

March 5, 2020

The Honorable Nita Lowey  
Chairwoman  
Committee on Appropriations  
U.S. House of Representatives  
The Capitol H-305  
Washington, DC 20515

The Honorable Kay Granger  
Ranking Member  
Committee on Appropriations  
U.S. House of Representatives  
The Capitol H-305  
Washington, DC 20515

Dear Chairwoman Lowey and Ranking Member Granger,

Last November, the United Nations concluded that annual global emissions continue to increase sharply higher than the 2030 target of global annual emissions of 25 gigatons of carbon per year (GtCO<sub>2</sub>e) if the world is to limit global warming to the 1.5°C target.<sup>1</sup> This sobering news confirms the worst fears from the 2018 Intergovernmental Panel on Climate Change's special report, which concluded that policymakers must take unprecedented action to limit warming to 1.5°C above pre-industrial levels, most specifically cutting greenhouse gas emissions in half by 2030.<sup>2</sup> Fossil fuel extraction on America's public lands and oceans is a significant contributor to U.S. carbon pollution, accounting for 23% of the nation's carbon dioxide emissions in 2014.<sup>3</sup>

Given the dire perils our nation faces, we ask that you take on the fossil fuel industry by eliminating all funding in the Interior appropriations bill that supports expansion of oil, gas and coal production and extraction on public lands and offshore waters. Specifically, we request that you zero out all funding for new fossil fuel development within the Bureau of Land Management and the Bureau of Ocean Energy Management. Funds should be reallocated away from fossil fuel extraction and shifted towards renewable energy, restoration and protection of wildlife habitat to address the millions of acres that have been degraded by fossil fuel extraction. This transition will ensure our BLM lands provide clean air and water, wildlife protection, and outdoor recreational activities for current and future generations.

### **Oil and Gas Management (\$0 million)**

We recommend zeroing out funding for new oil and gas management. Since FY2016, the appropriated amount for oil and gas management has increased over 50% from \$59.7 million to \$90.9 million in FY2020. This has resulted in large swaths of our public lands being put up for oil and gas leasing. Based on the climate science, we must immediately stop new fossil fuel leasing on public lands to help mitigate any further environmental harm to our environment.

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<sup>1</sup> *Emissions Gap Report 2019*, United Nations Environment Program at xviii (2019), <https://wedocs.unep.org/bitstream/handle/20.500.11822/30797/EGR2019.pdf>.

<sup>2</sup> *Global Warming of 1.5°C, Summary for Policymakers*, Intergovernmental Panel on Climate Change (2018), [https://www.ipcc.ch/site/assets/uploads/sites/2/2018/07/SR15\\_SPM\\_version\\_stand\\_alone\\_LR.pdf](https://www.ipcc.ch/site/assets/uploads/sites/2/2018/07/SR15_SPM_version_stand_alone_LR.pdf).

<sup>3</sup> Merrill, M.D., Sleeter, B.M., Freeman, P.A., Liu, J., Warwick, P.D., and Reed, B.C., 2018, Federal lands greenhouse emissions and sequestration in the United States—Estimates for 2005–14: U.S. Geological Survey Scientific Investigations Report 2018–5131, 31 p., <https://doi.org/10.3133/sir20185131>.

### **Oil and Gas Inspection and Enforcement (+\$35 million)**

We recommend that this line item be funded at \$83.9 million, an increase of \$35 million from FY2020. In FY2016, appropriators increased oil and gas inspection activities by over 15%. However, the appropriated amount in subsequent years has remained largely unchanged. Oil and gas inspection activities allows for BLM to ensure that the public receives the revenue they are owed and that our environmental laws are properly enforced. A recent Government Accountability Office report found an in balance between the workload and the workforce distribution based on workload.<sup>4</sup> Without adequate funding, there will not be enough staff to conduct proper and timely inspections. Appropriators should increase oil and gas inspection activities with a focus on environmental compliance and enforcement.

### **Coal Management (\$0 million)**

We recommend zeroing out funding for new coal leases, expansions and permits. President Trump’s proposed FY2021 budget recommends increasing funding for coal extraction by 19%—from \$15.9 million in FY2020 to \$18.9 million. Coal already under federal lease is estimated to last over 20 years, through 2041.<sup>5</sup> When compared to other fossil fuels such as oil and fracked gas, the combustion of coal emits the most CO<sub>2</sub> per unit of energy.<sup>6</sup> Thus, while we must transition off all fossil fuels and shift to renewable energy, we cannot continue with any future coal leasing or permitting. Declining prices for renewable energy and other market forces are resulting in shifts away from this dirtiest of fossil fuels. To address the climate crisis, we cannot continue with any future coal leasing or permitting.

### **Coal Reclamation (+\$300 thousand)**

We recommend creating this line item and that it be funded at \$300 thousand. Any allocated coal management funding should only be directed towards inspections and environmental compliance for producing mines and reclamation activities. As of 2017, there are surety bonds of at least \$10.2 billion as financial assurances for coal mine reclamation.<sup>7</sup> A separate line item will enable legislators to better track compliance with coal reclamation, monitor fiscal health of bond holders and avoid risks of bond defaults.

### **Renewable Energy (+\$25 million)**

We recommend that this line item be funded at \$54.1 million, an increase of \$25 million from FY2020. Based on the UN, IPCC and the U.S. National Climate Assessment reports,<sup>8</sup> we can no longer think of climate change as a concern that needs to be addressed in the future. Climate change and its effects are already being felt today. Appropriators should increase the funding to

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<sup>4</sup> GAO, *Oil and Gas Development: Actions Needed to Improve Oversight of the Inspection and Enforcement Program* at 12, GAO-19-7 (Feb. 2019), <https://www.gao.gov/assets/700/696906.pdf>.

