create economic development opportunities in tribal communities. While most States have such centers, this center is the first-ever tribal center.

Upcoming Endeavors.—We continue to seek a Memorandum of Understanding with the BIA's Police Academy in New Mexico that would allow our criminal justice program to be recognized for the purpose of BIA and Tribal police certification, so that Tribal members from the BIA regions in the Northern Plains, Northwest, Rocky Mountain, and Midwest areas would not have to travel so far from their families to receive training. Our criminal justice program is accredited and recognized as meeting the requirements of most police departments in our region. We also anticipate providing similar training for correctional officers, a vital need in Indian country.

We are also interested in developing training programs that would assist the BIA in the area of provision of trust services. We have several technology disciplines and instructors that are capable of providing those kinds of services with minimum of additional training.

Facility/Housing Needs.—The 1998 Carl Perkins Act required the Department of Education to study the facilities, housing and training needs of our institution. That report was published in November 2000 ("Assessment of Training and Housing Needs within Tribally Controlled Postsecondary Vocational Institutions, November 2000, American Institute of Research"). The report identified the need for $17 million for the renovation of existing housing and instructional buildings and $30 million for housing and instructional facilities. These figures do not take into account the costs of inflation since the study was completed in 2000.

While we continue to identify housing as our greatest need, UTTC has worked hard to combine sources of funding for desperately needed new facilities—within the past few years we have built a 86-bed single-student dormitory on campus, a family student apartment complex, and a Wellness Center.. Sources of funds included the U.S. Department of Education, the U.S. Department of Agriculture, the American Indian College Fund, the Shakopee-Mdewakanton Sioux Tribe, among others. We still have a critical housing shortage and more housing must be built to accommodate those on the waiting list and to meet expected increased enrollment. We also have housing which needs renovation to meet safety codes.

UTTC has acquired an additional 132 acres of land. We have also developed a master facility plan. This plan includes the development of a new campus on which would be single-student and family housing, classrooms, recreational facilities, offices and related infrastructure. A new campus will address our need for expanded facilities to accommodate our growing student population. It will also enable us to effectively address safety code requirements, Americans with Disabilities Act requirements, and to become more efficient in facility management.

Thank you for your consideration of our request. We cannot survive without the basic core vocational/technical education funds that come through the Bureau of Indian Education. They are essential to the operation of our campus and to the welfare of Indian people throughout the Great Plains region and beyond.

PREPARED STATEMENT OF THE UPPER GUNNISON RIVER WATER CONSERVANCY DISTRICT

We are requesting your support for appropriations in fiscal year 2008 to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program, consistent with the President's recommended budget.

1. Appropriation of $697,000 in "recovery" funds to the U.S. Fish and Wildlife Service (FWS) to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

2. Appropriation of $475 in operation and maintenance funds within the $45,147,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS' Ouray National Fish Hatchery in Utah.

3. Allocation of $200,000 in "recovery" funds for the San Juan River Basin Recovery Implementation Program to meet FWS's Region 2 expenses in managing the San Juan Program's diverse recovery actions.

We greatly appreciate the subcommittee's past support and request your assistance for fiscal year 2008 funding to ensure FWS' continuing financial participation in these vitally important programs.

PREPARED STATEMENT OF THE UPPER MISSISSIPPI RIVER BASIN ASSOCIATION

The Upper Mississippi River Basin Association (UMRBA) is the organization created in 1981 by the Governors of Illinois, Iowa, Minnesota, Missouri, and Wisconsin to serve as a forum for coordinating the five States' river-related programs and policies and for collaborating with Federal agencies on regional water resource issues. As such, the UMRBA has an interest in the budget for the water programs of the U.S. Environmental Protection Agency (EPA), including: State Water Pollution Control Grants, the Clean Water State Revolving Fund, State Nonpoint Source Grants, the Hypoxia Action Plan, and the Environmental Monitoring and Assessment Program. The UMRBA States are also concerned that the EPA has not adequately addressed the need for coordinated interstate implementation of the Clean Water Act on the Upper Mississippi River, and are therefore requesting that specific funding be directed to such an effort.

STATE WATER POLLUTION CONTROL GRANTS (SECTION 106)

Under section 106 of the Clean Water Act, Federal funds are allocated to be used in combination with the States' matching dollars to support core State water quality programs. These core programs include water quality assessment and monitoring, water quality planning and standard setting, total maximum daily load (TMDL) development, point source permitting, training, and public information, as well as the implementation of rules governing concentrated animal feeding operations (CAFOs). Adequate funds are particularly critical to supporting the States' development and implementation of TMDLs, which have the potential to overwhelm State agency resources that are already strained.

The administration's proposal for funding section 106 State Water Pollution Control Grants in fiscal year 2008 is essentially the same as its proposed fiscal year 2007 level ($221.7 million). While this amount is 2.5 percent greater than the fiscal year 2006 enacted funding level of $216.2 million, it is still slightly below the fiscal year 2005 funding level of $222.4 million. Additionally, the UMRBA States have experienced a small, but consistent, decline in their allocation of section 106 funding in recent years, from $21.5 million in fiscal year 2004 to $21.3 million in fiscal year 2007.

The UMRBA States remain concerned with the adequacy of funding in the baseline section 106 program, which has remained largely static in recent years. UMRBA States are concerned that section 106 funding will not be sufficient to effectively maintain core Clean Water Act programs and will not reverse the erosion of resources being provided to the Upper Mississippi River States. Thus, the UMRBA recommends that Congress provide $300 million for section 106 grants, in accordance with the fiscal year 2008 authorized funding level in H.R. 720.

CLEAN WATER STATE REVOLVING FUNDS

The Clean Water State Revolving Fund (CWSRF) program is widely acknowledged as having been pivotal in improving the Nation's water quality by addressing wastewater infrastructure needs. However, the President's proposed fiscal year 2008 budget continues a trend of under-funding this critical infrastructure program. The

UMRBA States are deeply concerned with the administration's continued lack of support for the CWSRF.

The President's proposed CWSRF budget for fiscal year 2008 is $687.6 million, essentially the same as the proposed fiscal year 2007 budget. However, the proposed fiscal year 2008 level is down 22.5 percent from the fiscal year 2006 enacted level of $886.7 million, and represents a drop of nearly 50 percent from the $1.34 billion provided in fiscal year 2004. The five UMRBA States have experienced a reduction in CWSRF funding in excess of 50 percent over the same time period, receiving a total of $79.7 million in fiscal year 2007, down from $176.6 million in fiscal year 2004.

