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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2011

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 1854 TREATY AUTHORITY

The 1854 Treaty Authority is an inter-Tribal natural resource organization which implements the off-reservation hunting, fishing and gathering rights of the Grand Portage and Bois Forte Bands of the Lake Superior Chippewa in the area ceded to the United States in the Treaty of 1854. Our program is funded by a Public Law 93–638 contract with the Bureau of Indian Affairs (BIA), which is appropriated directly through the BIA's "Trust/Natural Resource Management—Rights Protection Implementation." The 1854 Treaty Authority respectfully requests that the Senate fund this appropriation in fiscal year 2011 at the same level it was funded in fiscal year 2010 ($30,451,000) in order to meet the increased cost of fulfilling our court-ordered responsibilities.

For background purposes, the Grand Portage, Bois Forte and Fond du Lac Bands are signatories to the Treaty of September 30, 1854, 10 Stat. 1109. In that Treaty the Bands ceded approximately 5,000,000 acres in northeastern Minnesota, reserving the right to hunt, fish and gather in that territory. For most of the 20th century, those off-reservation rights lay dormant and unrecognized and Tribal subsistence activities were relegated to lands within reservation boundaries. In 1985 the Bands went to Federal court seeking a declaratory judgment that the 1854 Treaty did indeed reserve these off-reservation rights and that the State of Minnesota had no authority to regulate tribal hunting, fishing and gathering in the ceded territory. In the course of that litigation, the Bands and the State entered into negotiations concerning the exercise of treaty rights in the ceded territory. The negotiations resulted in an agreement which was approved by both the Minnesota Legislature and the Tribal governments. The agreement was then entered as a consent decree in the Federal litigation such that the obligations of the parties are enforceable in court.

One of the Bands' obligations under the agreement and court order was to create a means by which the Bands could effectively regulate Band member activities. After the Fond du Lac Band exercised its right to opt out with notice, the two remaining Bands formed the 1854 Treaty Authority. To this day, the 1854 Treaty Authority is the entity responsible for management of the Bands off-reservation hunting, fishing and gathering rights.

The 1854 Treaty Authority employs 10 full-time employees, consisting of an Administrative Division (three), a Resource Management Division (four) and an Enforcement Division (three). Two of the Resource Management positions are grant (temporary) funded. The organization is overseen by a Board of Directors comprised of the elected Tribal Councils of the Grand Portage and Bois Forte Bands. The 1854 Treaty Authority also has a Judicial Services Division which retains a judge to hear matters arising under the Tribal code.

The 1854 Treaty Authority is a shining example of cooperation as we gather and share biological information with State, Federal, local, and other tribal govern-

mental units. The 1854 Treaty Authority is authorized through a Joint Powers Agreement with the State of Minnesota to enforce State natural resource laws over non-Tribal users and State Officers are authorized to enforce tribal law applicable to tribal users. The 1854 Treaty Authority has also conducted many natural resource improvement and research projects with the above-mentioned government entities, as well as organizations from the private sector.

However, the 1854 Treaty Authority has struggled to maintain its full-time staff. Up until fiscal year 2010, we had not had an increase in base funding for our programs of any significance in many years, and in fact the base funding had decreased the previous seven funding cycles. Simultaneously, cost of living expenses have increased at a regular rate, and some expenses have increased at an alarming rate (e.g., health and vehicle insurance, fuel, etc). Staff pay costs (wages plus benefits) combined with a decrease in base funding compelled the Treaty Authority to absorb all the cost increases internally at the expense of other programs and services. In 2007 we were unable to continue doing so and two vacated positions (one biologist and one enforcement) remain unfilled due to lack of funding. Of particular concern is the fact that our current enforcement staffing level (3 officers) is woefully inadequate to cover the 5 million acres of ceded territory.

I understand that this is not a unique situation, but at the same time the Federal Government has a trust responsibility to protect and preserve treaty rights. Those rights will be jeopardized if the 1854 Treaty Authority cannot fulfill its obligations as an effective manager of treaty resources. We strongly believe that we can continue to be an integral and positive component of natural resource management in northeastern Minnesota. As history shows in the short 22 years of our existence we have been able to establish the Bands rightful place among all stakeholders and provide services that stretch beyond tribal benefit. In short, the work we do benefits all users and citizens of this region.

We are very thankful for the increase in fiscal year 2010 funding which enabled us to make up some of the shortfall which has plagued us in recent years. If we can continue to maintain funding at its current level, we can begin to look at ways to refill the two vacant positions that are sorely needed to provide adequate services to the tribes.

Finally, I would like to close with a sincere thank you for the years of funding which have enabled the tribes success in this area, and especially the increase in 2010, and respectfully reiterate the request for the Senate to fund this appropriation in fiscal year 2011 at the same level it was funded in fiscal year 2010 ($30,451,000.00) in order to meet the increased cost of fulfilling our court-ordered responsibilities.

PREPARED STATEMENT OF THE AMERICAN ASSOCIATION ON INTELLECTUAL AND DEVELOPMENTAL DISABILITIES

Dear Chairman Feinstein and Ranking Member Senator Alexander: On behalf of our members and supporters across the country, and tens of millions of children whose health, learning and behavior are daily impacted by dank, dark, dirty, and polluted conditions of our PreK–12 public schools, we urge you to fund the EPA's "Clean Green Healthy Schools Initiative" at $8.2 million, $2 million above the President's $6.2 million request in the fiscal year 2011 EPA request.

The national SICK SCHOOLS 2009 collaborative report assembled by more than 30 contributing public interest nonprofits, analyzed Federal data from EPA, Education, and CDC, as well as peer reviewed published sciences in healthy school environments. Result: at least 60 percent of all 55 million school children endure lower test scores and poor attendance due solely to the environmental conditions of their schools. See www.healthyschools.org/sickschools.

The President's fiscal year 2011 EPA budget supports EPA's critical Office of Children's Health Protection and the agency's voluntary schools-focused programs that help local schools and districts to create healthier school environments for all children. EPA will co-lead a Federal interagency effort to integrate existing voluntary schools programs across the agencies, including asthma, indoor air quality, chemical clean outs, green practices (highly cost-effective as New York State has learned) and enhanced use of integrated pest management; promote safe handling and management of PCB-containing caulk in schools and build regional technical support and outreach; assesses the impacts of noncompliance with existing environmental laws on health risks in schools; and increase technical assistance on voluntary EPA guidelines under the Energy Independence Security Act (EISA of 2007) regarding school siting and other school environmental concerns.

We also urge you to support increases for EPA's Healthier Indoor Air and for school and community air toxics monitoring, and for expanding EPA's asthma programs and pesticide-use reductions with schools. Children are 100 percent of our future and promoting healthy learning environments is a task that EPA is uniquely poised to tackle, in collaboration with Education and CDC.

Thank you for your consideration of this request.

PREPARED STATEMENT OF THE AMERICAN ASSOCIATION OF PETROLEUM GEOLOGISTS

To the chair and members of the subcommittee: Thank you for this opportunity to provide testimony on behalf of the American Association of Petroleum Geologists (AAPG) about the importance of the geological programs conducted by the U.S. Geological Survey (USGS).

AAPG is the world's largest scientific and professional geological association. The purpose of the association is to advance the science of geology, foster scientific research, and promote technology. AAPG has nearly 34,000 members around the world, with roughly two-thirds living and working in the United States. These are the professional geoscientists in industry, Government, and academia who practice, regulate, and teach the science and process of finding and producing energy resources from the Earth.

AAPG strives to increase public awareness of the crucial role that the geosciences, and particularly petroleum geology, play in our society. The USGS is crucial to meeting these societal needs, and several of its programs deserve special attention by the subcommittee.

GEOLOGIC RESOURCE ASSESSMENTS

Energy Resources Program

The USGS Energy Resources Program (ERP) conducts both basic and applied geoscience research focused on geologic energy resources (both domestic and international), including oil, natural gas, coal, coalbed methane, gas hydrates, geothermal, oil shale, and bitumen and heavy oil. In the President's fiscal year 2011 budget request, he also included funding for ERP to participate in the New Energy Frontier (wind) initiative. ERP also conducts research on the environmental, economic, and human health impacts of the production and use of these resources. This research provides both the public and private sectors with vital information.

An urgent problem addressed through the ERP is the preservation of geological and geophysical data. The Energy Policy Act of 2005 (EPACT 2005, Public Law 109–58) includes section 351 Preservation of Geological and Geophysical Data. This program is designed to preserve geological, geophysical data, and engineering data, maps, well logs, and samples. It includes development of a national catalog of this archival material, and providing technical and financial assistance related to the samples and materials. As the Act stipulated, the USGS created the National Geological and Geophysical Data Preservation Program (NGGDPP). Since the beginning of this program, however, it has received insufficient funding to accomplish all of the objectives set out in the authorizing language.

Why is preservation important? Responsible management and efficient development of natural resources requires access to the best available scientific information. Over many years industry, such as petroleum and mining companies, has invested billions of dollars to acquire geological and geophysical data. Because of changing company focus and economic conditions this data may no longer have value to the company that acquired it, and is in jeopardy of being discarded.

But this data still has value to society. The data is valuable for further natural resources exploration and development, and can be applied to basic and applied earth systems research, environmental remediation, and natural-hazard mitigation. It is the type of data that will enable future generations of scientists and policy makers to address the Nation's energy, environmental, and natural hazard challenges of the 21st century.

The NGGDPP was authorized at $30 million annually in EPACT 2005. Historical allocations for this program have ranged from $750,000 to $1,000,000 per year. These funding levels are inadequate to achieve the program's objectives.

AAPG supports President Obama's fiscal year 2011 request to fund the Energy Resources Program activities at $30.8 million, and asks the Subcommittee to additionally appropriate $30 million in fiscal year 2011 for the preservation of geological and geophysical data, bringing the total Energy Resource Program budget to $60.8 million.

Mineral Resources Program

The United States is the world's largest consumer of mineral commodities. They form the building blocks of our economy.

It is therefore essential to this Nation's economic and national security that the Federal Government understands both the domestic and international supply and demand for minerals and mineral materials. This data is used throughout government (Departments of Commerce, the Interior, Defense, and State; the Central Intelligence Agency; the Federal Reserve) and the private sector.

The USGS Mineral Resources Program (MRP) is the only Federal and publicly available source for comprehensive information and analysis of mineral commodities and mineral materials.

AAPG supports President Obama's fiscal year 2011 request for the Mineral Resources Program at $52.5 million, and urges the Subcommittee to appropriate at that level.

GEOLOGIC LANDSCAPE AND COASTAL ASSESSMENTS

National Cooperative Geologic Mapping Program

AAPG supports the National Cooperative Geologic Mapping Program (NCGMP). This unique partnership between the Federal and State governments and the university community further demonstrates the importance of geoscience to society. The geologic maps produced by this program are used for natural resource management, natural hazard mitigation, water resource management, environmental conservation and remediation, and land-use planning.

NCGMP deserves special commendation for its EDMAP initiative. This university partnership enables students, working in a close mentoring relationship with faculty, to produce maps while learning essential mapping skills. As such, the program delivers an immediate return on the Federal investment in terms of beneficial maps, as well as a future return in the form of a trained and competent next generation workforce.

AAPG applauds President Obama's support for the National Cooperative Geologic Mapping Program. However, the funding request of $28.3 million is essentially the amount authorized for fiscal year 1999. Authorizing legislation envisaged annual increases up to $64 million in appropriated funds. AAPG urges the Subcommittee to fund NCGMP at this level in fiscal year 2011.

Thank you for the opportunity to present this testimony to the subcommittee. And thank you for your leadership and support for the geosciences. As you deliberate appropriate funding levels for these USGS programs, please consider the important public policy implications these choices entail.

PREPARED STATEMENT OF THE ASSOCIATION OF AMERICAN UNIVERSITIES

Dear Chairman Feinstein and Ranking Member Alexander: 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 testify before you today on the fiscal year 2011 budget of the National Endowment for the Humanities (NEH). We believe that our country's ability to meet the complex changes of today and tomorrow requires a renewed commitment to the humanities. AAU supports $204 million in program funds for the NEH in fiscal year 2011, including $144 million for national programs (an increase of $44.4 million above fiscal year 2010) and $60 million for the Federal/State partnership (an increase of $19.6 million above fiscal year 2010). We strongly oppose the $7.2 million in cuts the administration has proposed for NEH programs in fiscal year 2011.

The Endowment is the single most important source of Federal support for humanities research and humanities public education. We believe that the Nation would benefit from a significant funding increase for the 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 social, economic, and political changes associated with technological development and globalization. We also believe that as teachers and supporters of the humanities, we have an obligation and an opportunity to support through history, literature, and language a culture of tolerance and civility, which is greatly needed today. NEH strengthens and benefits the nation by promoting excellence in the humanities and conveying the lessons of history to all Americans.

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 Federal 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 that help preserve the Nation's diverse heritage, educate the next generation of Americans, and bring the humanities to the wider public.

Indeed, AAU institutions are engaged in a wide range of activities that focus attention on the benefits of a humanities education. 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.

Restoration of NEH Funds to Support Competitive Programs

The President's proposed fiscal year 2011 budget would cut the Endowment's resources at a time when the agency is operating at only about one-third of the capacity it had in 1979, which in inflation-adjusted dollars would amount to $429.2 million today. In the 1980s, the agency sustained some of the most severe funding reductions of any Federal agency. In 1994, the NEH budget was cut by 41.5 percent from the previous year. Over time, the combined impact of budget cuts and inflation has reduced the number, diversity, and buying power of grants provided by the NEH. It is worth noting that the NEH received no funding in the American Recovery and Reinvestment Act.

The President's fiscal year 2011 request would cut funds for national programs by $5.3 million (5.7 percent) below fiscal year 2010. The relatively small amount of money saved by the proposed cuts would contribute little to overall budget savings but would have a serious impact on the Endowment's ability to support humanities research and education. NEH application rates already demonstrate significant unmet need. In fiscal year 2009, the NEH received 4,366 competitive grant applications representing more than $402 million in requested funds. But the Endowment was able to fund less than 17 percent of these peer-reviewed project proposals.

While universities have tried to close some of this funding gap with their own funds, it is increasingly difficult for them to do so. Public and private colleges and universities across the country continue to feel the effects of the recent economic recession, including budget cuts, hiring freezes, staff layoffs, course reductions and more. Institutions are struggling to maintain continued access to high-quality programs, which is particularly evident in the humanities disciplines. As recently reported by the National Governors' Association, States face an $18.8 billion budget gap in fiscal year 2010 which many States will address, in part, by making further reductions in higher education. Beyond significant declines in State funding, colleges and universities are in the midst of a perfect storm of decreased endowment values, tightened credit, declining private contributions from individuals and corporations, increased student financial need, and reduced tuition revenue. Despite the loss of revenue, colleges and universities have worked to increase their aid to students in order to preserve student access. AAU members alone provided almost $5 billion in student aid last year. We cannot assume that higher education can continue to compensate for a lack of growth in Federal funds for the humanities.

In addition, foundation support for the humanities has slipped during the past decade. Foundation assets are down about 22 percent, with giving down about 10 percent. This is a larger dip than in previous recessions. The humanities community is concerned that not only is overall foundation support going down, but that the share of foundation support for the humanities also is dropping. Moreover, there has been a long-term shift among foundations away from funding for scholarship and core disciplines toward funding for public programming. These funding trends are of particular concern to AAU institutions because unmet need is forcing humanities students (particularly graduate students) to assume growing debt.

AAU Funding Priorities for the NEH

The humanities community's fiscal year 2011 request of $204 million in program funds for NEH represents an important step in restoring the Endowment to its historic funding levels. This request would support an increase of $144 million for national programs, including $36.9 million to increase the award rate for seriously underfunded grant competitions and $7.5 million for a new, competitively awarded graduate student-faculty program. National programs are our first priority, representing the pool of funds that support peer-reviewed, competitive grant opportunities for a wide range of educational institutions, nonprofit organizations, and indi-

vidual scholars around the country. They encompass NEH core programs, divisions, and special initiatives. These areas include research, education, preservation & access, challenge grants, public programs, the Office of Digital Humanities, We the People, and Bridging Cultures.

Within the education division, AAU is particularly supportive of the Summer Seminars and Institutes, which fund national faculty development programs that provide a critical forum for leading scholars and faculty to deepen their knowledge of current scholarship. 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.

One of the problems that humanities researchers and scholars face is that the reinterpretation of history and other scholarly work that often define the work of humanists do not fit the traditional concept of "research," as we think of it in the science and engineering disciplines. AAU is working with others in the humanities community to find ways to better communicate how research in the humanities differs from research in the sciences, but is still essential to addressing many of today's challenges.

The second priority for AAU is a new competitively awarded graduate student-faculty program. We have engaged in extensive discussions during the past 2 years with the White House, the Office of Management and Budget, the NEH, and Congress (particularly the House Humanities Caucus Co-Chairs) and believe that we have support, particularly with the leadership of the Endowment, for such a program. It would simultaneously expand scholarship in key areas of inquiry, support the education of graduate students in the conduct of research, and bring faculty and graduate students together in collaborative arrangements that have long characterized the sciences. In the sciences, such collaborations foster creativity by combining the knowledge and experience of faculty with the energy and creativity of graduate students. The benefits of faculty mentorship, early and in-depth engagement of graduate students in research, and the enrichment of scholarly endeavors by the close interaction of faculty and graduate students have been all too lacking in the humanities.