<sup>5</sup> *Over-Leased: How Production Horizons of Already Leased Federal Fossil Fuels Outlast Global Carbon Budgets*, EcoShift Consulting, prepared for the Center for Biological Diversity and Friends of the Earth at 1, (July 2016), [https://www.biologicaldiversity.org/campaigns/keep\\_it\\_in\\_the\\_ground/pdfs/Over-leased-Report-EcoShift.pdf](https://www.biologicaldiversity.org/campaigns/keep_it_in_the_ground/pdfs/Over-leased-Report-EcoShift.pdf).

<sup>6</sup> *FAQ: How much carbon dioxide is produced when different fuels are burned?*, U.S. Energy Information Administration, <https://www.eia.gov/tools/faqs/faq.php?id=73&t=11> (last visited Feb. 27, 2020).

<sup>7</sup> GAO, *Coal Mine Reclamation: Federal and State Agencies Face Challenges in Managing Billions in Financial Assurances* at 8, GAO-18-305 (Mar. 2018), <https://www.gao.gov/assets/700/690476.pdf>.

<sup>8</sup> *Fourth National Climate Assessment*, U.S. Global Change Research Program (2018), <https://nca2018.globalchange.gov> (stating health and economic costs of climate change are already being felt in the U.S., and that those harms will intensify without “immediate and substantial” cuts to greenhouse gas pollution).

renewable energy projects such as wind and solar in already designated solar energy zones. In addition, production of renewable energy sources on our public lands will result in sustainable energy that is produced domestically.

### **National Seed Strategy (+\$15 million)**

We recommend creating this line item and that it be funded at \$15 million. Millions of acres of Bureau of Land Management land have been dedicated to oil, gas and coal development and extraction. As drilling fields close there is a vital need to restore these lands to meet goals for functioning wildlife habitat, climate resilience and adaptation and biological carbon sequestration. In recognizing the need for adequate native seed stock and implementation a broad coalition of federal agencies, including the Bureau of Land Management, and non-Federal organizations agencies have developed the National Seed Strategy<sup>9</sup> to provide guidance on increasing the supply of genetically-appropriate seed and improving the use of native plant species for restoration on federal and non-federal land.

These funds will allow the Bureau of Land Management to complete an assessment of current and needed capacity including identification, collection, growing and deployment of native seeds. Funding would cover essential functions including research traits for climate adaptation and ability to outcompete invasive species, seed storage and training of personnel. Funding and implementation of the National Seed Strategy is foundational to the successful implementation of other national priorities such as conserving greater sage grouse habitat (over half of its remaining habitat is on BLM lands), pollinator habitat and combating the spread of invasive species.

### **Wildlife and Aquatic Habitat Management (+\$25 million)**

We recommend that this line item be funded at \$80.7 million, an increase of \$25 million from FY2020. Thousands of species of fish, birds and wildlife make their home across BLM lands. Yet many populations of once common species including pronghorn and greater sage grouse are declining due to habitat fragmentation and a sharp increase in industrial development and a changing climate. We are amid a global wildlife extinction crisis and that includes BLM lands. We must increase our investment in habitat protection and restoration to provide habitat for the myriad of species that rely on the high deserts, rivers and streams and forests managed by the BLM.

### **Abandoned Mine Lands and Hazardous Materials Management (+\$10 million)**

We recommend that this line item be funded at \$48.5 million, an increase of \$10 million from FY2020. There are over 52,381 abandoned mines on BLM lands, of which about 20% have been remediated. These abandoned mines pose serious risks to our environment and our health. We recommend a modest increase in this line item to ensure that steady progress is made in reclaiming abandoned mines on public lands.

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<sup>9</sup> Peggy Olwell, *National Seed Strategy Business Plan 2015-2020*, Bureau of Land Management (2015), [https://www.blm.gov/sites/blm.gov/files/uploads/programs\\_natural-resources\\_native-plant-communities\\_national-seed-strategy\\_NSS-BUSINESS-PLAN.pdf](https://www.blm.gov/sites/blm.gov/files/uploads/programs_natural-resources_native-plant-communities_national-seed-strategy_NSS-BUSINESS-PLAN.pdf).

However, this transition to renewable energy must not roll back our bedrock environmental laws, such as the National Environmental Policy Act (NEPA). While members of Congress have pushed back against the Trump administration's proposed regulations,<sup>10</sup> which would gut the NEPA review process, we are concerned with legislation that would also undermine NEPA, such as Representative Gosar's Public Land Renewable Energy Development Act of 2019 (H.R. 3794).

These stark and sobering climate reports by the UN, IPCC, and the U.S. science community, should be a wake-up call to society and Congress that action must start now including recognizing the significant contribution of fossil fuel extraction and combustion from public lands to the U.S. carbon emissions. Stopping climate change and protecting our public lands is a monumental challenge that requires us to switch from fossil fuels to renewables and preserve our public lands for current and future generations. That means zeroing out fossil fuel funding and providing enough funding for appropriately cited renewable energy. The sooner we act, the greater our chance of limiting warming to 1.5°C above pre-industrial levels. Thank you for your consideration.

Sincerely,

Center for Biological Diversity

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<sup>10</sup> Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act, 85 Fed. Reg. 1684-1730 (Jan 10, 2020).