EPA's own estimates show multi-billion dollar annual funding gaps for clean water and drinking water infrastructure over the next 20 years. The UMRBA States acknowledge that Federal financial assistance is not the sole solution to this problem, but the appropriate response to this daunting challenge is most certainly not to further reduce Federal support for this program. In order to best address the identified and continuing needs for clean water infrastructure improvements, the UMRBA recommends that Congress increase CWSRF fiscal year 2008 appropriations to $2.0 billion, consistent with the authorization in H.R. 720, recently passed by the House.

STATE NONPOINT SOURCE GRANTS (SECTION 319)

Nonpoint sources are one of the major causes of water pollution in the Upper Mississippi River Basin, which drains the Nation's agricultural heartland. The administration has requested $194 million for the section 319 State nonpoint source grant program, equivalent to its fiscal year 2007 proposal, a 5 percent decrease from the fiscal year 2006 appropriation of $204 million, and an 18 percent overall decrease since fiscal year 2004.

The prospect of a sustained decline in section 319 funding is particularly troubling to the UMRBA. For each year from fiscal year 2001 to fiscal year 2004, the five States in the Upper Mississippi River Basin were allocated a total of $34.0 million in nonpoint source grants. The proposed fiscal year 2008 funding level for section 319 grants would result in $27.5 million for the UMRBA States, a reduction of 19 percent from the fiscal year 2001 to fiscal year 2004 period.

Increased resources for the USDA's agricultural conservation programs have previously been cited as justification for decreases in section 319 funding. However, the USDA programs do not have water quality improvement as their primary purpose and do not include a monitoring component to measure efficacy. Thus, while the UMRBA encourages coordination with USDA conservation programs, it continues to be essential to appropriately fund the section 319 program as well. Without adequate funding, section 319-supported programs cannot work in tandem with the USDA's conservation programs, as originally envisioned, and certainly cannot address other pressing nonpoint source needs unrelated to agriculture, such as urban runoff and degraded urban streams and lakes.

The UMRBA States urge Congress to restore funding for State nonpoint source grants to the fiscal year 2004 level of $237 million, at minimum, recognizing that continued progress in addressing nonpoint pollution will require significantly increased resources.

HYPOXIA ACTION PLAN

The UMRBA is disappointed that the administration's fiscal year 2008 budget proposal does not include the resources needed to address recommendations in the Hypoxia Action Plan, submitted by the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force in January 2001. The States in the Upper Mississippi River Basin have consistently stated that reductions in nutrient inputs to the Gulf of Mexico and monitoring to evaluate the effectiveness of these efforts will only be possible if the Federal Government provides significant new budgetary resources.

While the UMRBA States support the President's fiscal year 2008 funding proposal for the Gulf of Mexico Program Office (a total of $4.5 million), this effort does not supply the major resources needed for Upper Mississippi River efforts. Moreover, Targeted Watershed Grants, which in past years have supported some hypoxia-related efforts, have been proposed for elimination in the fiscal year 2008 budget. The UMRBA States are deeply concerned about terminating this successful and well-received program.

While the States continue to support the goals and strategies set forth in the Action Plan, little progress will be made to reduce the Gulf hypoxic zone and improve water quality conditions throughout the basin without a major Federal financial commitment. The States of the Midwest heartland are being left to work largely

through their existing programs, with limited resources, to reduce nutrient loading to the Gulf of Mexico. This approach is simply not adequate to make progress on a problem with the complexity and spatial scope of Gulf hypoxia.

ENVIRONMENTAL MONITORING AND ASSESSMENT PROGRAM (EMAP)

Within EPA's Human Health and Ecosystems Research program, the President has proposed a $5.8 million cut to the Environmental Monitoring and Assessment Program (EMAP) in fiscal year 2008. A portion of the EMAP program has been dedicated to Great River Ecosystems (EMAP–GRE), including the Mississippi, Missouri, and Ohio Rivers. EMAP–GRE has worked to develop improved science and practical tools that States can use to assess the ecological conditions of these Great River ecosystems. The proposed cuts in the EMAP budget will likely result in the reduction or early termination of important collaborative efforts currently taking place between States and EPA on the Upper Mississippi River. Additionally, the proposed EMAP budget reduction would likely prevent EMAP–GRE from being able to conduct work in the lower Mississippi River and would impair the ability to share knowledge gained on the upper River with States on the lower River. While the UMRBA recognizes that EMAP was conceived as a "technology transfer" effort rather than an ongoing monitoring program, premature reductions in funding will significantly impair knowledge transfer and undercut States seeking to implement statistically valid approaches to monitoring and assessment. Thus, the UMRBA States urge Congress to reject the proposed cut to EMAP's budget and restore EMAP funding in order to allow the program to complete its important technology transfer mission.

COORDINATED IMPLEMENTATION OF THE CLEAN WATER ACT ON THE UPPER MISSISSIPPI RIVER

Under the Clean Water Act, each State is independently responsible for setting water quality standards, conducting water quality monitoring, and determining if its waters are "impaired." While this framework is appropriate and successful for the waters contained within the boundaries of a State, it can be problematic for large border waters, such as the Mississippi River. On the Mississippi River, differences in States' approaches can result in an unequal and uncertain regulatory environment for economic investment, public confusion about the quality of the river, inefficient allocation of resources, and vulnerability to legal challenge.

The Mississippi River is at a disadvantage compared to other major interstate waterbodies in the United States. There is no program designed exclusively to address the unique water quality problems of this greatest of all American rivers. While the States have worked diligently to protect the quality of the river, they must take funds from their budgets allocated to all their rivers, lakes, and streams to pursue work on the Mississippi River. The States currently dedicate approximately $600,000 annually to Upper Mississippi River water quality efforts from their overall water quality budget. In contrast, other nationally significant waterbodies receive substantial dedicated Federal funds. Examples include:

—The Great Lakes EPA water quality program is funded at approximately $20 million per year.

—The Chesapeake Bay Program is slated to receive over $28 million in EPA's fiscal year 2008 budget.

—The Ohio, Delaware, Susquehanna, and Potomac Rivers all have interstate water quality agencies that receive funding under section 106 of the Clean Water Act, in addition to the funds received by their States. Annual funding for each interstate commission ranges between $500,000 and $1.2 million.

In order to address the challenges of coordinated Clean Water Act program implementation, the UMRBA States propose the creation of a unified water quality monitoring, assessment, and standards program for the Upper Mississippi River, to be administered by the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, through the UMRBA. To support this initiative, the UMRBA States request that Congress provide annual funding to the UMRBA, through the EPA budget, beginning at $200,000 in fiscal year 2008 and increasing, by fiscal year 12, to a level commensurate with the funding provided to other interstate river commissions. This Federal funding will be used in conjunction with funding contributions from the Basin States to support this coordinated program. Importantly, the UMRBA States believe that this dedicated funding for the Upper Mississippi River must be in addition to the allocation they currently receive under section 106 of the Clean Water Act, and not be taken from their existing section 106 allotments.