While we are flexible as to how the program should be structured, our initial proposal is a national competitive program in which proposals from universities would be judged on the scholarly inquiry to be conducted; the manner in which the proposed research topic would be enhanced 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 each university selecting which proposals should be submitted to the NEH national competition. The institutional proposals might involve a team of one faculty member and one graduate student, or two or more faculty members working with several graduate students on an interdisciplinary topic.

This new program would build on the Endowment's decision to allow graduate students to participate in the NEH summer seminars, as the humanities community requested. Still, the NEH does not currently support graduate research in the humanities. While the National Institutes of Health, the National Science Foundation, the Departments of Defense and Energy, and the National Aeronautics and Science Administration, have graduate education components to complement their university-based 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. The Endowment once funded a small dissertation fellowship program, but the program was de-funded when the agency sustained significant budget cuts in the mid-1990s.

Many details of the proposed program remain to be worked out, but we believe that NEH is uniquely positioned to promote collaboration between faculty and graduate students in a manner that both enriches humanities scholarship and helps to supply our Nation with the talented and knowledgeable individuals who will contribute to a culturally competent workforce. This is a two for one in a single program. We believe it is a vital element in sustaining the pipeline of young humanities researchers and scholars.

The third priority for AAU is improved humanities data collection. AAU supports the administration's fiscal year 2011 budget language citing the NEH's intentions to "enter into a partnership with the American Academy of Arts and

Sciences . . . to sustain and extend AAAS's developmental work on the Humanities Indicators Project." The project, which is responsive to NEH's legislative mandate to develop a system of national information and data collection, is making a wide range of humanities data available to researchers, educators, and the general public. These data will equip policymakers and institutional administrators with statistical tools to help inform decisionmaking about K–12, higher education, the humanities workforce, and other areas of concern to the humanities community.

AAU encourages you to consider the importance of the humanities in our society today. NEH helps colleges and universities around the country ensure that the humanities remain central to their missions and to the cultural life of the Nation. In its role as the largest Federal supporter of the humanities, the NEH broadens public awareness of and participation in the humanities through teaching, scholarship, and research.

AAU, as part of the larger humanities advocacy community, supports a significant increase in the Endowment's budget to enable the agency to more broadly support the research and education programs our Nation needs to better understand an increasingly complex world. In addition, we believe that Congress has a unique opportunity to support a new program to facilitate more interaction between students and faculty in the humanities. We look forward to discussing the details of such a program as you develop the fiscal year 2011 Interior, Environment, and Related Agencies appropriations bill.

Again, thank you for the opportunity to testify today and I welcome any questions.

PREPARED STATEMENT OF THE AMERICAN BIRD CONSERVANCY

American Bird Conservancy's testimony focuses on the U.S. Fish and Wildlife Service's (FWS) Neotropical Migratory Bird Conservation Act (NMBCA) grants program and the Joint Ventures (JV) program. American Bird Conservancy requests NMBCA be funded at $6.5 million ($1.5 million above fiscal year 2010's level) and JVs be funded at $18 million ($4 million above fiscal year 2010's level). An increase in funding for these programs would benefit the songbirds that are soon to arrive back from their wintering grounds and to the backyards and birdfeeders of millions of anxiously awaiting Americans. We further request $5 million for reforestation in Appalachia, and a spending limitation on the logging of mature forests and trees on Federal lands.

American Bird Conservancy leads a coalition of conservation organization that includes National Audubon Society, Defenders of Wildlife, Point-Reyes Bird Observatory, and The Wildlife Society—who, together, advocate for Federal programs crucial for bird conservation. These programs are the Neotropical Migratory Bird Conservation grants program, JVs, the FWS's Office of Migratory Bird Management, the North American Wetlands Conservation Act, State Wildlife Grants, the USGS Breeding Bird Survey, Wildlife Without Borders, and the International Programs within the USDA Forest Service.

As members of this subcommittee know well, America is blessed with a spectacular abundance and rich diversity of birds, with more than 800 species inhabiting the mainland, Hawaii, and surrounding oceans. So it's easy to understand why 75 million Americans engage in bird watching—and how this activity generates more than $45 billion to our economy every year.

Unfortunately, we found out in last year's FWS's groundbreaking State of the Birds Report that many of our bird species are in decline and some are threatened with extinction. For example, Eastern Meadowlarks, historically found in great abundance in our prairies, have dropped 70 percent over the past 30 years. The Northern Bobwhite quail has similarly lost 70 percent of its population in just 45 years. Rusty Blackbirds have declined by a staggering 99 percent. On Hawaii, the Akikiki and Akekee have undergone severe population declines leading to their recent listing under the Endangered Species Act.

The 2010 State of the Birds Report on Climate Change finds that most U.S. bird species will be imperiled by climate change, including common birds that are currently not of conservation concern. All 67 species of U.S. seabirds are rated as vulnerable, and islands also top the list of habitats where birds will be at greatest risk, indicating the efforts to conserve Hawaiian bird species need to be intensified.

Furthermore, American Bird Conservancy's report, Saving Migratory Birds for Future Generations: The Success of the Neotropical Migratory Bird Conservation Act, found that of our 341 species that are neotropical migrants—meaning birds that breed in the United States and Canada and winter in Latin America and the Caribbean—127 are in decline. Sixty of those species, including 29 songbirds, are in se-

vere decline having lost 45 percent or more of their population in the past 40 years. If these trends continue, future generations of Americans may never be able to see a bright blue Cerulean Warbler, Bell's Vireo, or Black-chinned Sparrow.

This trend can be seen all throughout the country. Here in Washington, DC for example an annual census of birds in Rock Creek Park that started in the 1940s, found that the number of migratory songbirds breeding there has dropped by 70 percent over the past half-century. Three species of warbler (Black-and-white, Hooded, and Kentucky) no longer breed there at all.

The main reasons for these precipitous declines are well established and reported in the 2009 State of the Birds Report: The largest source of bird mortality is due to habitat loss through conversion for human uses. Resource extraction and a growing human population have resulted in more development and land conversion for suburban sprawl so there are simply fewer and fewer large blocks of unbroken habitat for our native birds.

The second major impact is from habitat degradation from ecologically harmful land uses, such as unsustainable forestry or destruction of grasslands to create farm land. Deforestation, especially in Latin America, is accelerating at an alarming rate, driven by the needs of the rapidly expanding human population, which has tripled from 1950–2000. Estimates of the percentage of remaining forests that are lost each year in the Neotropics are between 1–2 percent.

NMBCA

To address these two problems—habitat loss and degradation, both of which are rapidly increasing south of our border—ABC respectfully suggests that Congress act to help mitigate their impact by improving the appropriations level for the NMBCA grants program. As the subcommittee knows, the NMBCA supports partnership programs in the United States, Canada, Latin America, and the Caribbean to conserve migratory birds, especially on their wintering grounds where birds of nearly 350 species, including some of the most endangered birds in North America, spend their winters. Projects include activities that benefit bird populations such as habitat restoration, research and monitoring, law enforcement, and outreach and education.

Saving Migratory Birds for Future Generations also found the grant program has a proven track record of reversing habitat loss and advancing conservation strategies for the broad range of Neotropical birds that populate America and the Western Hemisphere. The public-private partnerships along with the international collaboration they provide are proving themselves to be integral to preserving vulnerable bird populations.

From 2002–2008, grant money has gone out to 44 U.S. States and 34 countries, funding 260 projects, impacting almost 3 million acres of critical bird habitat. More than $25 million in federally appropriated dollars have leveraged more than $116 million in partner contributions. However, demand for funding of high-quality conservation projects far outstrips current appropriations, and in 2008, 63 projects requesting nearly $10,000,000 were not funded. From these numbers, it is clear that conservation that would benefit our migrant songbirds is not able to take place due to a lack of funding for this program.

We respectfully request that NMBCA be funded at $6.5 million ($1.5 million above fiscal year 2010's level).

JVs

JVs also exemplify a highly successful, cost-effective approach to conservation and are now being looked to as model for the Landscape Conservation Cooperatives. By applying science and bringing diverse constituents together, JVs across the United States have created a model for solving wildlife management problems and restoring habitats critical to conserving declining species. Nationally, JVs have protected, restored, or enhanced more than 13 million acres of important habitat for migratory bird species. There are currently 21 JVs in the United States that provide coordination for conservation planning and implementation of projects that benefit all migratory bird populations and other species.

JVs have a long history of success in implementing bird conservation initiatives mandated by Congress and by international treaties. Projects are developed at the local level and implemented through diverse public/private partnerships. These projects reflect local values and needs, while addressing regional and national conservation priorities. The projects benefit not only birds, but many wildlife species, and have a positive impact on the health of watersheds and local economies.

Every dollar invested in JVs leverages more than $44 in non-Federal partner funds (1999–2004) for on-the-ground habitat conservation and restoration projects, biological planning, and outreach. ABC believes JVs should be funded at $18,000,000 in fiscal year 2011 to allow them to meet their increased responsibil-

ities. This increase in funding would help strengthen the public/private partnerships that leverage increasingly scarce public funds for on-the-ground habitat restoration and acquisition projects; continue to incorporate recent scientific advances in the development of landscape-conservation plans; and build capacity within the newer Joint Ventures, while maintaining expertise within established ones.

ABC strongly believes increased funding for NMBCA and JVs is essential to achieving conservation goals critical to our environment and economy. Just as importantly, these Federal programs are good values for taxpayers, leveraging more than $4 and $44, respectively, in partner contributions for each one that the taxpayers spend.

We respectfully request that JVs be funded at $18 million ($4 million above fiscal year 2010's level).

Conserving Forest Carbon and Restoring Wildlife Habitat

Lastly, we believe land management activities that are ecologically unsustainable, or that are contrary to the recommendations of the 2010 State of the Birds report should be discontinued. Of particular concern is the continued logging of mature forests on Federal lands. While the cutting of large fire-resistant trees and older forests has been greatly reduced, it still continues on Federal lands, engendering strong public opposition, needless controversy, environmental harm, and a significant waste of scarce agency resources.

We respectfully request the subcommittee include in the bill a funding limitation for projects that would log mature and old-growth forests or individual trees 100 years or older on all Federal forest lands. These forests and trees should be held in trust to both help mitigate the impacts of climate change by keeping these immense volumes of carbon from being released into the atmosphere, and to help wildlife adapt to changing conditions.

There are also opportunities to reforest abandoned minelands in Appalachia that would greatly enhance carbon storage above current levels, as well as provide much needed wildlife habitat in forest areas that have been heavily fragmented. Of particular concern is the Cerulean Warbler whose population has declined 70 percent since surveys began 40 years ago. The species needs large-blocks of unfragmented habitat, which is currently in short supply in the eastern forests.

The Appalachian Regional Reforestation Initiative developed by Federal and State government scientists, State wildlife agencies, and conservation organizations proposes to create 2,000 jobs over the next 5 years restoring these lands and returning them back into productive forests. We respectfully request the subcommittee approve $5 million to begin this Appalachian reforestation initiative.

In conclusion, Madam Chairman, let me just say that America faces a serious challenge to reverse the decline of many of our bird species, but we can do it. Since birds are sensitive indicators of how we are protecting our environment as a whole, this decline signals a crisis that Congress must act now to reverse it. If the State of the Birds reports tell us anything, it is that when we apply ourselves by investing in conservation, we can save imperiled wildlife, protect habitats, and solve the multiple threats at the root of this problem.

PREPARED STATEMENT OF THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

My name is John L. Nau, III, and I am pleased to submit my testimony to the subcommittee. I serve as Chairman of Advisory Council on Historic Preservation (ACHP). Let me note at the outset ACHP's appreciation for the subcommittee's continued support and interest in the Nation's historical and cultural resources. ACHP is dedicated to the preservation of our Nation's historic and cultural resources. I support maintaining fiscal year 2010 funding levels for the historic preservation programs within the Department of the Interior, including Preserve America and Save America's Treasures Grants in the fiscal year 2011 Interior, Environment, and Related Agencies appropriations bill. Both programs are important to economic vitality in communities throughout America, providing jobs in the construction and tourism industries while concurrently enabling the preservation of historic properties and artifacts for the benefit of current and future generations.

In 2007, Senators Hillary Clinton and Pete Domenici and Representatives Brad Miller and Mike Turner introduced legislation to authorize the Preserve America and Save America's Treasures programs. I was delighted when this important legislation was overwhelmingly passed and then signed into law as part of the Omnibus Public Land Management Act of 2009.

Preserve America serves as a driver of economic activity and a powerful tool for preserving significant historic and cultural resources throughout the country. The

program enables local communities to create viable strategies to use their historic assets to meet contemporary needs. In doing so, it helps to inform our citizens about the past while also fulfilling our shared commitment to ensuring that future generations can benefit from historic preservation as we have.

Since the program was launched in 2006, Preserve America has awarded nearly $20 million for 259 projects in 49 States with an additional group of grant awards pending. More than 700 projects proposals have been received by the National Park Service requesting over $60 million. A recent assessment of the program concluded that Preserve America Grants:

—Address a broad range of heritage tourism and historic preservation needs that are unmet by other Federal assistance programs;
—Stimulate the creation and development of innovative programs and projects of all types;
—Are helping to support economic development by stimulating local economic activity;
—Provide scarce seed money to leverage investment and in-kind support for heritage tourism; and
—Encourage education initiatives that foster appreciation for history among young people.

In addition, Preserve America serves as a valuable complement to other important historic preservation programs, in particular the Save America's Treasures program. Save America's Treasures is the Nation's only bricks-and-mortar preservation grant program. Established by Executive Order in 1998, it is a public-private partnership that includes the National Trust for Historic Preservation, the National Park Service, the President's Committee on the Arts and Humanities, and the Federal cultural agencies.

Over the past 10 years, SAT has been a driver of economic development and the Federal Government's most successful tool to preserve the important places that tell our Nation's story. Since its creation, Save America's Treasures has designated more than 1,100 projects in all 50 States, created an estimated 16,000 jobs, and awarded approximately $300 million in grants to preservation efforts across the country. The projects range from such iconic objects as the Star-Spangled Banner to historically and architecturally significant structures like the Acoma Pueblo and the Conservatory of Flowers.

In order to build upon these successes, it will be necessary to ensure that more cities and communities can benefit from Preserve America in the future. Level funding in fiscal year 2011 will provide the momentum needed for this program to remain viable going forward. Absent this continuity in funding resources, I fear the demise of this widely supported bipartisan program.

Since 2004, a total of 814 municipalities, counties, Indian tribes, and urban neighborhoods have applied for and received designation as Preserve America Communities. All of these designated communities are eligible to apply for competitive 50/50 matching Preserve America Grants from the National Park Service, along with State Historic Preservation Offices, Tribal Historic Preservation Offices, and Certified Local Governments that are in the process of applying for Preserve America Community designation. The grants are given for projects that help preserve, promote, and use historic resources for cultural heritage tourism and related economic development and educational purposes. Grants are given in five categories: Research and Documentation; Planning; Interpretation and Education; Promotion; and Training.

Preserve America Grants totaling $783,754 for eight projects in California have been awarded since 2006 to five different cities, one group of urban neighborhoods, and one Indian tribe. While much of the multi-year grant work has not yet been completed, below are summaries of two of these grant projects.

One such award went to Monterey, California for $100,000.

The grant focused on a coordinated interactive way-finding and signage program to promote the many significant historic and cultural resources in Monterey. A high proportion of the local economy is geared to tourism, and downtown Monterey is a National Historic Landmark historic district. There are many remnants of the Spanish and Mexican colonial periods prior to 1846, structures from the later territorial and statehood period, and the Cannery Row area made famous by John Steinbeck. Work under the grant has included three principal components:

Develop signage for public and privately-owned historic assets in the downtown Monterey business area, including "virtual" interpretation via Internet-based and cell phone technology in order to guide and orient visitors as well as residents to heritage attractions.

Produce an inclusive print and web-based brochure to highlight Monterey's story, a timeline of Monterey's history, and a citywide walking map with different historic trails delineated.

Create an interactive, downloadable Internet-based resource map of historic assets and working tour information encompassing the entire City of Monterey, to complement the onsite and distance way-finding program.

According to the City's 2009 project assessment, "The funding received by the City of Monterey has had a stimulating effect on the promotion of Monterey's multiple levels of heritage, [and] the Preserve America designation and receipt of the grant has proven a catalyst for new programs and projects throughout all of Monterey County . . . We could not have developed these programs without the Preserve America grant. We continue to refine our signage program, which included a local designer who was paid from the grant funds. The prototype signs designed as part of the grant have proven to be popular and will, at some time, replace 49 more signs throughout the city. That is economic redevelopment based on heritage tourism. We are now increasing our use of electronic way-finding and cell phone tours that we could not accomplish without the grant funding. That expansion of way-finding will lead to a contract with a cell phone tour company, and possibly a position for a Web page administrator within the next year. For the City of Monterey, the grant received in 2006 was an early stimulus package . . . The success of the grant has made it clear that this type of funding, so difficult to justify in a city budget, is vital to the promotion of heritage tourism."

Another award in California went to an "Indian Island Interpretation and Education Project" for the Wiyot Tribe, in Loleta, California.

The project will help promote and manage public access to a National Historic Landmark Native American village site with the development of educational materials, the design and installation of interpretive kiosks and signage, and establishment of special events, tours and field trips to an important site in Humboldt Bay. In conjunction with environmental clean-up and restoration work, the Indian Island Cultural and Environmental Restoration Project is a collaborative partnership between the Wiyot Tribe and the City of Eureka, with assistance and support from the Humboldt Bay Maritime Museum, the Humboldt County Visitors and Convention Bureau, and other local partners. The location that will be interpreted is the important archaeological site of Tuluwat Village on Indian Island, portions of which date to A.D. 900. Tuluwat Village is the "center of the universe" for the Wiyot people, and the site is the historic as well as the more recent location of a week-long World Renewal ceremony each February where a massacre of more than 200 native inhabitants took place in 1860. In addition to the economic potential related to area tourism, a significant feature of the project is the development of curriculum materials for school and other youth groups.

By way of further example, in Tennessee, eight communities are designated as Preserve America communities, and six more have applications pending. In addition, three grants totaling $267,000 have been awarded for Preserve America projects in Franklin, Jonesborough and Oak Ridge.

I support funding Preserve America at the fiscal year 2010 amount, and I welcome an opportunity to meet with you or your staff to provide any additional information and to discuss this with you further.

Thank you for your consideration of this written testimony.

PREPARED STATEMENT OF AMIGOS DE LA SEVILLETA

Madam Chairman and Honorable Members of the Subcommittee: I appreciate the opportunity to present this testimony in support of acquiring land at Sevilleta National Wildlife Refuge in New Mexico. An appropriation of $1.5 million is needed in fiscal year 2011 from the Land and Water Conservation Fund in order for the U.S. Fish and Wildlife Service to acquire the 250-acre first phase of the 1,250-acre Indian Hill Farms property.

Covering an area of approximately 360 square miles and located just 40 miles south of Albuquerque, the largest city in the State, the Sevilleta National Wildlife Refuge serves as a vast protected landscape in the heart of New Mexico. The refuge supports four major ecological habitats, encompassing two mountain ranges and containing approximately 4 miles of the Rio Grande River. Much of the refuge is managed to enhance riparian habitat and compensate for marsh loss along the Rio Grande basin. The refuge provides important habitat for a large variety of birds, insects, reptiles, and mammals such as beaver, coyote, bobcat, fox, jackrabbit, and elk. Parts of the refuge are flooded from November to February in order to provide habitat for migrating shorebirds and waterfowl including herons, ducks, geese, and

sandhill cranes. The refuge is also managed to combat nonnative species such as the extremely invasive salt cedar. This nuisance species is being cleared and replaced with native willow and cottonwood to restore the natural bosque/riparian habitat native to the area.

Available for acquisition in fiscal year 2011 is the first 250-acre phase of the 1,250-acre Indian Hill Farms property, which lies adjacent to 3 miles of the Rio Grande as well as current refuge lands. Indian Hill Farms comprises more than 600 acres of prime irrigated farmland and a very significant quantity of senior water rights which will provide the refuge with excellent opportunities for the creation of wildlife habitat, including moist soils, wetlands, and restored river bosque. The Sevilleta NWR is home to the second largest population of the endangered Southwestern willow flycatcher along the Rio Grande River. If Indian Hill Farms is added to refuge ownership, there are plans to restore a portion of the property to provide additional prime flycatcher habitat. Because the farm is the first to take water rights off the important San Acacia Dam, located just off the edge of the farm, control of the water rights by the U.S. Fish and Wildlife Service should also provide additional protection and benefit to the endangered silvery minnow, found within portions of the Rio Grande that run through the refuge. Given the water rights associated with the property and its location along the Rio Grande, acquisition of the Indian Hill Farms property could provide the refuge system a tremendous opportunity for habitat manipulation for a number of different wildlife uses, including endangered species habitat, wintering waterbird habitat, migratory landbird use, as well as raptor and resident big game habitat. Its location between two major wintering waterfowl areas, Ladd S. Gordon Complex to the north and Bosque del Apache NWR to the south, makes this a key acquisition to enhance waterfowl populations in the Middle Rio Grande area.

Currently, Sevilleta NWR offers limited public access as much of its acreage has been designated to ongoing research projects. Sevilleta NWR is the host to the University of New Mexico's (UNM) Long-Term Ecological Research program initiated in 1988 and funded through the National Science Foundation. This program examines the responses of different ecological communities to climate change and UNM has expressed great interest in research projects that would be associated with the planned conversion of farmland to wildlife habitat should Indian Hill Farms be acquired by the refuge.

An appropriation of $1.5 million in fiscal year 2011 will be combined with an appropriation of $500,000 provided in fiscal year 2010 to ensure that the first phase of the Indian Hill Farms property is protected in perpetuity. The USFWS is pursuing the administrative steps necessary to include the entire Indian Hill Farms property within refuge boundaries, and an appraisal is also underway to determine the property's value.

The addition of this priority parcel to the Sevilleta NWR will allow for the creation and restoration of important wildlife habitat types along the Rio Grande River, increase public access to refuge lands, and increase unique research opportunities for local scientists.

The Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this committee faces, I also want to thank the subcommittee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in New Mexico, and I appreciate your consideration of this funding 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 sup-

porting fiscal year 2011 funding for the National Endowment for the Arts (NEA) at a level of $180 million.

April 13, 2010 was Arts Advocacy Day on Capitol Hill, an annual grassroots gathering hosted by Americans for the Arts and cosponsored by 86 national organizations representing dance, theater, music, literature, and the visual and media arts-the full landscape of American culture. Collectively these national groups represent tens of thousands of nonprofit and governmental cultural organizations at the State and local levels across the country.

At the annual hearing on arts funding held by the House Interior Appropriations Subcommittee Americans for the Arts witnesses represented a broad cross-section of stakeholders who partner with the Federal Government to promote, support, and deliver the highest quality arts to the farthest-reaching parts of America, ranging from rural communities like Chelsea, Michigan and Minot, North Dakota to large urban centers such as Philadelphia, Pennsylvania. The subcommittee heard unique perspectives of how the arts in America play out as an important diplomatic and strategic instrument within the global community, how corporate investment in the arts is working hand in hand with government support to enrich the cultural life and opportunities within communities. The subcommittee also heard about how investments in nonprofit arts groups in small and large towns across the country have created the foundation for today's artists to ignite their talent, perfect their craft, pursue their dreams.

The nonprofit arts industry is a $166.2 billion economic sector that supports 5.7 million full time equivalent jobs and pumps $29.6 billion in tax revenue back into local, State, and Federal treasuries. Quite simply put, the arts equal jobs. More importantly, these are jobs that are part of the new and growing information and innovation economy. These are not the kind of jobs that can be outsourced abroad. They are home-grown, made in America jobs.

The National Endowment for the Arts did a superb job of quickly and effectively distributing $50 million of economic recovery funds, included in the American Recovery and Reinvestment Act, across the country to save jobs in the arts. Within a few short months, the NEA had developed an application process, reviewed thousands of requests, and administered hundreds of grants both directly to individual arts institutions and through a re-granting process by regional, State, and local arts agencies in order to broaden the reach of these funds. I'd like to share a few examples of how these NEA recovery funds were used:

—In Los Angeles, California, the NEA awarded $420,084 to the Los Angeles County Arts Commission and the city of Los Angeles' Department of Cultural Affairs. The two organizations distributed the money to 16 local arts organizations to help pay the salaries of 21 administrative staffers whose jobs were to be eliminated. These organizations included the H.E. Art Project, Hollywood Entertainment Museum, Jazz Bakery Performance Space, Ryman/Carroll Foundation, Contra-Tiempo, East Los Angeles Classic Theater, Friends of Chinese American Museum, Greenways Arts Alliance, L.A. Stage Alliance, Latino Theater Company, Pan African Film and Arts Festival and the Unusual Suspects Theater Company.

—In Tennessee, the Allied Arts of Greater Chattanooga received $100,000 in stimulus funds to preserve jobs within local arts agencies. The local groups receiving these funds were Ballet Tennessee, Chattanooga Boys Choir, Chattanooga Girls Choir, Chattanooga Symphony & Opera, Chattanooga Theatre Centre, Choral Arts of Chattanooga, Creative Discovery Museum and Shaking Ray Levi Society.

—In Idaho, the Idaho Shakespeare used recovery funds to guarantee a fourth show will be produced for its 2010 season. This in effect secured jobs for nine Equity actors, five directors/designers, a stage manager, and a production assistant for a Shakespearean production. Opera Idaho hired a marketing director, a position it lost in 2007. The Cabin, a literary program, sustained its 12 staff writers for its Writers in the Schools program and for its summer camps, which reaches kids from Cambridge to Fort Hall, and Boise to Pocatello.

—In Virginia, direct NEA grants to nonprofit arts organizations supported the preservation of jobs at such places as Signature Theater in Arlington and the venerable Wolf Trap Foundation for the Performing Arts. The Virginia Arts Commission received $331,000 in critical funding that was used for the retention or reinstatement of critical staff positions that have been jeopardized by the current economy. The Piedmont Arts Association in Martinsville received $10,300 to be used for the preservation of the part time Education Coordinator position.

—Seattle's Office of Arts & Cultural Affairs received a $250,000 local arts agency recovery grant from the NEA to specifically re-grant to local Seattle arts organi-

zations. Funds helped to preserve 16 arts administrator positions, eight educational staff, 40 artists, and 15 production personnel positions at 22 arts organizations.

—The Oklahoma Arts Council disbursed $306,800 in Federal recovery funds to 16 nonprofit organizations across the State. Funds specifically helped to restore a costume designer's position from part-time back to full-time at the Lawton Community Theatre, save a music director's position at Cimarron Circuit Opera in Norman, and kept the arts education coordinator position at the Arts and Humanities Council of Tulsa. At Oklahoma Children's Theatre in Oklahoma City, a $15,000 recovery grant was used to prevent the executive director's position to go from full-time to part-time.

—Through another $250,000 local arts agency economic recovery re-grant from the NEA, the Broward County, Florida Cultural Division provided salary support at several local arts organizations. The salaries they supported were for positions that would have otherwise been laid off during the recession, including nine local jazz musicians at the Gold Coast Jazz Society, the director of education at the Coral Spring Museum of Arts, and a part-time education coordinator at the Art and Culture Center of Hollywood.

—In Ohio, recovery grants supported many positions, including two community cultural project managers as well as the school residency supervisor at the Great Lakes Theatre Festival.

Real People. Real Jobs.—The $50 million investment that this subcommittee made in the nonprofit arts sector reached all 50 States. $16.8 million was regranted through the State arts agencies, $4.8 million was re-granted through the local arts agencies, and approximately $28 million was awarded directly to cultural institutions through the NEA. According to the Federal Government's Recovery.org Web site, 1,408 jobs have been funded through the NEA's economic recovery direct grants as of March 2010. This has been a lifeline to the arts community and we are truly grateful that artists and arts administrators were recognized as an important economic sector to the Nation's recovery.

But, unfortunately, it's still not enough to offset the major declines in public and private support of the arts that have occurred. Last year, State government arts appropriations dropped 10 percent, local government support fell 8 percent, and private giving to the arts fell 6.5 percent. If you total up these losses, it's approximately less than $1 billion going into the arts in just 1 year.

According to the Americans for the Arts National Arts Index, while there are signs of economic recovery for the country as a whole, we know from our trend data that the creative sector lags a full year behind business trends. While all indications point to another difficult year for arts organizations for 2010–2011, we have seen wonderful and creative signs of perseverance. Many arts groups have re-doubled marketing efforts as a means of increasing earned income potential, resulting in great ticket sale seasons and bringing in new audiences.

The NEA plays an important role in helping these arts organizations leverage both contributed income as well as earned income. During this economic downturn, I encourage this subcommittee to increase funding for the NEA in order for it to carry out its important mission of leveraging more funds for the arts.

Leveraging Other Federal Agency Support

The NEA plays a very important role in developing partnerships with other Federal agencies—such as the Departments of Housing and Urban Development, Education, and Transportation—in order to open new channels for arts organizations to work with all aspects of government. For example, CDBG funds can be used for restoring cultural facilities, transportation funds can be used for public art, and education funds to deliver quality arts education programs to kids in- and after-school.

Leveraging State and Local Government Support

The NEA helps to leverage State and local governments to fund the arts as well. Forty plus years ago, something as simple as requiring States to match funds that it receives from the NEA helped create State arts councils in every State that now appropriate $297 million of state funds to support the arts.

At the local level, the NEA's original local arts agency program created an even higher 2 to 1 match that was welcomed by local governments. Since 1984, the NEA's Local Arts Agency program has supported more than 800 grants totaling $47 million. This program spurred unprecedented growth in local government support for the arts in large part due to higher matching requirements, sensitivity to local standards and tastes, and their proven track record of being trustworthy stewards of public funds. Today, local governments invest $765 million of their own funds to support artists and community-based nonprofit arts organizations, ranging from tra-

ditional symphonies and operas to ethnically specific cultural programs and arts education initiatives.

With this record of accomplishment in mind, I want to encourage this subcommittee to enhance the formal re-granting partnership program for local arts agencies to help the NEA better serve arts organization of all sizes in communities across the country.

Leveraging Private Contributed and Earned Income Support

An NEA grant embodies a reputation of a national seal because of its rigorous review standards and the high level of competition. As a result, when the NEA awards direct grants to arts organizations across the country, the strong leveraging effect of attracting additional contributed dollars is unparalleled. The NEA has also served an important role of leveraging an arts organization's earned income potential by supporting marketing initiatives ranging from investments in centralized ticketing offices, online community-wide cultural calendars to market research studies of audience trends and habits.

In conclusion, I want to again express the nonprofit art community's gratitude for your efforts thus far. I respectfully ask the subcommittee to continue its commitment to the creative sector by supporting an increase in the NEA fiscal year 2011 budget to $180 million to save jobs, educate our children, and maintain America's cultural dynamism.

LETTER FROM BY THE AMERICAN FOREST FOUNDATION; CALIFORNIA FOREST PEST COUNCIL; CITY OF CHICAGO DEPARTMENT OF STREETS AND SANITATION, BUREAU OF FORESTRY; DAVEY INSTITUTE; INTERNATIONAL MAPLE SYRUP INSTITUTE; MULCH & SOIL COUNCIL; NATIONAL ASSOCIATION OF STATE FORESTERS; NATIONAL PLANT BOARD; THE NATURE CONSERVANCY; NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION; NORTH AMERICAN MAPLE SYRUP COUNCIL, INC.; PENNSYLVANIA DEPARTMENT OF AGRICULTURE; PURDUE UNIVERSITY, DEPARTMENT OF ENTOMOLOGY; SOCIETY OF AMERICAN FLORISTS; AND UNION OF CONCERNED SCIENTISTS;

MARCH 19, 2010.

Hon. DIANNE FEINSTEIN,
Chairman, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

Hon. LAMAR ALEXANDER,
Ranking Member, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

RE: Fiscal year 2011 Appropriation for the USDA Forest Service

DEAR CHAIRPERSON FEINSTEIN AND RANKING MEMBER ALEXANDER: We urge the Subcommittee on the Interior, Environment, and Related Agencies to appropriate adequate funding for the USDA Forest Service (USFS) to manage non-native insects and plant diseases that threaten America's forests. We recommend an fiscal year 2011 appropriation of $145 million for the USFS Forest Health Management Program. This level is about $7 million above the current level of funding.

In addition, we ask that you provide an increase of $3 million above the fiscal year 2010 appropriations level for the "Invasives R&D" line item within the USFS Research program. This increase reflects the significant gaps in knowledge about monitoring techniques and tools, as well as in how populations of non-native pests will develop, expand and impact our U.S. forested systems. We ask the Congress to support further research to be better able to develop and implement appropriate management programs for these non-native pests.

We thank the subcommittee for substantially increasing funding for the Forest Health Management Program in fiscal year 2010. The increase resulted in substantial new resources being devoted to improving detection and control methods for the emerald ash borer, hemlock woolly adelgid, and sudden oak death (SOD; also called the phytophthora leaf and stem blight pathogen); and maintenance of programs targeting the gypsy moth and other non-native forest pests and diseases. The added funding also allows the USFS to address new pests threatening forests across the country, including thousand canker disease (which threatens black walnuts nationwide); gold-spotted oak borer (which is killing oak trees in southern California); and laurel wilt disease (which is killing redbay, sassafras, and other trees and shrubs in coastal regions of the Southeast). Funding at our recommended level supports continued expansion of these important programs, which benefit both rural and urban communities.

The Forest Health program provides vital expertise in forest pests' biology and detection and management methodology that is crucial to the success of pest eradication and containment programs implemented by the USDA Animal and Plant Health Inspection Service (APHIS). As these forest pests are detected in new areas, the importance of the USFS's contribution rises. The USFS has the lead responsibility for detecting and responding to any outbreaks of SOD in the forest. The USFS has provided most of the funds utilized by Oregon in its SOD containment program; this program has succeeded in containing spread of the disease through vulnerable forests in the southwest corner of the State. Detection programs managed under the Forest Health Monitoring Program have surveyed 320 watersheds across the country. Watersheds have been found with evidence of the SOD pathogen—outside the infested areas in California and Oregon. These include streams in four Southeastern States with substantial vulnerable oak forests—Alabama, Florida, Georgia, and Mississippi. Both programs must continue in order to protect vulnerable forests.