PREPARED STATEMENT OF THE UPPER PENINSULA ENVIRONMENTAL COALITION

Mrs. Chairwoman and honorable members of the subcommittee: I appreciate the opportunity to present testimony in support of an appropriation of $4 million from the Land and Water Conservation Fund for the acquisition of 2,000 acres in the Sturgeon River Gorge Wilderness by the Ottawa National Forest in the Upper Peninsula of Michigan. Although I appear today to speak on behalf of this one important Forest Service acquisition need, I commend the chairman and subcommittee members for their overall support of Federal land acquisition accounts such as the Land and Water Conservation Fund.

The Upper Peninsula Environmental Coalition was a strong advocate for passing the Michigan Wilderness Act of 1987, in which Sturgeon River Gorge and other areas in Michigan were designated as U.S. Forest Service Wildernesses. I personally have a long, active involvement with, and attachment to, this very special place. As a volunteer I helped draft the Forest Service's initial management plan for the Wilderness. I worked for a number of years as an Ottawa National Forest wilderness ranger, primarily in Sturgeon Gorge, mapping out trails and campsites, interacting with the public, keeping records of visitor use statistics, supervising a prison crew that closed an old eroding trail to Sturgeon Falls and built a new trail in a better location, and much more. I have led numerous hikes into the gorge, primarily to look at the spectacular scenery and geology at and near the Falls, and each year I lead birders to several spots in the Wilderness to record bird counts for the Ottawa's annual Breeding Bird Census.

As soon as I began working on the initial management plan, it became obvious to me that the core of the Wilderness, and the area that primarily made this place special, was on private land. The longer I worked there as a wilderness ranger, the more I realized that Wilderness visitors, both local and from elsewhere, spent most of their time in this area of private land, and it this area that received the most impact and contacts among visitors. One encounter with visitors is particularly telling. When hiking on the Sturgeon Falls Trail one day, I was approached by a hiker who said that he and his family were disturbed by a young man lying nude on the rocks by the Falls. Most disturbing, though, was that a handgun was on the rocks next to him. Unfortunately, since the incident took place on private land, I could do little besides write up an incident report. It is because of events like this, which represent potential serious problems for the public as well as difficult issues in terms of Forest Service management, that I am so strong an advocate of public ownership for this land. I am also a strong advocate of public ownership because if the land is sold to private investors, there is the risk of loss of public access for the thousands of people who annually visit the Falls and other parts of the Gorge.

The Ottawa National Forest is located within the glaciated landscape of Michigan's Upper Peninsula, where hundreds of lakes and streams pool and tumble across nearly 1 million acres. The forest, which is defined by Lake Superior to the north, offers a remote sense of solitude that is unique to the Upper Midwest. The value of the forest lies in its many diverse ecosystems, and is known in particular for its hardwood forests, bountiful streams, rivers, lakes, spectacular fall foliage, and heavy winter snowfall. The forest offers a wide variety of outdoor recreation opportunities, and provides habitat for deer fox, snowshoe hares, bald eagles, loons, and bears.

Located on the Kenton Ranger District of the Ottawa National Forest, the Sturgeon River Gorge Wilderness Area was designated by Congress in 1987 and is approximately 14,000 acres in size. Among its outstanding attributes, the wilderness area includes the spectacular Sturgeon River Gorge, a distinctive landform and unique geologic feature that is unlike anything else in the Lake States. Congress designated the Sturgeon River part of the National Wild & Scenic River system in 1992, considered a national natural treasure by many.

As it cuts through the gorge, the Sturgeon National Wild and Scenic River has carved falls, rapids, ponds, oxbows, and terraces along its 13 mile run. The Wild segments of the Sturgeon River that rushes through the wilderness is a spectacular valley gorge 200 to 300 feet deep and a mile wide in places, making it the deepest valley in Michigan. Here, the river changes from large boulder expanses and sandy silt edges of bedrock to rocky, multicolored cliffs pressing on the sides of the River. There are numerous and substantial rapids at the 20-foot Sturgeon Falls, a very prominent waterfall. From the eastern rim of the gorge, there are stunning views to take in, particularly in the fall when autumn colors create a vivid tapestry. With its rugged terrain, mature forests, and remote location, the Sturgeon River Gorge Wilderness offers outstanding recreational opportunities including hiking, primitive camping, canoeing, whitewater kayaking, hunting and fishing. A 10 mile portion of

the North Country National Scenic Trail runs immediately adjacent to the wilderness on its eastern boundary.

The Sturgeon River Gorge Wilderness also hosts a variety of wildlife habitat, including gray wolves, ruffed grouse, minks, woodcocks, snowshoe hares, beavers, fishers, skunks, foxes, and black bears. During the winter, white tailed deer occupy the area as a winter range. The wilderness area also contains a Lynx Analysis Unit (LAU), used to monitor potential habitat for the threatened Canada lynx, and contains some of the best habitat in Michigan's upper peninsula for the wood turtle, a species listed as a Species of Special Concern by the State of Michigan. The Sturgeon River and its tributaries are also primarily trout streams, while bald eagles and osprey feed off of what is found in the river as well.

An immediate and short-term opportunity exists this year to acquire the last remaining inholding within the Sturgeon River Gorge Wilderness, a 2,000-acre property that includes 6.6 miles of the Sturgeon Wild & Scenic River as well as Sturgeon Falls and is completely surrounded by Forest Service ownership on all sides. The available acreage is part of a larger landholding being placed on the open market by a utility company divesting portions of its ownership. The landowner has agreed to separate out this 2,000-acre natural resource gem in order to allow the Ottawa NF to purchase it. If this parcel were sold for development or split into fragmented ownerships, the Sturgeon River Gorge Wilderness would be irreparably harmed and its wilderness character lost forever.

An appropriation of $4 million from the Land and Water Conservation Fund in fiscal year 2008 is necessary for the immediate protection of the 2,000-acre Sturgeon River Gorge property, ensuring the integrity of the wilderness experience and the protection of a truly unique natural resource area.

Thank you, Mrs. Chairwoman and other distinguished committee members, for this opportunity to tell you about this important land protection initiative in Michigan's Sturgeon River Gorge Wilderness. Again, I commend the committee for your leadership in funding the Land and Water Conservation Fund so that our Federal public lands heritage in places such as the Ottawa National Forest can be preserved.