The emerald ash borer has now been detected in 13 States. The USFS's Forest Health Protection program provides expertise in detecting this elusive insect, in developing more effective tools to curtail its spread, and in advising landowners on how to respond to the threat. For example, the USFS helps to fund a website maintained by the Continental Forest Dialogue (www.dontmovefirewood.org) in order to educate the public not to transport potentially infested wood that can spread pests. The USFS, involved cooperatively with APHIS, is evaluating mitigation tools and strategies to be utilized by newly infested regions to slow or curtail the spread of this devastating pest. It is vitally important that the USFS effort targeting this insect not be reduced. The USFS is working with State forestry departments through the Great Plains Initiative to help those States prepare for the widespread tree mortality that the emerald ash borer will cause.

Finally, the Forest Health Management Program needs adequate funding to expand its Early Detection project. This program has been responsible for detecting more than a dozen introduced insects, including two which threaten the economically important pine forests of the Southeast: the sirex woodwasp and the Mediterranean pine beetle. The detection program now covers all States on a 3-year rotation. It now must develop and deploy methodologies to detect the highly damaging wood-boring beetles.

As the majority of southern forests are in private ownership, a landowner assistance program for early detection and rapid response for these pine pests should be considered.

The agency bearing the principal responsibility for eradicating newly introduced forest pests is not the USFS, but rather APHIS, an agency under the jurisdiction of the Agriculture Appropriations subcommittee. The USFS plays a critical support role by providing both management expertise and critical research—in close coordination with APHIS Plant Protection and Quarantine and through cooperative funding agreements with State forestry, State departments of agriculture, and State land grant universities.

Nevertheless, the subcommittee cannot achieve its goal of protecting the health of the nation's forests as long as funding shortfalls undermine USDA APHIS eradication programs. We encourage the subcommittee to work with the Agriculture Ap-

propriations Subcommittee to find ways to increase funding for forest pest line items in the USDA APHIS Emerging Plant Pest account.

Sincerely,

TOM MARTIN,
President and CEO,
American Forest Foundation.

BOB RYNEARSON,
Chairman,
California Forest Pest Council.

JOSEPH J. MCCARTHY,
Senior City Forester,
City of Chicago Department of Streets and Sanitation, Bureau of Forestry.

ANAND B. PERSAD, PH.D., B.C.E.,
Regional Technical Advisor,
Davey Institute.

GARY GAUDETTE,
President,
International Maple Syrup Institute.

ROBERT C. LAGASSE,
Executive Director,
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JAY FARRELL,
Executive Director,
National Association of State Foresters.

CARL P. SCHULZE, JR.,
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National Plant Board.

ROBERT L. BENDICK,
Director—Government Relations,
The Nature Conservancy.

ROBERT K. DAVIES,
Director of Lands and Forests,
New York State Department of Environmental Conservation.

RICK MARSH,
President,
North American Maple Syrup Council, Inc.

RUSSELL C. REDDING,
Secretary,
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CLIFFORD S. SADOF,
Professor—Department of Entomology,
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LIN SCHMALE,
Senior Director—Government Relations,
Society of American Florists.

PHYLLIS N. WINDLE, PH.D.,
Senior Scientist and Director—Invasive Species,
Union of Concerned Scientists.

PREPARED STATEMENT OF THE AMERICAN FOREST & PAPER ASSOCIATION

Introduction

The American Forest & Paper Association (AF&PA) is the national trade association of the forest products industry, representing forest landowners and pulp, paper, packaging, and wood products manufacturers. AF&PA companies make products essential for everyday life from renewable and recyclable resources.

The U.S. forest products industry accounts for approximately 6 percent of total domestic manufacturing GDP (putting it on par with the automotive and plastics industries). Forest industry companies produce $200 billion in products annually, employ 1 million people, and provide $54 billion in annual payroll. The industry is among the top 10 manufacturing sector employers in 48 States. Lumber, panel, pulp, and paper mills are frequently the economic hub of local communities, making the industry's health critical to the economic vitality of hundreds of rural areas across the country.

Declining Federal timber harvests have adversely affected many rural communities, resulting in thousands of jobs lost. Many actions are needed to help preserve the industry's remaining jobs and contribute to the broader revitalization of the economy. Congress and the administration must continue to improve credit markets, stimulate demand for housing, and craft policies that recognize the significant contributions made by the wood and paper industries towards renewable energy and climate goals. Within the jurisdiction of this subcommittee, we urge you to direct the U.S. Forest Service (USFS) to do everything it can to help preserve the competitiveness of the forest products industry and the vital jobs it supports. Specific suggestions follow.

National Forest System, Forest Products—Increase Funding to Create New Jobs

The President's budget request for the National Forest System (NFS) proposes to create a new "Integrated Resource Restoration" account incorporating NFS programs previously funded under the Wildlife and Fish Habitat Management, Forest Products, and Vegetative and Watershed Management accounts and including a new activity, "Landscape and Watershed Restoration."

AF&PA understands the administration's desire to "accelerate the refocusing of national forest management to forest ecosystem restoration project work, including global climate change adaptation and mitigation." However, we have numerous unanswered questions that preclude us from endorsing this initiative at this time. These are our primary concerns:

—*Uncertain funding allocation among activities*.—The three programs referenced above received a total of $668 million in fiscal year 2010 funding. The President's budget request proposes $694 million for the consolidated "Integrated Resource Restoration" account, but States that $90 million is to be used for "Landscape and Watershed Restoration." Thus, it appears that one or more of the existing programmatic activities (Wildlife and Fish Habitat Management, Forest Products, and/or Vegetative and Watershed Management) will receive reductions of at least $64 million. How are those reductions to be allocated?

—*Restoration, as a concept, is undefined*.—As evidenced by our signature on the joint February 16 letter to former Chairman Norm Dicks (copy attached), AF&PA has begun a dialogue with the Administration about how best to restore the health and vitality of the national forests, increase active management of more NFS acres, and revitalize the U.S. forest products industry. Given that this discussion is in its nascent stage, we have more questions than answers, including these:

—How will a national emphasis on "restoration" affect timber sale programs on national forests that are not in need of restoration?

—How will a national emphasis on restoration dovetail with the forest plans, which focus on the statutory direction for multiple use and sustained yield without necessarily singling out "restoration" as a goal or objective?

—If the subcommittee were to adopt the administration's recommendation, how would the Integrated Resource Restoration funds and outputs be allocated to the various Regions and Forests?

—*Absence of resource-specific targets*.—AF&PA and numerous other conservation and natural resource organizations believe that USFS managers must be accountable to the citizens of the United States who are—collectively—the owners of the national forests. And, while it is true that some forest metrics are difficult to quantify (e.g., forest ecosystem resiliency), we rely upon quantifiable measures (e.g., wood removals) to judge how well the stewards of our collective patrimony are doing on a year-to-year basis. The President's budget request predicts timber outputs of 2.4 billion board feet, but does not contain an explicit timber sales target. We urge the Committee to maintain its past practice of including a statutory timber sale target. Without a specific target, how will the USFS be held accountable for meeting or exceeding its "predicted" volume?

—*To create forest industry jobs, more Federal timber should be made available for sale*.—At a time when most Americans are concerned about jobs and our economy, studies indicate that the USFS timber sale program could produce more than 6,000 jobs with an additional annual investment of $57 million, and even more jobs could be produced with higher investments. Without a specific NFS timber volume target and by eliminating the forest products account, how will new jobs be created?

AF&PA supports the concept of "restoration" as applied to the national forests. Well managed forests are critical to the United States, providing recreation, clean air and water, and fish and wildlife habitat. They also support jobs, rural communities, local education, and the paper and building materials vital to economic recovery. We intend to work with the Administration to help rebuild support for proactive national forest management and, where necessary, "restoration." However, while this discussion is ongoing, we urge this subcommittee to continue to provide funding for a separate forest products account, increase fiscal year 2011 funding to $393.722 million, and set a national timber sales target of 3 billion board feet. We also urge you to provide funds for road construction/reconstruction necessary to implement projects and to reduce the $10 billion road maintenance backlog that exists primarily on level 3, 4, and 5 roads.

National Forest System, Hazardous Fuels Reduction—Increase Funding and Integration

As we have testified in previous years, hazardous fuels reduction is essential to the Federal forest health restoration effort and AF&PA supports a modest ($10 million) increase over the fiscal year 2010 enacted level for this vital program. We also urge the subcommittee to instruct the USFS to implement these projects in forested stands, using mechanical treatments that produce merchantable wood fiber for utilization by local mills. Prescribed burns and debris removal will not solve the hazardous fuel overload by themselves. The forest products industry can and does play a key role in reducing hazardous fuels from Federal lands as evidenced by the fact that mechanical hazardous fuel reduction costs are frequently significantly lower in regions with a substantial forest industry presence. The agency must take advantage of these synergies.

We also continue to believe the agency must move away from using "acres treated" as the sole metric of accomplishment in the hazardous fuels reduction program. Exclusive focus on this measure incentivizes the agency to treat low-priority acres repeatedly and discourages the treatment of higher-priority forested acres in condition class 3. More aggressive pursuit of mechanical treatments, including more frequent use of Healthy Forest Restoration Act authorities, will result in treatments that produce usable wood fiber and—more importantly—longer-lasting and more meaningful positive impacts on the long-term fire problem.

National Forest System, Forest Health Management—Increase Bark Beetle Control Funding

This subcommittee has recognized the urgent need to increase funding to fight bark beetle epidemics and following the final fiscal year 2010 allocation, region 2 received an additional $40 million, Montana received $20 million, and Idaho received $14 million to address this urgent problem. Those funds, while tremendously important and appreciated, are far short of what is necessary. Unfortunately, the President's fiscal year 2011 budget request is silent on how, or whether, to pay for remaining work associated with the bark beetle epidemics. AF&PA urges this sub-

committee to provide full funding to fight this insidious forest pest. Failure to act now will not only increase NFS firefighting costs in future years, but will cost the Treasury millions in revenue from lost timber sale receipts.

Firefighting—Fund the FLAME Program

AF&PA applauds the leadership by this subcommittee in including the Federal Land Assistance Management and Enhancement (FLAME) Act of 2009 within the fiscal year 2010 Interior, Environment, and Related Agencies appropriations bill. We urge you to continue this leadership by ensuring sufficient FLAME funding to cover the cost of emergency fires and eliminate the need to transfer funds from nonfire programs. In the past, "fire borrowing" has been disruptive to the management of affected Federal agencies and led to inefficient resource management. We also urge you to provide direction to USFS and Bureau of Land Management officials to use the most current and best-informed means of estimating annual suppression instead of the traditional 10-year average.

Forest and Rangeland Research—Increase USFS R&D Funding Moderately

Targeted research and data collection is needed to support forest productivity, forest health, and economic utilization of fiber. Increased funding for the Research and Development budget area is needed in order to allow the agency to focus on several critical priorities. The Forest Inventory and Analysis (FIA) program is the backbone of our knowledge about the Nation's forests, and is a critical tool that allows us to assess their sustainability and health. We request $76 million for the FIA program, which represents full funding. This level is needed to allow the USFS to cover 100 percent of U.S. forest lands and expedite data availability and analysis, and to support our growing data needs in the areas of bioenergy and climate mitigation.

We also recommend increased funding within the USFS R&D program in support of the Agenda 2020 Technology Alliance. Working in partnership with universities and the private sector, Forest Service 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. In particular, we encourage greater support for research on forest productivity and utilization at the Forest Products Lab and Research Stations. Innovative wood and fiber utilization research, including nanotechnology 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.

Finally, AF&PA recommends $15 million to implement section 9012 of the 2008 farm bill, which authorized a competitive R&D program to encourage the use of forest biomass for energy. This funding is needed to unlock the bioenergy potential from our Nation's forests while simultaneously benefitting communities that rely on current forest resources. More renewable energy, more sustainable wood-based products, more carbon sequestration, and healthier forest-based communities are all possible with additional support for forest tree research.

State and Private Forestry—Maintain Fiscal Year 2010 Funding Levels for Key Programs

AF&PA applauds the subcommittee's sustained support for USFS State and Private Forestry programs and we are especially appreciative of last year's $42.2 million increase. With ongoing droughts, invasive species infestations, and significant forest health problems, private forest resources remain vulnerable to damage from threats that do not respect public/private boundary lines.

As you know, private forests provide the bulk of the Nation's wood fiber supply, while also sequestering huge amounts of carbon from the atmosphere, providing millions of acres of wildlife habitat, and supplying clean drinking water for millions of Americans. USFS State and private forestry programs protect these resources from threats that are beyond the capability of small landowners to effectively combat. Therefore, we urge you to provide funding at no less than their fiscal year 2010 enacted levels for the cooperative forest health, cooperative fire assistance, forest legacy roads, forest stewardship, and forest legacy programs.

PREPARED STATEMENT OF THE AMERICAN INSTITUTE OF BIOLOGICAL SCIENCES

The American Institute of Biological Sciences (AIBS) appreciates the opportunity to submit testimony in support of increased appropriations for the United States Geological Survey (USGS) and Environmental Protection Agency (EPA) for fiscal year

2011. AIBS requests that Congress provide the USGS with $1.3 billion in fiscal year 2011, with at least $240 million for the biological resources discipline (BRD). We further request that Congress provide the EPA's Office of Research and Development with at least $646.5 million, with at least $273 million for human health and ecosystem research.

USGS

As a broker of unbiased, independent research, data, and assessments, the USGS provides needed information to public and private sector decisionmakers. Data generated by the USGS save taxpayers money by reducing economic losses from natural disasters, allowing more effective management of water and natural resources, assisting the necessary preparation for climate impacts, and providing essential geospatial data that are needed for commercial activity and resource management. Much of these data are collected only by the USGS. Our Nation cannot afford to sacrifice this information; rather, we should increase our investments in this work. Increased funding for the USGS is a wise investment that will bear real returns and benefits for the country.

The fiscal year 2011 budget request for the USGS is inadequate to sustain the agency's critical work. The budget request appears to provide a 1.9 percent increase. However, when $13.5 million in fixed costs and $11.7 million in Interior-wide cuts are accounted for, the proposed budget would only increase funding for the USGS by 0.7 percent from fiscal year 2010 enacted. Given the agency's critical activities for the environmental and economic health of the Nation, more support is justified.

The proposed budget would cut funding for the BRD within the USGS. Interior-wide cuts and absorption of fixed costs will result in a net decline of $6.2 million from fiscal year 2010 enacted. This erosion of funding will undercut BRD's ability to fulfill its valuable programmatic missions. BRD's science programs inform natural resource managers and reduce economic losses from invasive species and pathogens. The BRD provides scientific data that help us understand how ecosystems are influenced by climate change, and that help us address these changes. Research conducted by the BRD addresses the risks of environmental contaminants to our citizens and living resources. The BRD also provides the science necessary to understand and manage endangered fish, wildlife, and plants. All told, these services contribute significantly to the health of our Nation's environment and economy.

Federal investment in the BRD is further leveraged through partnerships with other Federal, State, local, tribal, and private organizations. Through efforts such as the Cooperative Research Units (CRUs), the USGS and their partners address pressing issues facing natural resource managers, such as invasive species, wildlife diseases, and endangered species recovery. In addition to providing research expertise, these partnerships at 40 universities in 38 States serve as important training centers for America's next generation of scientists and resource managers. Yet although these joint ventures between USGS scientists and university researchers are effective investments of proven worth, funding for the CRUs would decline by $170,000 under the administration's budget request.

Also of note within the BRD is the biological research and monitoring budget line, which develops new research methods, inventories populations of plants and animals, and monitors changes in these species and their habitats over time. This information is used by Federal and State natural resource managers to maintain healthy and diverse ecosystems while balancing the needs of public use. The science conducted by the biological research and monitoring program is also vital for informing management actions by other Interior bureaus. The President's budget would provide an additional $4 million for USGS science support to the National Park Service, Fish and Wildlife Service, and Bureau of Land Management. We strongly support this increase and encourage Congress to further increase funding for these initiatives.

The National Streamflow Information Program within the water resources discipline of the USGS also provides needed information for resource managers. Its national network of stream-gages records changes in streamflow due to alterations in land use, water use, rainfall, drought, and climate change. This information is vital to resource managers who make decisions about water use, for scientists charged with protecting and restoring aquatic species and habitats, and ultimately for farmers making decisions about crop management.

Additionally, we ask Congress to fully fund fixed costs at the USGS. The President's budget request does not fully fund these expenses, creating a $13.5 million budget cut for USGS programs. Within the BRD, the absorption of fixed costs will remove $2.6 million from funds needed for research, monitoring, and public education activities.

The USGS is uniquely positioned to address many of the Nation's biological and environmental challenges, including energy independence, climate change, water quality, and conservation of biological diversity. Biological science programs within the USGS gather long-term data not available from other sources. These data have contributed fundamentally to our understanding of the status and dynamics of biological populations and have improved our understanding of how ecosystems function, all of which is necessary for predicting the impacts of land management practices and climate change on the natural environment. 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, increased investments in these important research activities will yield dividends.