PREPARED STATEMENT OF THE USGS COALITION

SUMMARY

The USGS Coalition appreciates the opportunity to submit testimony in support of increased appropriations for the United States Geological Survey (USGS) in fiscal year 2008. We continue to believe that the USGS budget request is below what is required to ensure the long term vitality of the agency. The USGS Coalition urges Congress to increase the budget of the U.S. Geological Survey to $1.2 billion in fiscal year 2008.

The USGS Coalition is an alliance of 70 organizations united by a commitment to the continued vitality of the unique combination of biological, geographical, geological, and hydrological programs of the United States Geological Survey. The Coalition supports increased Federal investment in USGS programs that underpin responsible natural resource stewardship, improve resilience to natural and human-induced hazards, and contribute to the long-term health, security and prosperity of the Nation.

The USGS plays a crucial role in protecting the public from natural hazards such as floods and earthquakes, assessing water quality, providing emergency responders with geospatial data to improve homeland security, analyzing the strategic and economic implications of mineral supply and demand, and providing the science needed to manage our natural resources and combat invasive species that can threaten agriculture and public health. The USGS is working in every State and has nearly 400 offices across the country. To aid in its interdisciplinary investigations, the USGS works with over 2,000 Federal, State, local, tribal and private organizations.

FUNDING SHORTFALL

The President's fiscal year 2008 budget request for the USGS is $975 million, a decrease of approximately $8 million or 1 percent below the fiscal year 2007 operating plan. The USGS budget has declined in real dollars for 5 consecutive years and it would decline for a sixth year if the fiscal year 2008 budget request is enacted (Figure 1).

In real terms, funding for the USGS is currently at its lowest level since fiscal year 1996, when the National Biological Service was first integrated into the USGS (Figure 1). The decline in funding for the USGS during this time period would have

been greater if Congress had not repeatedly restored proposed budget cuts. By contrast, overall Federal funding for research and development has increased significantly in real terms since fiscal year 1996.

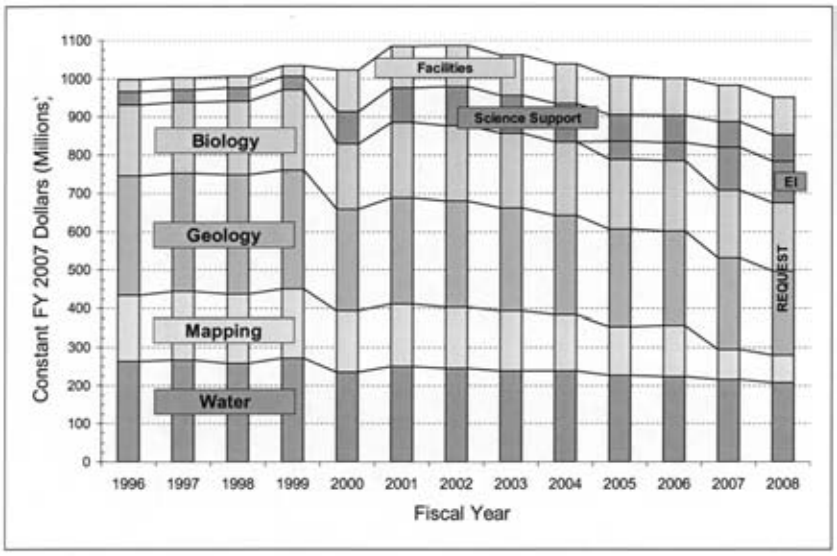

Figure 1. USGS funding in constant dollars, FY 1996 – FY 2008. EI is the Enterprise Information account. Source: USGS Budget Office.

Over the past several years, natural hazards negatively affected communities across the country, including flash floods in California and hurricanes in Florida. Forest fires, which burned a total of 8,653,883 acres of land in the United States between January 1 and September 12, 2006, exceeded the totals for the same period of any other year since 2000. Since an earthquake generated a tsunami that caused approximately 230,000 fatalities near the Indian Ocean in 2004, people around the globe have a greater awareness and appreciation of the need to improve environmental monitoring, forecasting, and warning systems that can prevent natural hazards from becoming natural disasters

Mitigating the impacts of natural disaster is a core function of the USGS. It operates seismic networks and conducts seismic hazard analyses that are used to formulate earthquake probabilities and to establish building codes across the Nation. The USGS monitors volcanoes and provides warnings about impending eruptions. It operates a stream gage system that enables the National Weather Service to issue flood warnings. Research on ecosystem structure and function assists forest and rangeland managers with forecasting fire risk and managing natural systems following fires. The USGS plays a pivotal role in reducing risks from floods, wildfires, earthquakes, tsunamis, volcanic eruptions, landslides and other natural hazards that cost hundreds of lives and billions of dollars in damages every year.

Equally as important, the USGS plays a critical role in bioinformatics and managing natural resources, essential to our economy, security, and environment. The. USGS provides fundamental scientific data for wildlife and ecosystem management (e.g., data for Fish and Wildlife Service on polar bear populations), control of invasive species (e.g., snakehead fish, zebra mussels, and tamarisk) and wildlife diseases (e.g., Chronic Wasting Disease) that can cause billions of dollars in agricultural losses.

Evolving technology requires recurring USGS assessments of previously unexploited mineral and emerging energy resources, including unconventional fossil fuels, geothermal resources, and renewable energy sources such as biofuels.

Greater investment in the USGS is required. This investment could be used to strengthen USGS partnerships, improve monitoring networks, produce high-quality digital geospatial data and deliver the best possible science to address societal problems and inform decisionmakers.

The USGS Coalition is grateful to Congress for its leadership in restoring past budget cuts and strengthening the U.S. Geological. Survey. The House Appropria-

tions Committee has expressed the importance of funding USGS science programs in the base budget. Likewise, the Senate Appropriations Committee said: "The strength of the Survey's existing efforts in many program areas is deserving of additional support. The committee urges that future budget requests place a stronger emphasis on the Survey's core programs, which have proven value and strong public support" (S. Rpt. 108–341).

USGS BUDGET REQUEST

The USGS Coalition urges Congress to increase the budget of the U.S. Geological Survey to $1.2 billion in fiscal year 2008, which is necessary for the agency to continue providing critical information to the public and to decisionmakers at all levels of government. The budget increase recommended by the Coalition would enable the USGS to restore the science cuts proposed in the budget request, including the Mineral Resources program, the Water Resources Research Institutes, the Priority Ecosystem Science program and the Contaminant Biology program, accelerate the timetable for deployment of critical projects (e.g., the National Streamflow Information Program and the multi-hazards initiative), and launch new science initiatives (e.g., pilot phase of the National Water Quality Monitoring Network).