EPA

As EPA's scientific division, the Office of Research and Development (ORD) supports valuable extramural and intramural research that is used to understand, prevent, and mitigate environmental problems facing our nation. ORD research informs decisions made by public health and safety managers, natural resource managers, businesses, and other stakeholders concerned about climate change, air and water pollution, and land management and restoration. In short, ORD provides the scientific basis upon which EPA monitoring and enforcement programs are built. Funding, however, for ORD has declined since fiscal year 2004, when it peaked at $646.5 million. At $605 million, the budget request for fiscal year 2011 falls far short of addressing past budget deficits. We ask that Congress restore funding for ORD to at least the fiscal year 2004 level.

The Ecosystem Services Research (ESR) program is one important area within ORD that would benefit from increased funding. The ESR is responsible for enhancing, protecting, and restoring ecosystem services, such as clean air and water, rich soil for food and crop production, pollination, and flood control. "EPA's Ecosystem Services Research Program is bold, innovative, and necessary," wrote Dr. Judith Meyer, chair of the Ecological Processes and Effects Committee of the EPA's Science Advisory Board in a 2009 Committee consultation. She also wrote that "[t]he considerable potential of the program is unlikely to be achieved with its current level of funding and staff." The President's budget request would do little to solve the problem, with a proposed $1.5 million cut in funding for the program. More troubling is potential elimination of FTEs that could accompany this budget cut. We ask that Congress fully fund the program.

The Science to Achieve Results (STAR) Graduate Fellowship is another program that has been chronically underfunded. The fellowship contributes to the training of the next generation of scientists by supporting graduate students pursuing an advanced degree in environmental science. The President's request of $17.3 million represents the first real increase for the program since fiscal year 2006 and would provide 240 new fellowships. Since its inception in 1995, this successful program has supported the education and training of approximately 1,500 STAR Fellows who have gone on to pursue careers as scientists and educators.

In conclusion, we urge Congress to restore funding for the ORD to historic levels and to proportionally increase funding for human health and ecosystem research within the program. These appropriation levels would allow ORD to address a backlog of research needs.

Thank you for your thoughtful consideration of this request.

PREPARED STATEMENT OF THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM

REQUEST SUMMARY

On behalf of the Nation's Tribal Colleges and Universities (TCUs), which compose the American Indian Higher Education Consortium (AIHEC), thank you for this opportunity to present our fiscal year 2011 appropriations recommendations for the 29 colleges funded under the Tribally Controlled Colleges and Universities Assistance Act (Tribal College Act), the two Bureau of Indian Education (BIE) postsecondary institutions, and the Institute of American Indian Arts. The U.S. Department of the Interior, BIE, administers these programs, save for the Institute of American Indian Arts, which is congressionally chartered and funded through the Interior Department.

In fiscal year 2011, TCUs seek $92.5 million to fund all of the programs under the Tribal College Act. Specifically, we seek $89.9 million for institutional operations grants; of which, $63.2 million is for title I grants (26 TCUs); $17.7 for title II (Dine College); and $9 million for title V ($5.5 million for United Tribes Technical

College and $3.5 million for Navajo Technical College). This request represents an increase over fiscal year 2010 levels of $12.6 million for title I grants; $4.7 million for Diné College; and $2.33 million for title V. Additionally, we seek $601,000 for the technical assistance contract authorized under the act, which is the same level as annually appropriated since fiscal year 2006, and $2 million to help the TCUs establish and fund endowments under title III of the act, which has been severely cut over the past few budget/appropriations cycles. Lastly, we are very grateful for the funding appropriated last year to transition TCUs' institutional operations grants to a forward-funded program. Unfortunately, the BIE erred in its implementation of the transition to a forward funded program. We strongly urge Congress and the BIE to work together to rectify the funding issues of at least three title I TCUs that have occurred as a result of the flawed transition schedule used by the BIE in implementing a forward funded program for the TCUs' institutional operations grants.

AIHEC's membership also includes three other institutions funded under separate authorities within the Interior, Environment, and Related Agencies Appropriations, namely: Haskell Indian Nations University; Southwestern Indian Polytechnic Institute; and the Institute of American Indian Arts. AIHEC supports the independently submitted requests for funding of the institutional operations budgets of these colleges.

BRIEF BACKGROUND

Today there are 36 TCUs located in 14 States, which were begun specifically to serve the higher education needs of American Indians. Annually, these institutions serve students from more than 250 federally recognized tribes, more than 80 percent of whom are eligible to receive Federal financial aid.

TCUs receiving Federal funding are accredited by independent, regional accreditation agencies and like all institutions of higher education, must undergo stringent performance reviews on a periodic basis to retain their accreditation status. TCUs are young, geographically isolated, and poor. Our oldest institution, Diné College, was established in 1968. Most TCUs are located in areas of Indian country that the Federal Government defines as extremely remote. They serve their communities in ways that reach far beyond college level programming and are often called beacons of hope for American Indian people. Our institutions provide much needed high school completion (GED), basic remediation, job training, college preparatory courses, and adult education programs. They serve as community libraries and centers, tribal archives, career and business centers, economic development centers, public meeting places, and elder and child care centers. It is an underlying goal of all TCUs to improve the lives of students through higher education and to move American Indians toward self-sufficiency. This goal is fundamental because of the extreme poverty in which most American Indians live. In fact, 3 of the 5 poorest counties in America are home to TCUs, where unemployment rates are consistently well above 60 percent. By contrast, the current national unemployment rate, which is considered to be alarmingly high, is 9.9 percent.

TCUs, the U.S. military academies, and Howard and Gallaudet Universities are the only institutions of higher education that depend on the Federal Government for their basic institutional operating funds. TCUs remain the most poorly funded institutions of higher education in the Nation.

JUSTIFICATIONS

TCUs provide critical access to vital postsecondary education opportunities. TCUs provide access to higher education for American Indians and others living in some of the Nation's most rural and economically depressed areas. The 2000 Census reported the annual per capita income of the U.S. population as $21,587. However, the annual per capita income of Native Americans was $12,923 or about 40 percent less. In addition to serving their students, TCUs serve their communities through a wide variety of community outreach programs.

TCUs are producing a new generation of highly trained American Indian teachers, tribal government leaders, engineers, nurses, computer programmers, and other much-needed professionals. By teaching the job skills most in demand on their reservations, TCUs are laying a solid foundation for tribal economic growth, with benefits for surrounding communities. In contrast to the high rates of unemployment on reservations, graduates of TCUs are employed in "high need" occupational areas such as Head Start teachers, elementary and secondary school teachers, and nurses/healthcare providers. Just as important, the vast majority of tribal college graduates remain in their tribal communities, applying their newly acquired skills and knowledge where they are most needed.

TCUs meet the strict standards of mainstream accreditation boards offering top quality academic programs and serve as effective bridges to 4-year institutions of higher learning. A growing number of TCUs have attained a 10-year accreditation term, the longest term granted to any higher education institution. While most TCUs are 2-year institutions offering certificates and associate degrees, their transfer function is significant. An independent survey of TCU graduates conducted for the American Indian College Fund indicated that more than 80 percent of respondents who attended a mainstream college prior to enrolling at a TCU did not finish the degree they were pursuing at the mainstream college. The rate of completion markedly improved for those who attended a TCU prior to beginning a degree program at a mainstream institution. After completing tribal college coursework, less than half of respondents dropped out of mainstream colleges and nearly 40 percent went on to earn a bachelor's degree. This clearly illustrates TCUs' positive impact on the persistence of American Indian students in pursuit of baccalaureate degrees. The overwhelming majority of respondents felt that their TCU experience had prepared them well for further education and noted that it had a very positive influence on their personal and professional achievements.

Despite a proven track record of success, TCUs still face serious disparities in institutional operations funding. Title I of the Tribal College Act authorizes funding for the basic institutional operating budget of one qualifying institution per Federal recognized tribe based on a full-time American Indian student enrollment formula. Distribution of funds under title I of the Tribal College Act is enrollment driven. Currently 25 of TCUs are funded under title I of the Tribal Colleges Act, with Keweenaw Bay Ojibwa Community College expected to be added as the 26th, in fiscal year 2011. Title I institutions are currently receiving $5,784 per Indian student toward their institutional operating budgets. If you factor in inflation, the buying power of the current appropriation is $965 LESS per Indian student than it was when it was initially funded almost 30 years ago, when the appropriation was $2,831 per Indian student. Additionally, TCUs do not receive any Federal funding toward their operations for non-Indian students, which account for approximately 21 percent of their enrollments. Because they are located on Federal trust lands, States have no obligation to fund these institutions. While TCUs do seek funding from their respective State legislatures for the non-Indian State-resident students or nonbeneficiary students, who account for 21 percent of our enrollments, their successes have been, at best, unreliable. TCUs are accredited by the same regional agencies that accredit mainstream institutions, yet they have to continually advocate for basic operating support for their non-Indian State students, within their respective State legislatures. If these nonbeneficiary students attended any other public institution in the State, the State would provide that institution with ongoing operations funding.

While the other TCUs' operating funds allocations are not enrollment driven and therefore the disparity is not as easily illustrated, they too suffer from a lack of stable operating revenue. This is not simply a matter of appropriations falling short of an authorization; it effectively impedes our institutions from having the necessary resources to grow their programs in response to the changing needs of their students and the communities they serve.

SOME ADDITIONAL FACTS

Enrollment Gains and New TCUs.—Compounding existing funding disparities is the fact that although the numbers of TCUs and students enrolled in them have dramatically increased since 1981, appropriations have increased at a disproportionately low rate. Since they were first funded, the number of tribal colleges has quadrupled and continues to grow; Indian student enrollments have risen more than 310 percent. Between fiscal year 2005 and fiscal year 2011, five more TCUs have or will become eligible for title I funding under the Tribal College Act. TCUs are in many ways victims of their own successes. The growing number of tribally chartered colleges and universities being established and increasing enrollments have forced TCUs to slice an already inadequate annual funding pie into even smaller pieces.

Local Tax and Revenue Bases.—TCUs cannot rely on a local tax base for revenue. Although tribes have the sovereign authority to tax, high reservation poverty rates, the trust status of reservation lands, and the lack of strong reservation economies hinder the creation of a reservation tax base. On Indian reservations where TCUs are located, there is sweeping unemployment that is more than 80 percent higher than that of the Nation at large.

Trust Responsibility.—The emergence of TCUs is a direct result of the special relationship between American Indian tribes and the Federal Government. TCUs are founded and chartered by their respective American Indian tribes, which hold a spe-

cial legal relationship with the Federal Government, actualized by more than 400 treaties, several Supreme Court decisions, prior congressional action, and the ceding of more than 1 billion acres of land to the Federal Government. Beyond the trust responsibility, the fact remains that TCUs are providing a public service that no other institutions of higher education are willing, or able, to provide by helping the Federal Government fulfill its responsibility to the American people, particularly in rural America. Despite the fact that only enrolled members of a federally recognized tribe or the biological child of a tribal member may be counted as Indian students when determining an institution's share of the operating funds, TCUs have open enrollment policies. Approximately 21 percent of TCU enrollments are non-Indians. These institutions are simply and effectively providing access to quality higher education opportunities to reservation community residents.

THE PRESIDENT'S FISCAL YEAR 2011 BUDGET

The President's fiscal year 2011 budget recommends level funding for all of the programs authorized under the Tribal College Act. While the fiscal year 2010 budget included a one-time payment to transition the institutional operations grants for TCUs to a forward funded program so that the colleges have their operating funds prior to the start of each academic year, this transition funding did not increase the day-to-day operating budget of the colleges.

APPROPRIATIONS REQUEST FOR FISCAL YEAR 2011

As noted earlier, it has been almost 30 years since the Tribal College Act was first funded and the TCUs have yet to receive the congressionally authorized per Indian student funding level. To achieve full funding would require an additional $19.4 million. However, we do recognize the current budget constraints Congress is facing and therefore request that this funding shortfall be corrected over the next 2 fiscal years. To that end, the TCUs respectfully request a total appropriation of $92.5 million for all of the programs authorized under the Tribal College Act (25 U.S.C. 1801 et seq.) Specifically, we seek $89.9 million for institutional operations grants; of which, $63.2 million for title I grants (26 TCUs); $17.7 for title II (Diné College); and $9 million for Title V ($5.5 million for United Tribes Technical College and $3.5 million for Navajo Technical College). Additionally, we seek $601,000 for the technical assistance contract authorized under the act, which is the same level as annually appropriated since fiscal year 2006, and lastly, $2 million to help the TCUs establish and fund endowments under title III of the act, which has been severely cut over the past few budget/appropriations cycles. Lastly, we respectfully request that Congress, working with the BIE, rectify the collective $1.5 million shortfall of the three known title I TCUs that is a result of the flawed transition schedule used by the BIE to transition the TCUs' institutional operations grants program to forward funding.

CONCLUSION

TCUs provide quality higher education to many thousands of American Indians who might otherwise not have access to such opportunities. The modest Federal investment that has been made in TCUs has paid great dividends in terms of employment, education, and economic development. Continuation of this investment makes sound moral and fiscal sense.

We greatly appreciate your past and continued support of the Nation's TCUs and your serious consideration of our fiscal year 2011 appropriations requests.

PREPARED STATEMENT OF THE AMERICAN LUNG ASSOCIATION

FUNDING RECOMMENDATIONS

[In millions of dollars]

Environmental Protection Agency	Amount
Healthier Outdoor Air	811.3
Federal Stationary Source Regulation	34.9
Federal Support of Air Quality Management	142.3
Clean Air Allowance Trading Program	31.1
Federal Vehicle and Fuels Standards	100.7
State and Local Air Quality Management (STAG)	309.1
Air Monitoring	15

FUNDING RECOMMENDATIONS—Continued

[In millions of dollars]

Environmental Protection Agency	Amount
Diesel Emission Reductions (STAG)	100
Human Health Risk Assessment	48.9
Healthier Indoor Air	47.1
Clean, Green and Healthy Schools Initiative	6.2
Research: Clean Air	85.3

Mr. Chairman, members of the subcommittee, the American Lung Association is pleased to submit testimony in support of the Environmental Protection Agency's (EPA) program to improve the Nation's air. The American Lung Association was founded in 1904 to fight tuberculosis and today, our mission is to save lives by improving lung health and preventing lung disease. We accomplish this through research, advocacy and education. Today, we would like to share our support for EPA's fiscal year 2011 budget for its Clean Air Program. This program will improve public health and more effectively protect those with lung disease from the adverse effects of air pollution. As Congress addresses global warming and energy issues through exciting new technology, cleaner energy sources and new policies, there is an opportunity to ensure that the air is cleaner. We urge this subcommittee to ensure that the Clean Air Act's promise of clean, healthy air for all Americans is kept.

Lung Disease and Air Quality

Lung disease is a significant health problem in the United States. Lung disease is the third leading cause of death in the United States—responsible for 1 in every 6 deaths. More than 35 million Americans suffer from a chronic lung disease. According to the National Institutes of Health, lung diseases cost the U.S. economy an estimated $173.4 billion annually. Nearly all lung diseases are impacted by air pollution. How well or poorly our lungs perform depends on the quality of the air we breathe, making the impact of air pollution inescapable. Air pollution remains a primary contributor to the burden of respiratory diseases in our healthcare system as well.

The Clean Air Act has proven to be a powerful tool to improve the quality of our Nation's air. Since 1990, when Congress strengthened the Clean Air Act, the annual average emissions of sulfur dioxide nationwide have dropped by 59 percent, nitrogen oxide emissions have been reduced by 35 percent and carbon monoxide has plunged by 68 percent. Ambient or outdoor ozone levels are 14 percent lower on average. Fine particle levels are down by 19 percent. However, much remains to be done. Millions of Americans live in counties that do not meet current Clean Air Act health standards, including those in the Washington, DC metropolitan area. The EPA estimates that 126.8 million Americans in 2008 lived in areas where they were exposed to unsafe levels of air pollution.

We are pleased to see that the President's budget increases the EPA budget for Healthier Outdoor Air to $811.3 million and for Healthier Indoor Air to $47.1 million. These increases will help the EPA address the significant health and environmental impact of air pollution.

Setting National Ambient Air Quality Standards

The Clean Air Act requires EPA to review the National Ambient Air Quality Standards for ozone, particulate matter, sulfur dioxide, nitrogen oxide, carbon monoxide and lead every 5 years. We are pleased to see EPA address this obligation in a timelier manner. Historically, EPA has not met the deadlines for these reviews and has been obligated to complete such reviews under court order. Last year, the U.S. Court of Appeals ruled that the EPA needed to reconsider the scientific evidence for much stronger particulate matter standards, sending their 2006 standards back to EPA for corrective action. The American Lung Association is pleased that EPA is on track to propose a new fine particle standard in November 2010 and issue a final standard in July 2011. In 2008, EPA set national air standards for ozone that ignored the unanimous agreement among the independent scientific advisory committee on the need for much more protective new standards, despite the Clean Air Act's clear requirements to establish science-based standards that protect public health. We are especially pleased that EPA has proposed a much stronger ozone standard, reflecting that earlier scientific assessment. EPA is expected to finalize the ozone standard in August. It is critical that the committee support setting National Ambient Air Quality Standards at levels that are appropriate for the protection of public health. To accomplish the important air standards work, we support

EPA's budget request of $48.9 million to support the Human Health Risk Assessment and we strongly support funding for Federal Stationary Source Regulations at $34.9 million that includes work to set the standards.