The President's fiscal year 2008 budget request would cut funding for the USGS by approximately $8 million or 1 percent to $975 million compared with the fiscal year 2007 operating plan. The budget request would add approximately $24 million for fixed costs as well as $5 million to support the Healthy Lands Initiative and $3 million for the Ocean Action Plan. The USGS budget request would provide funding for several initiatives, including the continued development of Landsat 8, increased energy research, and cooperative research units. These initiatives deserve the support of Congress.

The USGS budget request would cut more than $20 million from the Mineral Resources program, a decrease of more than 40 percent that would decimate the program and necessitate buyouts of hundreds of Federal workers. The budget request would also eliminate all funding for the Water Resources Research Institutes ($6.4 million in fiscal year 2006), which are located in all 50 States. It would also cut $650,000 from the Contaminant Biology program to study endocrine disruptors, particularly right here in the Nation's capital. We encourage Congress to restore these cuts, but this funding should not come at the expense of other high priority programs elsewhere in the USGS budget.

The USGS Mineral Resources program is an essential source of unbiased research on the Nation's mineral resources. This guidance is important to reduce the environmental impacts of mining and to maintain the growing value of processed materials from mineral resources that accounted for $478 billion in the U.S. economy in 2005, an increase of 8 percent over the previous year. The proposed cuts would terminate multidisciplinary research that has important implications for public health (such as studies on mercury, arsenic and other inorganic toxins), environmental protection, infrastructure, economic development, and national security.

In addition to restoring proposed program cuts, we encourage Congress to consider additional increases that would enable the USGS to meet the tremendous need for science in support of public policy decisionmaking. More investment is needed to strengthen USGS partnerships, improve monitoring networks, implement important bioinformatics programs, produce high-quality digital geospatial data, and deliver the best possible science to address societally important problems. The USGS has a national mission that directly affects all citizens through natural hazards monitoring, water resource studies, biological and geological resource assessments, and other activities.

Thank you for your thoughtful consideration of our request. For additional information or to learn more about the USGS Coalition, please visit www.USGScoalition.org or contact co-chairs Robert Gropp of the American Institute of Biological Sciences (rgropp@aibs.org) or Craig Schiffries of the National Council for Science and the Environment (schiffiies@NCSEonline.org).

PREPARED STATEMENT OF THE USGS STREAMGAGE COALITION

The 27 undersigned organizations support the U.S. Geological Survey's Cooperative Water Program (CWP) and National Streamflow Information Program (NSIP) and urge your support for a significant funding increase for these two important programs. For fiscal year 2008, we believe a $78 million appropriation for the CWP and a $34 million appropriation for the NSIP are necessary. These levels of support are equivalent to the request presented to the Interior Department and the OMB in a September 30, 2005 letter endorsed by Senators Bingaman, Bunning, Cornyn,

Craig, Domenici, Jeffords, Kyl, Murkowski, Sarbanes, and Smith. The $4.2 million increase requested by the administration for the NSIP is a step in the right direction, but we are concerned about a corresponding $4.2 million decrease proposed for the CWP.

Many of our members are active, financial partners in the Cooperative Water Program and all of us rely on the trustworthy data collected and disseminated by both of these important programs.

The fiscal year 2006 appropriation of $62.8 million for the CWP was not sufficient to stop the continuing erosion of program capability which has lead to the failure, elimination or obsolescence of many long-term streamgages and reduced our water-related planning, forecasting and emergency warning capabilities. This ongoing erosion has been amplified substantially by the loss of Cooperators' cost-share. An appropriation of $78 million this year would be quite modest in light of the $138 million the Cooperators have contributed annually since fiscal year 2004.

Similarly, at $13.9 million for fiscal year 2006, NSIP was seriously under-funded. In 1998, given the Cooperators' inability to continue to absorb increasing Federal costs associated with many gages with long-term records of national significance, the Congress created the NSIP with the idea it would be 100 percent Federally funded. The National Research Council's Committee on Water Resources Research concluded in 2004 that USGS plans for NSIP would provide a "sound, well-conceived program that meets the Nation's needs for streamflow measurement, interpretation, and information delivery." Still, NSIP appropriations have not covered even 20 percent of the annual program cost.

The need for accurate streamflow, groundwater and other water resource data continues to increase as our population, economy and myriad uses of land and water continue to grow. Information from the NSIP and CWP is used on a regular basis by Federal, State, tribal, and local agencies and by many private businesses, landowners, public interest organizations and individuals. These two USGS programs have a proven record of providing reliable information that is essential to public and private decision makers for a wide variety of planning, design and management functions that include:

—forecasting of flood and drought conditions and issuing emergency advisories;
—identifying flood risk areas for protection of lives and property and reducing disaster relief expenses;
—projecting future water needs and availability for agricultural, municipal, and industrial uses;
—designing of bridges, dams and other infrastructure;
—managing hydropower, water supply, environmental and navigation releases from reservoirs;
—managing fisheries and protecting endangered species and their habitat;
—protecting water quality; and
—planning water-related recreation.

The demand for timely information is clearly reflected in the number of requests to the USGS internet sites providing streamflow data, which are visited at an average rate of 1 million times each day; this rate has been increasing at approximately 30 percent annually.

While so many depend on CWP and NSIP data, USGS funding for these programs—with flat or nearly flat appropriations in the face of continually rising costs—threatens the availability of critical data needed to inform many complex issues.

The Cooperative Water Program has served for over 110 years as a Federal/non-Federal partnership. Historically, the CWP was funded through 50/50 cost-share agreements. Today, however, approximately 69 percent of the funding for the CWP comes from non-USGS sources as Federal funding has not kept up with increases in personnel and operating expenses. During this decade, more than 1,100 valuable stations, many with over 30 years of continuous operation, have been lost. Another 216 stations are currently at risk due to the lack of adequate Federal funds.

Severe and recurring flooding and drought have caused extensive loss of life, property damage and economic hardship in so many parts of our country, and reliable science to support sound water resource management has never been more important. Without timely information from the CWP and NSIP, our safety, health, property, businesses and many elements of our natural environment are at greater risk.

Considering the magnitude of our ongoing disaster and emergency expenses and the wide range of Federal responsibilities and programs that depend on CWP and NSIP information, an increase of $35 million for these programs in fiscal year 2008 is clearly in the national interest. It would reverse the loss of long-term gages and provide essential information for analysis of climate change, forecasting floods and

droughts, administration of water rights, managing interstate water supplies and fulfilling Federal treaty, compact and Native American trust responsibilities.

Together, we urge you and the Senate Appropriations Committee to give a high priority to appropriating sufficient funds for these vital programs to better match non-USGS funding and fully realize the potential benefits to the Nation. If we can provide additional information, please contact Peter Evans at the Interstate Council on Water Policy (phe@riverswork.com or 703–622–6660) or any other of the signatories below.