Meeting National Air Pollution Health Standards

Efforts to clean up power plants and other measures to implement pollution clean-up are finally moving forward, but much work remains. EPA is working on new rules to implement the ozone standards and PM standards. EPA also must move forward with regulations to clean up power plants including the Clean Air Interstate Rule replacement and a MACT (Maximum Achievable Control Technology) rule for electric generators, as well as additional rules to regulate other large emission sources—tools that our communities must have in order to meet the national air standards. EPA must also support state and tribal efforts to meet the National Ambient Air Quality Standards. We support funding Federal Stationary Source Regulations at $34.9 million, Federal Support for Air Quality Management budget of $142.3 million, and the Clean Air Allowance Trading program budget of $31.1 million.

Cleaning-up Cars and Trucks

EPA has continued to make progress reducing pollution from motor vehicles. However, light duty cars and trucks remain a significant source of air pollution. We strongly support EPA's planned work in fiscal year 2011 on Tier 3 standards that could include tighter NO_X standards, off-cycle standards and PM standards for gasoline vehicles as well as lower sulfur gasoline that will enable advanced pollution control technology. This work is vital to mitigate any adverse air quality impacts that may result from increased use of renewable fuels. We strongly support increasing the Federal Vehicle and Fuel Standards and Certification budget to $100.7 million.

Funding for State and Local Air Agencies and Air Pollution Monitoring

State and local air pollution control agencies are on the front lines in the effort to improve air quality across the Nation. These agencies will be called on to adopt and enforce a range of new emissions reduction programs designed to meet the needs of each area that violate the standards. State and local air pollution agencies need additional resources to meet the obligation to implement the Clean Air Act. One area in need of significant resources and attention from this committee is the air pollution monitoring network. Monitors provide the most reliable and consistent information on air pollution in our communities. Monitoring tracks both the levels of pollution in the outside air as well as emissions from specific sources. This also enables policymakers and the public to see what measures are effective and where air quality management efforts have fallen short. Further, emerging science warns that the air quality in areas with no monitoring, like the areas adjacent to major highways or in poorer neighborhoods, carries serious health risks. We are pleased to see EPA deploy new monitors in response to the new nitrogen dioxide standards. Without adequate monitors in place, pollution in those areas will not be tracked and effectively reduced. To protect populations at risk and to assess the efficacy of pollution control programs, EPA must work with scientists and State officials to lower the costs of monitoring and expand its reach. We are pleased that the President's budget includes $15 million for enhancing air pollution monitoring. Further, we strongly support the $82.5 million increase to $309.1 million for State and Local Air Quality Management.

Funding for Diesel Retrofits

Diesel pollution kills. Researchers have found that adults and children show increased health risks associated with living or working in close proximity to busy roadways. Children are especially vulnerable to the effects of traffic-related air pollution. Studies show children exposed to higher levels of traffic-generated air pollution have smaller lung function and worsened asthma. In addition, many components of diesel emissions have been found to be carcinogenic. Over the past decade, EPA has issued new regulations that will significantly reduce emissions from new diesel engines used in trucks, buses, heavy equipment and other vehicles. Last year, EPA issued new rules to clean up pollution from ocean going vessels. Ocean going vessels are a significant source of particle pollution. We urge the committee to support EPA's efforts to combat this pollution through the International Maritime Organization. However, it will take many years to replace the oldest and dirtiest vehicles with new ones that meet new, more stringent Federal emissions standards for diesel engines. We support increasing funding to at least $100 million per year for fiscal year 2011 for the Diesel Emission Reduction Act program.

Indoor Air

We thank the subcommittee for its support of the healthier indoor air program at EPA. EPA has provided great leadership in addressing radon, the second leading cause of lung cancer. EPA should continue its work to mitigate this risk. We are pleased to see EPA increase funding for the Healthy Schools Initiative. More than 23 million Americans suffer from asthma. Air pollution can trigger asthma attacks both indoors and outdoors. The programs funded by the Indoor Air program raise awareness about asthma and environmental factors that trigger asthma attacks; help people with asthma and their families manage environmental triggers in their homes; work to reduce children's exposure to indoor asthma triggers at schools and day care centers and promote environmental management as a component of medical and healthcare asthma management practices. The American Lung Association is proud to partner with EPA in this important work. We strongly urge the committee to fund the healthier indoor air program for fiscal year 2011 at $47 million. We are also pleased to support the Clean, Green and Healthy Schools Initiative funded at $6.2 million for fiscal year 2011.

Research: Clean Air

We thank the subcommittee for its continuing support for air pollution research at EPA. EPA's work to establish National Ambient Air Quality Standards must be grounded in the best scientific research. EPA's Clean Air Research program will continue the work to improve the understanding of the impact of pollution on health and assist with crafting innovative solutions. We urge the subcommittee to fund the clean air research program for fiscal year 2011 at $85.3 million.

Mr. Chairman, thank you for the opportunity to present the recommendations of the American Lung Association. Every day we are fighting for air—clean, healthy air for all Americans to breathe. A robust EPA air pollution program is vital to our success.

PREPARED STATEMENT OF THE APPALACHIAN MOUNTAIN CLUB

Dear Madam Chairwoman and Honorable Members of the Subcommittee: On behalf of our more than 100,000 members, advocates, and supporters in the Northeast and Mid-Atlantic, the Appalachian Mountain Club (AMC) is honored to present this testimony in support of much needed funding for conservation and recreation programs in the fiscal year 2011 Interior, Environment, and Related Agencies appropriations bill, including:

—$150 million for the USDA—Forest Service Forest Legacy Program;
—$600 million for the Department of the Interior—Land and Water Conservation Fund (including $425 million for Federal-side and $175 million for State-side programs);
—$11 million for the Department of the Interior—Highlands Conservation Act;
—$12 million for the Department of the Interior—National Parks Service Rivers, Trails, and Conservation Assistance program.;
—$10 million for the USDA—Community Forest and Open Space Conservation Program;
——$2.35 million for the Department of the Interior—Challenge Cost Share Program; and
—Federal Land Assistance, Management and Enhancement Act.

These programs provide economic, ecological, and recreational benefits to Americans across the country. Land conservation and recreation program funding are vital to maintaining the health and well being of the Nation's lands and our citizens. We greatly appreciate the increases many of these programs received last year. However, the demands on these programs continue to grow so we are hopeful that these increases will continue into fiscal year 2011. There is a great need to fund these programs at the above requested amounts and to work toward their full funding.

Established in 1876, the Appalachian Mountain Club (AMC) is the oldest conservation and recreation organization in the country. Our mission is to promote the protection, enjoyment, and understanding of the mountains, forests, waters, and trails of the Appalachian region. More than 100,000 AMC members, advocates, and supporters in the Northeast and Mid-Atlantic promote this mission with great enthusiasm.

Open space conservation in the East is a vital investment that ensures clean air and water, a sustainable supply of timber products produced from private and public forests, local food and farm products for millions of people, and diverse recreational opportunities including hiking, cross-country skiing, wildlife viewing, photography, and paddling. Conservation of these resources is needed now more than

ever. According to a report by the USDA Forest Service (USFS), Forests on the Edge, more than 44 million acres of private forestland in the East will be developed in the next 30 years.

Priority Fiscal Year 2011 Forest Legacy Program Needs in the Northeast

For fiscal year 2011, we have assembled a list of exemplary Forest Legacy projects in the Northeast and Mid-Atlantic. Some of these projects, like the Katahdin Forest, Androscoggin Headwaters North, and Cardigan Highlands, need this funding to be completed. Others projects, such as the Scantic River Headwaters and Little Bushkill Headwaters Forest Reserve, are new priorities that will protect unique and critical forests in the Eastern United States.

AMC respectfully requests an increase in overall funding for the Forest Legacy Program to $150 million in fiscal year 2011. For fiscal year 2011, the USFS received 60 project proposals from 41 States and territories to protect 361,604 acres with a total project value of more than $200 million. The Forest Legacy Program conserves working forests threatened by conversion to development or other uses, and promotes economic sustainability as well as recreation, open space protection, and wildlife habitat. Public lands provide innumerable social and economic benefits including promoting public health through outdoor recreation, protection of watersheds and drinking water supplies, wildfire reduction and prevention, and supporting wildlife and fisheries as they adapt to climate change.

For fiscal year 2011, we support funding for the following Forest Legacy projects in the AMC region:

State	Project
ME	West Grand Lake Community Forest
ME	Katahdin Forest Expansion 3—Gulf Hagas
NH	Cardigan Highlands
NH	Androscoggin Headwaters North
MA	Brushy Mountain
CT	Scantic River Headwaters
NY	Hurley Mountain
NY	Follensby Pond
PA	Little Bushkill Headwaters Forest Reserve
MD	Wicomico

Priority Fiscal Year 2011 Land and Water Conservation Fund Program Needs in the Northeast

AMC respectfully requests an increase in overall funding for the Land and Water Conservation Fund (LWCF), specifically $425 million for the Federal LWCF and $175 million for the LWCF stateside program. We applaud the substantial LWCF funding increases provided by this subcommittee in fiscal year 2010. And we are most thankful that the Obama administration's budget recognizes the importance of this program by proposing significant increases for fiscal year 2011 as well as setting a goal of full funding for the LWCF in the next four years.

The LWCF is our Nation's premier program to acquire and protect lands in national parks, national wildlife refuges, national forests, Bureau of Land Management units, and other Federal land systems. This program faces an extensive and growing backlog of land acquisition needs across the Nation. The LWCF will provide important funds to obtain inholdings and lands adjacent to Federal lands such as the Rachel Carson National Wildlife Refuge (NWR), Silvio O. Conte National NWR, Wallkill NWR and the Delaware Water Gap National Recreation Area.

The LWCF stateside program provides close-to-home recreation by helping to create thousands of State and local parks across the country. These parks provide millions of urban and suburban residents the benefits of access to natural areas while promoting much needed tourism in local communities.

In fiscal year 2011, the AMC supports funding for the following LWCF projects in our region:

State	Federal Land Unit
ME	Rachel Carson NWR
ME/NH	White Mountain National Forest
NH, VT, CT, MA	Silvio O. Conte NWR
NH	Lake Umbagog—Androscoggin Headwaters NWR
CT	Stewart McKinney NWR

State	Federal Land Unit
NJ	Wallkill NWR
NJ	Great Swamp NWR
PA	Delaware Water Gap NRA

Fiscal Year 2011 Highlands Conservation Act Needs

AMC respectfully requests an increase in overall funding for the Highlands Conservation Act (HCA), including $10 million for land conservation and $1 million for USFS technical assistance funding. We greatly appreciate the increase provided by Congress to this program in fiscal year 2010. We are also thankful for the increase included in the fiscal year 2011 Obama administration's budget. The HCA, passed in 2004, authorizes land conservation partnership projects and open space purchases from willing sellers in the four State Highlands region of Pennsylvania, New Jersey, New York, and Connecticut. The Act includes authorization of $10 million in annual grants to the Highlands states from the Department of the Interior for land acquisition and easements. It also includes $1 million annually in technical assistance from the USFS to work with Highlands' States and local municipalities to implement the conservation strategies outlined in the three comprehensive Forest Service studies of the region completed in 1992, 2002, and 2008.

The four State Highlands Region is the backyard for the more than 25 million people living in or around the major metropolitan areas of the Mid-Atlantic States, and provides critical drinking water, wildlife habitat, and abundant and accessible recreation opportunities. Current projects in Pennsylvania, New Jersey, New York, and Connecticut share strong local support, commitments from State and private sources to provide matching funding, and will protect important water supplies, forests, farmland, recreational opportunities and wildlife habitat.

In fiscal year 2011, the AMC supports funding for the following HCA projects:

State	Project
CT	Naugatuck/Mad River Headwaters
NY	Greater Sterling Forest/Torne Valley
NJ	Northern Highlands
PA	Hopewell Big Woods

Fiscal Year 2011 Community Forest and Open Space Conservation Program Needs

AMC respectfully requests funding of $10 million for this important program. The Community Forest and Open Space Conservation Program will provide communities matching funds to purchase critical forestland tracts and provide technical assistance through State forestry agencies for outstanding forest management. The program provides 50–50 matching funds to help local governments, tribes, and nonprofit organizations acquire forest areas that are economically, culturally, and environmentally important to that locality and threatened by development. The program provides grants directly to local governments and nonprofits for full fee acquisition, not conservation easements. The program's criteria are built around evaluation of a project's community impact and it requires public access and active community engagement in forest planning for parcels.

Priority Fiscal Year 2011 Recreational Programs Needs

Fiscal Year 2011 Rivers, Trails and Conservation Assistance Needs

AMC respectfully requests an increase in overall funding for the Rivers, Trails Conservation Assistance (RTCA) program and requests $12 million nationwide. Through this National Park Service program: partners protect 700 miles of rivers; create 1,300 miles of trails; conserve over 60,500 acres of open space annually; promote alternative transportation; brownfield redevelopment; youth conservation, and floodplain planning. This $12 million in funding would reverse the steady erosion of funding and reduced staffing RTCA has experienced in recent years. This program receives less than 1 percent of National Park Service funding, but Federal funds are leveraged many times over with State, local, and partnership cooperation, and in-kind matches.

Fiscal Year 2011 Challenge Cost Share Program (CCSP)

We also request $2.35 million for the CCSP program. The purpose of this program is to increase participation by qualified partners in the preservation and improvement of National Park Service natural, cultural, and recreational resources. It is a matching fund program and an equal amount of eligible and matching share (min-

imum 50 percent) of cash, goods, or services from non-Federal sources is required. One-third of CCSP funding is set aside for National Trails System projects, supporting work under the National Trails System Act, including the New England National Scenic Trail in Connecticut and Massachusetts.

Other Priority Programs

Fiscal Year 2011 Federal Land Assistance, Management and Enhancement Act (FLAME)

We respectfully request that the subcommittee reaffirm the commitment to the USFS and Department of the Interior for FLAME Act funds and ensure the program is funded at appropriate levels that would cover the cost of emergency fires and eliminate the need to transfer funds from nonfire programs. Additionally, we urge the Subcommittee to provide direction to the agencies to use the most current and best informed means of estimating annual suppression rather than using the traditional 10-year average.

Thank you for this opportunity and your consideration.

PREPARED STATEMENT OF THE ASSOCIATION OF PUBLIC AND LAND-GRANT UNIVERSITIES

On behalf of the APLU Board on Natural Resources (BNR), we thank you for your support of science and research programs within the United States Geological Survey (USGS) and the Environmental Protection Agency (EPA). We appreciate the opportunity to provide detailed recommendations for the following programs within USGS: $8.8 million for the Water Resources Research Institutes, $22 million for the Cooperative Fish and Wildlife Research Units; $64 million for the National Cooperative Geologic Mapping Program; $75 million for the Mineral Resources Program. Within EPA, we ask support of the administration's request of $87.2 million for the EPA Science to Achieve Results (STAR) competitive grants program and $17.3 million for the STAR Graduate Fellowships.

APLU BNR requests $8.8 million for the Water Resources Research Institutes (WRRI). The APLU BNR request is based on the following: $7,000,000 in base grants for the WRRI as authorized by section 104(b) of the Water Resources Research Act, including State-based competitive grants; and $1,800,000 to support activities authorized by section 104(g) of the act, and a national competitive grants program. Federal funding for the WRRI program is the catalyst that moves States and cities to invest in university-based research to address their own water management issues. State WRRI take the relatively modest amount of Federal funding appropriated, match it 2:1 with State, local, and other funds and use it to put university scientists to work finding solutions to the most pressing local and State water problems that are of national importance. The Institutes have raised more than $15 in other funds for every $1 funded through this program. The added benefit is that often research to address State and local problems helps solve problems that are of regional and national importance. Many of the projects funded through this program provide the knowledge for State or local managers to implement new Federal laws and regulations. Perhaps most important, the Federal funding provides the driving force of collaboration in water research and education among local, State, Federal, and university water professionals. This program is essential to solving State, regional, and inter-jurisdictional water resources problems. Institutes in Louisiana, California and North Carolina, for example, made major contributions in emergency planning and hurricane recovery, protecting groundwater aquifers from sea water intrusion and reducing water treatment costs. The institutes also train the next generation of water resource managers and scientists.

APLU BNR supports a funding request of $22 million for the Cooperative Fish and Wildlife Research Units (CRU). This program serves to (1) train the next generation of Fish and Wildlife managers; (2) conduct research designed to meet the needs of unit cooperators; and (3) provide technical assistance to State and Federal personnel and other natural resource managers.

Originally established to provide training for students in fish and wildlife biology, the units were formally recognized by the Cooperative Units Act of 1960 (Public Law 86–686). While the CRU still provide experience and training for approximately 600 graduate students per year, they also provide valuable research for their biggest clients, the U.S. Fish and Wildlife Service (FWS) and cooperating State agencies. Today, there are 40 BRD Cooperative Research Units in 38 States, from pre-existing research programs of the FWS.