ENDORSED BY THE FOLLOWING 27 ORGANIZATIONS

American Canoe Association; American Institute of Hydrology; American Rivers; American Society of Civil Engineers; American Water Works Association; American Whitewater; Appalachian Mountain Club; Association of American State Geologists; Association of State Dam Safety Officials; Association of State Floodplain Managers; Association of State and Interstate Water Pollution Control Administrators; Coastal States Organization; Environmental Defense; Federation of Flyfishers; Hydropower Reform Coalition; Interstate Council on Water Policy; Irrigation Association; National Association of Flood and Stormwater Management Agencies; National Flood Determination Association; National Ground Water Association; National Water Resources Association; National Wildlife Federation; River Network; The Nature Conservancy; Trout Unlimited; Water Environment Federation; and Western States Water Council.

PREPARED STATEMENT OF THE VILLAGE OF WELLINGTON, FLORIDA

Mr. Chairman and members of the subcommittee: On behalf of the Village of Wellington, I am pleased to submit this statement for the record in support of our request for funding in the amount of $2.7 million in the fiscal year 2008 Appropriation Bill for Interior, Environment & Related Agencies to support the Village's efforts to comply with the mandates of the Everglades Forever Program.

PROJECT EXECUTIVE SUMMARY

The 1994 Everglades Forever Act (EFA) established water quality goals for the restoration and preservation of the Everglades Protection Area. It also identified Basin B within the Village of Wellington as an area that had to meet the new phosphorus standard by December 31, 2006 for its stormwater discharges into the Arthur Marshall Loxahatchee National Wildlife Refuge (conservation Area No. 1). To meet these mandates, the Village created the Village of Wellington Water Clean Up/ Phosphorus Removal Project.

The Acme Basin B drainage has been one of the biggest issues and challenges the Village has faced. Wellington has spent the last several years working toward compliance with the EFA. In March 2005, the Village of Wellington began constructing its improvement per the approved Memorandum of Understanding (MOU) with the South Florida Water Management District (SFWMD) to redirect Basin B waters to the C–51 canal and then to STA 1–E.

PROJECT DESCRIPTION

The Acme Basin B Discharge project is one of 55 projects that comprise the Comprehensive Everglades Restoration Plan (CERP). The Basin B drainage area is part of the Acme Improvement District, which was created by the State of Florida in 1953 to provide drainage for agricultural land in central Palm Beach County. During the 50 years since its inception, land uses within the improvement district have changed dramatically. The Acme Improvement District now serves the Village of Wellington with over 55,000 residents, and impacts the West Palm Beach metropolitan area with a population of approximately 1.3 million. Basin B consists of 8,680 acres of low-density development located in the southern half of the Improvement District. The western boundary of Basin B abuts the Loxahatchee Refuge.

The benefits created by the CERP Acme Basin B Discharge project are largely related to restoration of the natural environment. The health of the Loxahatchee Refuge and Everglades National Park will be enhanced with improved quality and quantity of water generated from within the basin. Specifically, the project will provide the equivalent of 28.5 million gallons of water per day to the Everglades, which, without the project, would be needlessly sent to the ocean via the Lake Worth Lagoon.

Wellington was the first Everglades community to develop and implement a comprehensive Everglades strategy with the South Florida Water Management District, which included:

—Removing phosphorus at the source to reduce the need for costly infrastructure; Best Management Practices have lowered the phosphorus levels and helped reduce clean up costs;

—Use of partnership opportunities to make environmental water cleaner and available when and where the Everglades need it;

—Wise use of resources to ensure the most cost effective solution, taking the least land out of productive use and giving the most up front clean-up;

—Complete redesign of the Wellington drainage system to divert unclean water from direct discharge to Loxahatchee Wildlife Preserve;

—This non-traditional, Best Management Practices focus will allow the Basin B Project to use a large portion of a section of land for recreation and environmental education in addition to flood attenuation rather than building another clean-up marsh.

As part of its Basin B Water Clean Up Initiative, the Village of Wellington assembled a "Surface Water Action Team" (SWAT) comprised of key personnel and expert consultants. This Initiative is presently working on a Phase II BMP Ordinance, along with an updated Cooperative Agreement with SFWMD.

The ongoing water quality monitoring program has indicated a fairly significant decrease in average phosphorus concentrations since 1999. In 1999, the average Basin B phosphorus concentration discharged to the Loxahatchee Refuge was 189 parts per billion (ppb). In 2004, the average concentration had dropped to 67 ppb, which is a large decrease in phosphorus levels. Although inconclusive, it is likely that the implementation of the BMP Ordinance played a part in this decrease in phosphorus concentrations.

In March 2005, the Village of Wellington began constructing its improvement per the approved Memorandum of Understanding (MOU) with SFWMD to redirect Basin B Waters to the C–51 Canal and then to STA 1–E. The Village projects all its improvements to be completed well ahead of schedule.

One of the final components to this project is the successful implementation of Section 24 Recreational Wetland Acquisition, Planning and Development Study. This project was established to examine land that is presently owned by the South Florida Water Management District for potential development by the Village as a wetlands park for the purpose of preserving the wetlands and for potential environmental and/or recreational uses. The main use of the property is flood attenuation. Other potential uses include recreational use, consisting of elevated nature boardwalks, trails, horse trails, storm water retention and a recharge area. The Village is seeking assistance with this project through matching grant opportunities as part of the Basin B solution.

Wellington is currently refining its agreements with the South Florida Water Management District to ensure that structured parts of the project are built on time and within budget, and that the unique recreational aspects fit into the Wellington Community and enhance citizen opportunities to understand the Everglades. To do this, Wellington and the SFWMD continue to work together to complete the project and review operational progress to determine the optimal and practical operations of the redesigned system.

Carol Wehle, Executive Director of South Florida Water Management District has stated the cooperative mission very well: "Restoring the Everglades is one of the most significant restoration efforts world-wide not only because of the significance of its natural communities, but also because of the urban communities that live within its watershed. Science and engineering can only go so far. Residents and communities also have a critical role, and we are especially proud of the working relationship we have developed with Wellington. The commitments from communities like Wellington are proving that it is possible to work cooperatively toward solutions that create benefits for everyone involved, including the environment."

FUNDING NEEDS

Since 1999, the Village has invested over $5 million (not including $5.4 million for Pump Station renovations currently scheduled in conjunction with this project) of its own funds toward the preservation and, in some cases, restoration of environmentally sensitive land. We are committed to continuing our investment and our progress, and we anticipate additional costs to the Village of $3.25 million. The project under the recently approved Basin B agreement has a total estimated cost of approximately $22 million (which will be shared with South Florida Water Management District and the Federal Government).

For fiscal year 2008, the Village of Wellington is seeking $2.7 from the Environmental Protection Agency through your Appropriations subcommittee.

Thank you for your consideration of our request.

PREPARED STATEMENT OF THE VIRGINIA NATIVE PLANT SOCIETY

The Virginia Native Plant Society is dedicated to the conservation of our native flora. We strongly urge the subcommittee to provide increases to the President's Budget for fiscal year 2008 including a major research initiative on the effect of climate change on native flora, recovery of endangered species, habitat conservation, native plant materials development, biological research, and control of invasive species as follows:

New research initiative on the effect of climate change on native flora and ecosystems

U.S. Geological Survey (USGS) Surveys, Investigations and Research—+$10.0 million

Land acquisition

U.S. Fish and Wildlife Service (FWS)—+$35.0 million
National Park Service (NPS)—+$30.0 million
U.S. Forest Service (USFS)—+$35.0 million

Endangered species recovery

FWS Resource Management—+$25.0 million

Habitat Conservation

FWS Resource Management—+$10 million

Land Management Agency Botanist Staffing

Bureau of Land Management (BLM)—Management of Land & Resources—+$15 million
FWS—Resource Management—+$5 million
NPS Operation of the National Park System—+$5 million
USFS—National Forest System—+$20 million

Native Plant Materials Development Program

BLM Wildland Fire Management—+$4.0 million
USFS—NFN3—+$5.0 million

Invasive exotic species research, monitoring, and control

USGS—Surveys, Investigations and Research—+$2.0 million
FWS—Resource Management—+$7.0 million
National Fish and Wildlife Foundation—+$2.0 million
NPS—Operation of the National Park System—+$2.0 million
Bureau of Indian Affairs (BIA)—Operation of Indian Programs—+$1.0 million
USFS—National Forest System—+$5 million
State and Private Forestry—+$25 million
Research—+$2 million

Madam Chairman, it is time to take up the biggest challenge of this century—climate change and its effect on our natural resources, particularly our native flora. Plants are the basis of virtually all life on earth, including our own, in an intricate web of interdependence. Some of the following is excerpted from a recent statement by the New England Wildflower Society:

The increase in surface temperature over the 20th century for the Northern Hemisphere is likely to have been greater than for any other century in the last 1,000 years, and it is projected that on a global basis in the 21st century, earth will experience higher maximum temperatures, higher minimum temperatures, more intense precipitation events, increased summer drying, and increased storm events, among other changes. These changes pose a threat to all forms of life and ecosystems and pose a direct challenge to the conservation of the flora and fauna of the United States. Among the changes we can expect are:

—Plant species are expected to shift with their climate zones. The new plant communities that result from these shifts are likely to be different from current plant communities because individual species will very likely migrate at different rates and have different degrees of success in establishing themselves in new places.

—The geographical ranges of many species in North America, especially forest species, are projected to shift northward. By the end of the 21st century for ex-

ample, the optimal range for some northeastern tree species could have moved 100 to 300 miles (or more) northward.

—The numbers of endangered plant and animal species are likely to rise, as habitats change.

—An increase in diseases, parasites, and invasive species can be expected. Temperature changes can weaken the immune systems of many species while encouraging the growth of many pests and pathogens.

Nearly one-third of the land of this country is Federally-administered. It is up to the Federal Government to take the lead in plant and habitat protection and conservation action based on the best scientific rationale. Plant community concepts will likely need revision as assemblages of plants become rearranged and more plants become threatened and endangered.

We propose a major $10 million initiative under biological research in the U.S. Geological Survey to bring together some of the best scientific minds from other agencies, from universities, and elsewhere to develop long term strategies and plans of action to deal with the climate crisis and its effect on flora, on habitat for wildlife, and on ecosystems.

Furthermore, large tracts of unfragmented land are important for plant and animal species to be able to migrate during the coming climate crisis. We propose a re-examination of the land acquisition priorities of the bureaus to look at such tracts of land, and an increase of $100 million to the President's budget to acquire high priority land.

Within the Fish and Wildlife Service we propose an increase of $25.0 million for endangered species recovery and an increase of $10 million to be used for the highest priority habitat conservation projects.

We fully concur with the assessment of the Native Plant Conservation Campaign of the Center for Biological Diversity that the country's land management agencies are not properly staffed with an adequate number of botanists to address the huge habitat issues which face natural resource managers. We propose an increase in the number of botanists for BLM +$15 million, FWS +$5 million, NPS +$5 million, and USFS +20 million.

The native plant materials development program has been a successful partnership among Federal and State agencies to supply and manage native plant materials for restoration and rehabilitation projects on Federal lands. We propose an increase of $4 million for this program for the Bureau of Land Management and $5 million for the U.S. Forest Service.

Finally, Madam Chairman, our Federal land managers continue to wage a war of insurgency from invasive exotic species. These threats will only increase with major climate shifts.

In the Commonwealth of Virginia our bountiful and diverse flora are under serious threats from invasive exotic plant species. We in the Virginia Native Plant Society have been working locally with the Nature Conservancy to help control invasives at National Park Service sites in the Potomac Gorge, which is "one of the most important natural areas in the Mid-Atlantic Region, because of its plant diversity," (Virginia Natural Heritage program). Eighty-seven percent of all plots surveyed by the Virginia Department of Conservation and Recreation in the Potomac Gorge on the Virginia side had at least one species of invasive exotic plants present.

The California Invasive Plant Council States that invasive plants are one of the most serious environmental issues facing California. They displace native plants; degrade or eliminate habitat and forage for wildlife; threaten endangered species; impact recreation; affect fire frequency; alter soil properties; and decrease biodiversity. Thousands of acres of National Forests and Grasslands in the Pacific Southwest Region are degraded by infestations of invasive, non-native plants. We propose an increase of $5 million for the National Forest System for invasives control and monitoring.

The Forest Service's State and Private Lands funding is vital to keep the U.S. economy and environment from being severely affected by invasive species which threaten agriculture, forests, rangeland, water, and natural areas. We ask for a $25 million increase for State and Private Lands.

With the greater exchange of global goods also comes greater transfer of invasive species, including exotic pests and pathogens. We propose that the subcommittee add $1 million for insect and disease research and $1 million for invasive plant research.

Madam Chairman, the National Wildlife Refuges need particular support in controlling invasive exotic plant species that threaten habitat, because their primary mission is to preserve refuges for wildlife. Birds and pollinators and other wildlife depend on a diverse array of plants to provide food through all the seasons and during migration. Invasive exotic plants become huge monocultures, which destroy that

diversity and threaten the survival of species. Invasive species now spread at an estimated rate of 14 million acres per year, making them the number one threat to the Nation's 100-million-acre National Wildlife Refuge System. Climate change with further exacerbate this problem.