Each unit is a true Federal/State/university collaboration in that it is a partnership between USGS, a State natural resource agency, a host university, and the

Wildlife Management Institute. For every $1 the Federal Government puts into the program, three more are leveraged through the other partners. The United States economy has long relied on the bountiful natural resources bestowed upon this land. Federal investment in the CRU will be returned many times over though the training of future natural resource managers who will guide the nation in sustainable use of our natural resources despite ever-increasing pressures on those resources.

The APLU BNR also supports funding at a level of $64 million for the National Cooperative Geologic Mapping Program (NCGMP) within the USGS budget. The mission of the NCGMP is to provide accurate geologic maps that help sustain and improve the quality of life and economic vitality of the United States and mitigate geologic hazardous events and conditions. Universities are involved in this program in two ways. First, universities participate through the production of new geologic maps to meet needs in stewardship of water, energy, and mineral resources; risk reduction from natural hazards such as earthquakes and landslides; and environmental protection. Second, through EDMAP, universities train the next generation of geologic mappers through a competitive matching-fund grant program. Since EDMAP's inception in 1996, more than $5 million from the NCGMP have supported geologic mapping efforts of more than 600 students working with more than 214 professors at 131 universities in 44 States plus Puerto Rico and the District of Columbia. A 2007 survey by NCGMP demonstrated that students who participated in EDMAP (1) fall well above the national average for pursuing advanced academic degrees in the geoscience field; (2) easily obtain geoscience positions due to the knowledge gained through EDMAP; and (3) frequently use the skills gained through EDMAP.

The APLU BNR supports $75 million for the Mineral Resources Program (MRP). The 2008 National Research Council's (NRC) report "Minerals, Critical Minerals, and the U.S. Economy" clearly lays out the danger of continuing cuts to the services this program provides to our Nation's economy. Items such as LCDs, catalytic converters, rechargeable batteries, and other electronics all use minerals designated as "critical" based on the risk that they may become unavailable for any number of reasons. The role of minerals information is becoming ever more vital as the Nation works to remain competitive and searches for emerging technologies to solve some of our most pressing environmental issues.

BNR also supports Senate bill 1462 American Clean Energy Leadership Act title IV, subtitle E Strengthening Education and Training in the Subsurface Geosciences and Engineering for Energy Development. There have been substantial cuts to the number of professionals in the MRP since 1996. At the same time, the NRC report cited above calls for the "need to maintain adequate, accurate and timely information and analysis on minerals at a national level in the Federal government with additional, not fewer, professionals having appropriate backgrounds to perform the work." For example, as society pushes toward sustainability, the importance of experts designing products with an eye toward recycling minerals will only increase. Currently, only a few formal training programs have emerged to train a new generation in the field. For this reason, we request support for Mineral Resources External Grants programs of at least $5 million. The USGS committed $1,000,000 toward Mineral Resources External Research for fiscal year 2006, but cut the program to $0 in fiscal year 2007 and committed only $250,000 in fiscal year 2008. Sustained and additional funds are needed to expand upon the first step in fiscal year 2006. Apart from this small program, there is virtually no funding to sustain applied science research and education related to mineral resources. The establishment of a consistently well-funded Minerals Resources External Grants program would follow the recommendations of three recent NRC reports and would help arrest the dramatic decline of minerals expertise in the United States.

APLU BNR recommends that the subcommittee provide funding $87.2 million for competitive grants of the Science to Achieve Results (STAR) program and $17.3 million for STAR graduate fellowships. One of the most effective programs for improving the agency's science capabilities is the STAR program. In 2003, the National Research Council strongly endorsed STAR in its report, "The Measure of STAR." The investment EPA ORD makes in STAR is especially significant and effective, because STAR is not a stand-alone grants program. It is coordinated with EPA program and regional offices, and targeted at high-priority needs that support the agency's mission. The program is leveraged by the participation of other Federal agencies and the private sector, and involves thousands of research scholars in universities. APLU universities have used STAR extramural research funding to accomplish the following: improve air quality modeling nation wide; develop evaluations of U.S. estuarine and coastal water quality degradation; analyze ecosystem health and impairment; establish effective multi-university research collaborations; and develop

techniques to assess the risks to fish in the Great Lakes associated with exposure to endocrine disrupting chemicals.

STAR graduate fellowships are also an excellent investment in the next generation of scientists and engineers, and provide opportunities for some of the brightest minds to develop the skills to enhance and replenish this Nation's environmental science expertise. Moreover, these grants are often a way to get minority graduate students engaged in high-level scientific research. STAR funding is a very important tool in the effort to address the future workforce needs of EPA. These investigator-initiated research grants are significantly expanding the number of scientists conducting EPA-related research and enhancing the overall quality of EPA S&T.

Thank you for the opportunity to share our views with the subcommittee.

PREPARED STATEMENT OF THE AMERICAN PUBLIC POWER ASSOCIATION

The American Public Power Association (APPA) is the national service organization representing the interests of more than 2,000 municipal and other State and locally owned electric utilities in 49 States (all but Hawaii). Collectively, public power utilities deliver electricity to 1 of every 7 electric consumers (approximately 45 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 2011 funding priorities within the jurisdiction of the Interior, Environment, and Related Agencies Subcommittee.

Environmental Protection Agency: ENERGY STAR Programs

APPA is disappointed in the modest 5 percent increase in the EPA ENERGY STAR program. We request an additional $20 million in funding for the program to bring the total amount to $75 million.

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. APPA member systems across the country have been active participants in ENERGY STAR programs to reduce electricity consumption.

According to the EPA, ENERGY STAR is saving businesses, organizations, and consumers more than $17 billion a year, and has been instrumental in the more widespread use of 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 supports robust funding for the Landfill Methane Outreach Program (LMOP) at EPA under the Environmental Program Management, Climate Protection Program budget. While we recognize that LMOP is not a budget line-item, APPA encourages the subcommittee to highlight the importance of LMOP by including report language directing the EPA to provide adequate funding for the program. The Landfill Methane Outreach Program 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 EPA, LMOP has more than 700 partners that have signed voluntary agreements to work with EPA to develop cost-effective landfill-gas-to-energy (LFG) projects. There are approximately 509 operational LFG projects in the United States. LMOP has also developed detailed profiles for more than 530 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-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 positioned to embark on LFG 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 supports the President's budget request of $3.4 million for fiscal year 2011 for the White House's Council on Environmental Quality (CEQ), and urges the subcommittee to maintain this funding level. Public power utilities have experienced a general lack of consistency in Federal Government regulations, 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 regulations. CEQ is responsible for ensuring that Federal agencies perform their tasks in an efficient and coordinated manner.

PREPARED STATEMENT OF THE ALABAMA RIVERS ALLIANCE, ET AL.

The undersigned organizations support fully funding the President's budget request of $4.3 million for the U.S. Environmental Protection Agency (EPA) to continue its study of the relationship between hydraulic fracturing and drinking water resources. This study is being conducted under the Research and Development Science to Achieve Results (STAR) program.

The EPA has commenced with a congressional fiscal year 2010 directed study on hydraulic fracturing and its effects upon drinking water. EPA budgeted $1.8 million in this fiscal year to begin the study, and proposes an additional $4.3 million in the coming fiscal year to continue on with it. This funding will ensure that EPA can conduct a robust and transparent study with full public participation. EPA needs congressional support to engage communities across the country, and we respectfully request that you maximize the resources of the EPA Research and Development so that this study can be fully funded.

Several steps of the hydraulic fracturing process affect drinking water. First, hydraulic fracturing uses hundreds of undisclosed chemicals, which are mixed with water and pumped underground, directly through aquifers, to fracture rock. This process has been linked to surface and groundwater contamination across the country. The following is a sampling of contamination reported during hydraulic fracturing. The resources provided by this study will help determine the causes of reported incidents like these:

—*Silt, Colorado*.—In 2001, two families reported a water well blow-out and contamination of their drinking water during hydraulic fracturing of four nearby natural gas wells owned by Ballard Petroleum, now Encana Corporation. Their drinking water turned gray, had strong smells, bubbled, and lost pressure. One family reported health symptoms they believe are linked to the groundwater contamination.

—*Seneca County, New York*.—In 2007, a family reported contamination of drinking water the morning after hydraulic fracturing of a nearby natural gas well owned by Chesapeake Energy Corporation. The water turned gray and was full of sediment.

—*Bainbridge Township, Ohio*.—In 2007, there was an explosion of a water well and contamination of at least 22 other drinking water wells in Bainbridge Township after hydraulic fracturing of a nearby natural gas well owned by Ohio Valley Energy Systems. More than 2 years later, more than 40 families are still without clean drinking water and are waiting to be connected to a town water system.

—*Gibbs Hill, Pennsylvania*.—In 2008, two families reported contamination of drinking water after hydraulic fracturing of a nearby natural gas well owned by Seneca Resources Corporation. Their water had strong fumes, caused burning in lungs and sinuses after showering, and caused burning in the mouth immediately upon drinking.

—*Grandview, Texas*.—In 2007, three families who share an aquifer reported contamination of drinking water after hydraulic fracturing of a nearby well owned by Williams. They experienced strong odors in their water, changes in water pressure, skin irritation, and dead livestock. Water testing found toluene and other contaminants.

—*Pavillion, Wyoming*.—Families have been reporting contamination of their drinking water for at least 10 years. Hydraulic fracturing has been used in the many wells in the area owned by Encana Corporation. Drinking water has turned black, smelled bad, and tasted bad. Individuals report medical symptoms

they believe are related to water contamination. The U.S. Environmental Protection Agency is investigating and has found contamination in 11 water wells, including toxic chemicals that may be from hydraulic fracturing fluids. Further tests are needed to determine the source of contamination.

In addition to the contamination that has been linked to hydraulic fracturing, millions of gallons of water are used to fracture each well. Using fresh water to fracture a well can be unsustainable use of water resources, and its impact upon our Nation's freshwater supply—including small and seasonal streams—must be evaluated. And finally, appropriate treatment and disposal of the waste generated from hydraulic fracturing is critical to protecting the Nation's waters. Aging and failing wastewater treatment plants cannot adequately treat and take on new waste. Many of the plants in areas new to gas development were not designed to treat the heavy metals and dissolved solids present in wastewater from hydraulic fracturing and cannot adequately handle it. EPA must have adequate resources to complete a comprehensive scientific study in order to accurately assess the impacts of hydraulic fracturing on our Nation's waters. Only with on-the-ground data collection and monitoring at several fracturing sites in different regions of the country will a true assessment of the impacts of fracturing be complete.

This Congress has invested billions of dollars in the restoration and protection of our Nation's waters, and has invested billions more in upgrading our Nation's clean water and drinking water infrastructure; Congress should take every opportunity to fully fund a thoughtful and robust study that will proactively protect our Nation's waters and not undermine the money it has already wisely invested in protecting and restoring water quality for the people of the United States.

Thank you for the opportunity to comment on this important issue.

Alaska's Big Village Network
Alliance for the Great Lakes
American Rivers
Appalachian Center for the Economy and the Environment
Audubon Naturalist Society
Cahaba River Society
Carpenter Environmental Associates, Inc.
Catholic Health East
Center for Environment, Commerce & Energy—African American Environmentalist Association
Chenango Delaware Otsego Gas Drilling Opposition Group
Chesapeake Bay Foundation
Chester-Ridley-Crum Watersheds Association
Choctawhatchee Riverkeeper
Citizens Campaign for the Environment
Clean Water Action
Clean Water for North Carolina
Clean Water Network
Colorado Watershed Assembly
Committee to Preserve the Fingerlakes
Community Environmental Defense Council, Inc.
Croton Watershed Clean Water Coalition
Dakota Resource Council
Damascus Citizens for Sustainability
Delaware County Neighbors
Delaware Riverkeeper Network
District IV, Florida Federation of Garden Clubs
Earth Action
Earthjustice
Environmental Advocates of New York
Enviroscapes Landscape Design
Farmington River Watershed Association
Friends of Grays Harbor
Friends of the North Fork and White Rivers
Gas Drilling Awareness for Cortland County
Gila Resources Information Project
Great Egg Harbor Watershed Administration
Great Salt Lakekeeper
Green Valleys Association
Gulf Restoration Network
Hackensack Riverkeeper
Haw River Assembly
Herring Run Watershed Association
High Country Citizens' Alliance
Hilltown Anti- Herbicide Coalition
Honor Our Pueblo Existence
Idaho Concerned Area Residents for the Environment
Izaak Walton League of America—Central New York Chapter
Kentucky Resources Council, Inc.
Kittatinny Group of the PA Chapter of the Sierra Club
Lake Superior Greens
Land Loss Prevention Project
Little Beaver Creek Land Foundation
Maine Rivers
Montana Environmental Information Center
National Committee for the New River
Natural Resources Defense Council
Neighbors of the Onondaga Nation
New Yorkers for Sustainable Energy Solutions Statewide
New Yorkers Residents Against Drilling
North Carolina Conservation Network
Northeast Organic Farming Association of New York
Northern California River Watch
NYH2O
Otsego 2000
Partnership for Onondaga Creek
Peach Bottom Concerned Citizens Group

Pennsylvania Organization for Watersheds and Rivers
Province of St. Joseph of the Capuchin Order
Putnam County Coalition to Preserve Open Space
Rivers Unlimited
Schoharie Valley Watch
Sierra Club
St. Mary's River Watershed Association
Sullivan Area Citizens for Responsible Energy Development
Sustainable Tompkins
The Watershed Project
Town of Ulysses Citizens Advisory Board on Gas Drilling
US Environmental Watch
Western Watersheds Project—Wyoming Office
Wild South
Wilderness East
Wyoming Outdoor Council

LETTER FROM THE ASSOCIATION OF RESEARCH LIBRARIES

APRIL 26, 2010.

Hon. DIANNE FEINSTEIN,
Chairman, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

Hon. LAMAR ALEXANDER
Ranking Member, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

DEAR CHAIRMAN FEINSTEIN AND RANKING MEMBER ALEXANDER: On behalf of the Association of Research Libraries (ARL), I write to express strong support for funding of the National Endowment for the Humanities (NEH) Division of Preservation and Access. With NEH's support, libraries engage in numerous activities to preserve and provide access to our local, State, national, and international cultural heritage. ARL also urges you to support the overall funding for NEH at the level of $232.5 million, an increase of $65 million over fiscal year 2010. Additional appropriations would permit ARL to address the high level of unmet needs by supporting a greater number of humanities projects including those focused on preserving our heritage.

NEH funding is central to libraries across the country as this funding supports core activities including the preservation of unique collections, the training of librarians to preserve these culturally valuable resources, and importantly, making research tools broadly available for use by scholars and the public. For example, NEH funding supports regional field offices and academic programs in conservation as well as providing individual awards that support basic preservation activities in libraries, archives, museums, and historical organizations throughout the United States. This support includes preservation training programs that reach thousands of individuals across the United States. NEH support of workforce development and training efforts is critically important as librarians, archivists, and museum professionals employ digital and networked-based technologies while, at the same time, preserve books, manuscripts, photographs, and other artifacts in many other formats. Recent examples of NEH grants in each of these areas include:

—A regional preservation field service program will provide preservation surveys, workshops, technical consultations, and educational materials to museums and historical organizations in California, Arizona, Oregon, and Washington; Balboa Art Conservation Center, San Diego, California.

—Curriculum modules and a virtual laboratory for graduate-level coursework in preserving and enhancing access to digital humanities resources will be developed. In addition, these will be used in the Digital Preservation Management Workshop, a continuing education program by the Interuniversity Consortium for Political and Social Research (ICPSR). Access to these educational resources via the Internet vastly expands the number of individuals who can benefit from this training; University of Michigan, Ann Arbor, Michigan.

—The digitization of 10,000 rare or unique late 19th and early 20th century musical scores and books for online access through the university's digital repository, the re-housing of original materials, and the production of preservation photocopies will be undertaken; University of Rochester, Rochester, New York.

In addition to funding training and preservation activities, the NEH Division of Preservation and Access also provides awards to support the creation of a wide range of research tools and reference works such as online encyclopedias, ancient language dictionaries, and catalogs of rare materials. Support of these diverse projects results in broad access to important educational reference works and creates new analytical capabilities that allows for widespread participation in research by students and teachers. Such projects and authoritative reference tools build the

foundation for research, and in digital form, enable broad and effective access to these resources. Examples of recent awards include:

—A project to add 30,000 additional entries to the comprehensive Encyclopedic Discography of Victor Recordings (1900–1950), which is a freely available, searchable electronic database of master recordings and published discs made by the Victor Talking Machine Company; University of California, Santa Barbara, Santa Barbara, California.

—Digital archiving of endangered Mexican and South American linguistic materials to be made accessible by the Archive of the Indigenous Languages of Latin America; University of Texas, Austin, Texas.

—The collaboration among the Autry National Center/Southwest Museum of the American Indian, the National Museum of the American Indian, the National Anthropological Archives, and the National Museum of Natural History to federate databases focused on Native American collections and share the data in new ways with tribal colleges and community members; American Indian Higher Education Consortium, Alexandria, Virginia.