We ask that the committee add a total of $7.0 million to the budget request: $2 million for control and management and $2 million for restoration; $1 million for the Invasives with Friends program; $1 million for early detection and rapid response; and $1 million for prevention.

Madam Chairman, we also strongly support the work of the National Fish and Wildlife Foundation in its Pulling Together Initiative, which helps create partnerships among Federal, State, and local agencies, private landowners, and others to develop invasive plant management projects. We propose an increase of $2 million for the Pulling Together Initiative.

We propose an increase of $2 million to the operations budget of the National Park Service to fund invasives control and management.

We also propose an increase of $2 million for research related to invasive species in the U.S. Geological Survey for the National Institute of Invasive Species Science. Such biological research can benefit all the land managing bureaus.

Finally, with tribal land exceeding 50 million acres, we propose an increase of $1 million for the Bureau of Indian Affairs for control and management of invasive species.

Madam Chairman, please support funding increases to protect our native flora, habitats, and ecosystems. Thank you for the opportunity to provide this testimony to the subcommittee.

PREPARED STATEMENT OF THE WILDERNESS AND PUBLIC LANDS IZAAK WALTON LEAGUE OF AMERICA

I thank you for the opportunity to present this testimony in support of an appropriation of $3.5 million from the Forest Legacy Program to protect more than 38,000 acres of forestlands in Koochiching County, Minnesota.

I also urge your support for a significant increase in funding for the Forest Legacy Program in fiscal year 2008 to enable the protection of more forest resources than are proposed in the President's budget. As you may know, States and territories submitted 92 projects this year, but only 14 are proposed for funding. Though Koochiching was included in the budget proposal, it was included for $1.75 million—only half the level of Federal funding needed for the project. The proposal is inadequate if we are to ensure the continued existence of forests across this country, especially in Minnesota, and your support is appreciated.

The Izaak Walton League of America is a nonprofit conservation organization of some 40,000 hunters, anglers, and others who enjoy the outdoors. Since our founding in 1922, League members and staff have worked on a host of forest conservation issues such as the Forest Legacy Program. Our Minnesota Division and our Grand Rapids Wes Libbey Chapter (located in north-central Minnesota) have already made the Forest Legacy Program a high priority for funding and support.

Minnesota's forests are facing great challenges from fragmentation of ownership and the conversion of land to nonforest uses. The extensive recreational opportunities and the scenic serenity of the northern woods crisscrossed by clear streams and dotted by fishable lakes and ponds attract visitors who enjoy the natural resources present in the forests as well as development that threatens them. In order to protect these forestlands and resources, multiple efforts and partnerships at different levels are underway, including the Forest Legacy Program.

A 38,300-acre portion of a larger 127,000-acre block of forestland in Koochiching County in northern Minnesota is now available for protection through the Forest Legacy Program. The purchase of the block has been separated into three phases. The first phase, protecting over 51,000 acres, will be completed with funding from State and private sources in 2007. The second and third phases, each including approximately 38,300 mostly consolidated acres, will use State funds as well as Federal Forest Legacy appropriations of $3.5 million for each phase. In total $7 million of Federal funds will be leveraged with $24 million from State and private sources for a conservation easement on the entire property, which is owned by a timber investment company.

The conservation of these forestlands will have significant local and regional benefit. The various tracts are adjacent to the Superior National Forest, lands conserved on the Bois Forte Indian Reservation, and the largest complex of State forests in Minnesota. Connecting these conserved tracts protects vast wildlife habitat,

ensures public access for recreation, and maintains the practice of sustainable forestry that supports the local economy.

The northern forests of Minnesota provide exceptional habitat for a variety of species. The Koochiching forests include habitat for two Federally listed threatened species: bald eagles and Canada lynx, and also include habitat for 17 State-listed threatened or endangered species. Additionally, black bears, moose, martens, and fishers are found on the Koochiching property. Portions of the property contain peatland ecosystems, a resource that the State has recognized for protection. Minnesota is second only to Alaska in the acreage of peatlands in the United States. Miles of streams and rivers on the property flow into Rainy River and Rainy Lake on the Canadian border and support fish habitat. The area is located on a principal route of the Mississippi flyway for migrating waterfowl.

The diversity of wildlife in the Koochiching forests also provides hunters with exceptional opportunities. The area is well known for the availability of hunting grouse, woodcock, and white tail deer. In addition to hunting, these forestlands provide opportunities for camping, hiking, biking, fishing, skiing, snowmobiling, and ATV use. The outdoor recreation industry in Minnesota contributes $4.2 billion annually to the State's economy and provides 70,000 jobs to Minnesotans.

The Koochiching forests themselves are a significant socio-economic engine in the region. The 127,000 acres protected in the conservation easement will remain available as permanent working forests using sustainable timber management. The timber harvested from the forest is transported to mills in International Falls, Bemidji, Duluth, and Grand Rapids. Industries associated with timber and forestry in Koochiching County provide 75 percent of the working population with jobs. Additionally the Bois Forte Indian Tribe produces over 4 million pounds of organically certified wild rice from Nett Lake annually using traditional tribal methods of agriculture developed over centuries. Sections of the Koochiching forestlands are in the Nett Lake watershed. The conservation of forests associated with Nett Lake will ensure the continued rice growing practices of the tribe, sustaining their culture and economy.

The Koochiching property's forest ecosystem thrives on the high water quality of the streams, creeks, rivers, and lakes in the broader Rainy River watershed. Portions of the property drain south into Nett Lake; other rivers and lakes on the property flow north through western Ontario and Manitoba into Hudson Bay, more than 600 miles north of Koochiching County. Clean water from these streams not only benefits wildlife and the peatlands ecosystem, but also residents of the watershed, notably in International Falls, who use it for drinking water, and recreational users at Voyageurs National Park and the several State forests and parks in the region. The Koochiching property also includes Beaver Brook Falls, a 20-foot waterfall that is a unique natural feature in the watershed that was left level by glaciers.

Because of the exceptional natural, economic, and recreational resources on the Koochiching property, the purchase of the conservation easement has a broad coalition of support. Partners include the Minnesota Department of Natural Resources, The Nature Conservancy, the Minnesota Forest Resources Council, Koochiching County, business and timber groups, sportsmen and recreational associations, and conservation organizations.

An appropriation of $3.5 million in fiscal year 2008 from the Forest Legacy Program for the second phase of this project will protect over 38,000 acres of northern Minnesota forest and complement 51,000 acres of previously protected land under the same ownership.

Thank you again, Madame Chairwoman, for the opportunity to present this testimony in support of the Koochiching Forest Legacy project.

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