—The digitization of 29 unique audio collections created on lacquer and aluminum discs and fragile reel-to-reel tape that document Native American, African-American, and Anglo-American oral traditions, as well as those of other immigrant populations in the United States; Indiana University-Bloomington, Bloomington, Indiana.

Finally, the Division of Preservation and Access has provided support to stabilize humanities collections for institutions whose collections and facilities were adversely affected by disasters. Learning from the experiences of cultural institutions during and after hurricanes Katrina and Rita, NEH now funds emergency response projects so that these institutions are prepared in the case of an emergency. For example:

—The hiring of a preservation consultant to conduct a training workshop in emergency response procedures and provide advice for the purchase of basic emergency supplies for the Coachella Valley Emergency Preparedness Network. This consortium includes three historical societies, an historic home, two Native American museums, a separate tribal collection, an aviation museum, a military museum, and a modern art museum. Collectively, these institutions hold 400 cubic feet of archeological materials, 600 baskets, 150 paintings, 16,000 color slides, 1,500 photos, 100 maps, 25 linear feet of archival materials, 825 audio and video recordings, 3,000 volumes and 84 periodical titles; Agua Caliente Cultural Museum, Palm Springs, California.

In fiscal year 2009, the NEH Division of Preservation and Access received 512 funding applications for a total of $68.007 million. NEH was able to support 170 of those requests for a total of $20.462 million (some of these funds also supported We the People grants). Clearly, the need for Federal funding in support of preservation and access activities far exceeds available resources. ARL urges members of the Subcommittee on the Interior, Environment, and Related Agencies to consider additional funds for the NEH Preservation and Access Division activities and for NEH overall.

ARL very much appreciates the subcommittee on the Interior, Environment, and Related Agencies' support for NEH's preservation and access activities in the past and requests your ongoing support as you and other members of the subcommittee consider the NEH fiscal year 2011 budget request. Thank you in advance for your consideration of this request. Please let me know if there is additional information that I can provide.

Sincerely,

PRUDENCE S. ADLER,
Associate Executive Director.

PREPARED STATEMENT OF THE AMERICAN SPORTFISHING ASSOCIATION

Dear Chairman and Ranking Member: The American Sportfishing Association (ASA) recommends the following as the subcommittee considers appropriations for the Department of the Interior for fiscal year 2011. ASA is the sportfishing industry's trade association, committed to looking out for the interests of the entire sportfishing community. We give the industry a unified voice, speaking out when emerging laws and policies could significantly affect sportfishing business or sportfishing itself. We invest in long-term ventures to ensure the industry will remain strong and prosperous as well as safeguard and promote the enduring economic and conservation values of sportfishing in America.

ASA makes these recommendations on the basis of briefings with agency staff and from years of experience with fisheries management in this Nation.

U.S. Fish and Wildlife Service (FWS)

National Fish Habitat Action Plan.—ASA and its member companies pride themselves on being conservationists first and foremost. The sportfishing industry is dependent upon healthy and abundant fish populations and habitat being available to the public. The landscape-scale projects now being conducted by partnerships under the umbrella of the National Fish Habitat Action Plan will help to ensure our Nation's aquatic resources are conserved and available for future generations to enjoy through recreational fishing and boating. Because it will provide a significant boost to America's fisheries resources and the recreational fishing community, ASA fully supports the National Fish Habitat Action Plan.

Implementation of the National Fish Habitat Action Plan is well underway and making important strides in aquatic habitat conservation all across the United States. FWS has been a strong leader and State partner in the implementation of the plan, and we appreciate the administration's continuing strong commitment to it. FWS appropriations in recent years have been instrumental in delivering habitat improvement projects on the ground, in cooperation with the States and in consultation with the National Fish Habitat Board, and in supporting the Board's work. The fiscal year 2011 budget recommendation is level funded at $7.2 million. Given that 17 Fish Habitat Partnerships have now been recognized by the Board and that there are a number of planning milestones to achieve in 2011 (e.g., completion of a national fish habitat assessment), ASA recommends an appropriation of $10 million to assure adequate financial resources for these base operational needs.

National Fish Hatcheries.—ASA recognizes the importance of developing ecosystem-based solutions for restoring, conserving, and managing native fish populations. National Fish Hatcheries are an important tool in support of that goal, providing stocks to supplement or jump-start restoration efforts for at-risk species such as Pacific and Atlantic salmon, several species of trout, pallid sturgeon, and freshwater mussels—many of which are identified as species of concern in the State wildlife action plans. ASA is concerned that the administration's fiscal year 2011 budget request of $50.307 million cannot sustain all national fish hatchery operations and reverses a multi-year priority of the FWS, the sportfishing industry and States to adequately address the aquatic resource mission of the agency. ASA believes that continued, long-term funding is critical to prevent hatchery closures. Therefore, ASA recommends funding for National Fish Hatchery operations at the fiscal year 2010 enacted level of $54.370 million.

ASA also supports funding at the level of $485,000 for ongoing operation of the Ouray Fish Hatchery which is critical in the Upper Colorado River restoration effort.

ASA is very concerned about the nearly $2 million reduction in the Aquatic Invasive Species program area. Prevention, control, and management of aquatic invasive species is vital to continuing priority actions intended to protect aquatic wildlife and water resources. These actions include such activities as implementing enforceable inspection and decontamination at infested waters to prevent the spread of aquatic invasive species like quagga and zebra mussels, and interdiction at waters that remain at high risk of infection. We therefore, recommend this program be funded at the fiscal year 2010 enacted level of $8.244 million.

National Wildlife Refuge System (NWRS).—ASA deeply appreciates the subcommittee's vision and leadership regarding the funding increases realized in fiscal year 2008 through fiscal year 2010, and the 2009 American Recovery and Reinvestment Act (ARRA). While it does not reduce the annual needs of the NWRS, the ARRA is providing a jolt to local economies by providing refuges across the country with the means to hire local contractors and purchase local materials for important infrastructure and habitat restoration projects. Following a period of essentially flat annual budgets, the recent increases in annual appropriations allowed for the suspension of workforce downsizing plans that called for an eventual 20 percent reduction in overall staffing levels. However, with more than 10 percent of staff already eliminated since 2004, additional funding increases that build upon the last 3 years are essential if this valued system of conservation lands is to rebound to its full potential. With the goal of fulfilling the progressive conservation vision that President Theodore Roosevelt first espoused more than a century ago, ASA respectfully requests a fiscal year 2011 funding level of $578 million for the operations and maintenance accounts of the NWRS.

Great Lakes Fish and Wildlife Restoration Act.—ASA recommends that Congress fund the Great Lakes Fish and Wildlife Restoration Act (GLFWRA) in fiscal year 2011 at its full authorization of $16 million, and to include funding for the proposed "Great Lakes Mass Marking Initiative." The GLFWRA supports the Service's mission in the Great Lakes region. Since major reauthorizations in 1996 and 2006, this act has supported essential projects to conserve native fish and wildlife species, un-

derstand the impact of invasive species, restore habitat, and undertake other projects related to the health of the Great Lakes ecosystem. Projects under the Act require a non-Federal cost-sharing partner, so the program fosters collaboration among Federal, State, tribal, and local interests. The GLFWRA also authorizes regional projects that benefit the Great Lakes basin as a whole.

One proposed regional project, the "Great Lakes Mass Marking Initiative," is a cooperative undertaking among Federal, State, and tribal authorities to employ new technologies to mark all hatchery reared fish that are stocked into the Great Lakes. Currently, not all stocked fish are marked or coded-wire-tagged, which limits the information fishery managers have about the status of the fishery and their restoration efforts. The mass marking technology—known as the AutoFish system—has been used with great success in the Pacific Northwest, where all stocked fish must, by law, be marked and coded-wire-tagged. The fishery management agencies of the Great Lakes region have explored the use of this mass marking technology, have field-tested its applicability, and have concluded that the marking of all hatchery reared fish would significantly enhance Great Lakes fishery management and research. Fishery managers, working together, have proposed this mass marking technology for funding under the GLFWRA. Full funding for the GLFWRA, and funding for the Great Lakes Mass Marking Initiative, are needed for the service to continue its important role in Great Lakes restoration. ASA requests the full authorization of $16 million for the GLFWRA, including full funding for the Great Lakes Mass Marking Initiative.

Atlantic Salmon.—Atlantic salmon management in the Connecticut River is an important multi-State and agency restoration effort. Although primarily supplemented by hatchery production, a long-term goal is the establishment of a self-sustaining population. Management of genetic diversity is critical to achieve this long-term management goal. Due to very few adult Atlantic salmon returning to the Connecticut River, genetic concerns such as inbreeding and estimates of genetic diversity are potential threats to the long-term sustainability of the population. Monitoring the genetic diversity and variability of broodstock and sea-run returners is important to management and greatly assists other program evaluation efforts. ASA supports the addition of $250,000 to the FWS budget to complete this work.

ASA is also concerned with proposed cuts to the Fish and Wildlife Assistance Program component. ASA is concerned with elimination of several earmarks that provide funds for ongoing projects that support critical State management functions. Specifically, ASA is concerned with the elimination of the funding that supports the West Coast Regional Mark Processing Center, the Washington State Mass Marking Program, and the National Partnership for the Management of Wild and Native Coldwater Fisheries. ASA urges Congress to restore funding for these programs.

Bureau of Land Management (BLM)

Fisheries Management.—The BLM Fisheries Program continues to sustain the deep budget cut taken in fiscal year 2008, funded at a slightly increased amount of $13,765 in fiscal year 2010, to support the National Landscape Conservation System program. ASA opposes the reduction requested by the administration to $13.516 million in fiscal year 2011 for the fisheries management subactivity. ASA remains deeply concerned about this permanent reduction in funding brought about by program transfers during establishment of the National Landscape Conservation System.

Energy development, especially coalbed methane gas, is greatly impacting fisheries. BLM fisheries staff funding is woefully inadequate to address these issues or provide necessary input into the BLM's Resource Planning. Currently, nonaquatic specialists are providing much of the BLM Fisheries Program work, with many not possessing aquatic expertise or interest. To adequately implement current program levels the BLM needs an additional 10.5 full-time employees in the aquatic specialist series. ASA strongly encourages Congress to provide a significant increase over the fiscal year 2010 enacted level for the fisheries management subactivity—to a total of $20 million—in order to address pressing fisheries needs throughout the agency. Within this requested $6.5 million increase, ASA requests an annual increase of $750,000 specifically for hiring new staff within the fisheries program.

Riparian Management Activity.—ASA supports the BLM attention and project application directed at riparian areas, but remains concerned that the requested $22.632 million for this program, which is an $86,000 decrease from the fiscal year 2010 enacted level, falls far short of meeting many of the identified needs. ASA opposes the administration's proposal to reduce base funding for these fundamental responsibilities by $200,000; instead, ASA requests that Congress add $1.386 million to the administration's request to address its long-standing responsibilities. ASA also urges BLM to continue its coordination with State fish and wildlife agen-

cies and other Federal bureaus in order to achieve goals outlined in the National Fish Habitat Plan and to improve water quality on BLM-managed lands.

U.S. Forest Service (USFS)

National Forest System Line Item.—ASA has expressed concerns about the USFS budget structure for fish and wildlife, because it makes it very difficult to understand the budget request and to make meaningful comparisons with the previous year's appropriations. In fiscal year 2011, the USFS is proposing to merge several programs and their budgets—vegetation and watershed management, wildlife and fisheries habitat management, and forest products—into a single integrated resource restoration activity. While ASA commends the USFS for working to better coordinate programs within the agency, we are concerned about the melding of activities and money and believe that without specific budget line items and expenditures for specific purposes this proposed approach will make accountability to the State partners, the public, and Congress even more difficult. It is also counter to a 2004 recommendation made to the USFS after a nationwide evaluation of the agency's fisheries program. In that report, the merging of budget line items and the subsequent lack of accountability was highlighted and recommendations were made to separate budget line items. We respectfully request that Congress require individual line items specific to fish, wildlife, and endangered species and habitat management be established in the fiscal year 2011 budget and similarly, that expenditures be tracked and reported in the same manner.

This breakdown would vastly improve performance accountability and improve opportunities for integrated activities with the State fish and wildlife agencies. We encourage the USFS to communicate to leadership at all levels that the expectation is that fish and wildlife needs should be considered and incorporated as projects are designed and implemented. Further, we suggest that the USFS establish planning and accountability protocols to ensure adequate attention to fish and wildlife needs. Having stated those reservations, ASA supports the request of $693.772 million for integrated resource restoration and urges the USFS to be more forthcoming demonstrating spending accountability on the ground.

The sportfishing industry has long depended on the strong management of our Nation's fisheries by the Federal agencies within the Department of the Interior. We look forward with working with the subcommittee to ensure that the conservation of our Nation's fisheries is upheld for the recreational enjoyment of our Nation's citizens, which in turn leads to a healthy and robust sportfishing industry. Thank you for your consideration.

PREPARED STATEMENT OF THE AMERICAN SOCIETY OF AGRONOMY, CROP SCIENCE SOCIETY OF AMERICA, AND SOIL SCIENCE SOCIETY OF AMERICA

Dear Chairman Feinstein, Ranking Member Alexander, and members of the subcommittee: On behalf of the American Society of Agronomy (ASA), Crop Science Society of America (CSSA), Soil Science Society of America (SSSA), I am pleased to submit comments in strong support of enhanced public investment in the U.S. Forest Service (USFS), U.S. Geological Survey (USGS), and U.S. Environmental Protection Agency (EPA) as critical components of Federal appropriations for fiscal year 2011 and beyond. With more than 25,000 members and practicing professionals, ASA, CSSA, and SSSA are the largest life science professional societies in the United States dedicated to the agronomic, crop, and soil sciences. ASA, CSSA, and SSSA play a major role in promoting progress in these sciences through the publication of quality journals and books, convening meetings and workshops, developing educational, training, and public information programs, providing scientific advice to inform public policy, and promoting ethical conduct among practitioners of agronomy and crop and soil sciences.

Summary

ASA, CSSA, and SSSA understand the budgetary challenges the Senate Interior, Environment, and Related Agencies Appropriations Subcommittee faces in fiscal year 2011. We also recognize that the Interior, Environment, and Related Agencies Appropriations bill has many valuable and necessary components, and we applaud the efforts of the subcommittee to fund the USFS, USGS, and EPA.

USFS sustains the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations. Soils are a vital component of forest management, and their understanding is essential to achieve EPA's strategic goals, yet vital programs that are essential for improved soil quality have been consistently underfunded.

The Societies are concerned with past transfers of funding for the USFS away from base programs to support wildland fire suppression. For the USFS, ASA, CSSA, and SSSA recommend that the subcommittee appropriate $5.6 billion, a 5 percent increase over fiscal year 2010, putting the EPA back on track towards properly managing the 749 million acres of forests in the United States. for the services they provide: clean water and air; recreational opportunities; hunting; fishing; forest products; and, scenic values.

The USGS provides reliable scientific information to describe and understand the Earth; minimize loss of life and property from natural disasters; and protect the Nation's natural resources. For fiscal year 2011, we recommend $1.3 billion for the USGS. Only a concerted, long-term effort to boost USGS funding will produce the knowledge and tools needed to appropriately manage and meet the many challenges facing the Nation's water, biological, energy, and mineral resources, while enhancing and protecting our quality of life.

In order to fulfill its mission, the EPA needs increased investments in socioeconomic, sustainability, ecological, and exploratory research as well as partnerships with academia and State and local government. These areas are essential to move environmental protection from a command-and-control regulatory system to a more rational, compliance-based approach. For EPA science and technology, for fiscal year 2011, ASA, CSSA, and SSSA recommend a funding level of $888 million a 5 percent increase over fiscal year 2010.

USFS

Forest and Rangeland Research

ASA, CSSA, and SSSA applaud the increase provided by the subcommittee for forest and rangeland research in fiscal year 2010. For fiscal year 2011, we recommend increasing forest and rangeland research funding by 7 percent bringing total funding to $334 million.

Soil is the natural filter, often overlooked, vital for healthy watersheds. Past investments in NFS have yielded enormous benefits to society. Soil scientists annually provide critical soil resource information to Burned Area Emergency Response teams evaluating the environmental effects and developing rapid management responses for hundreds of wildfires. The NFS developed the CarbonPlus Calculator (http://nrs.fs.fed.us/carbon/local-resources/downloads/CCT_NRS13.pdf) to help land owners estimate their forest carbon dioxide (CO_2) emissions. The calculator provides tips on how to reduce carbon footprints and teaches users about the benefits of planting trees to absorb carbon.

National Forest System

ASA, CSSA, and SSSA support a funding level of $182 million, a 7 percent increase, for inventory and monitoring program in fiscal year 2011. Strong funding for inventory and management will allow USFS to continue efforts to inventory remaining national forest land. This would support a comprehensive carbon inventory for forest ecosystems as well as provide other information critical to understand U.S. forest systems.

The fiscal year 2011 budget proposes establishment of the integrated resource restoration budget line by combining the wildlife and fisheries habitat management, forest products, and the vegetation and watershed management budget lines, as well as the Collaborative Forest Landscape Restoration Fund and the watershed improvement and job stabilization lines.

The integrated resource restoration program will facilitate implementation of the USDA priority for focused, large-scale ecosystem restoration and provide ecosystem services that are important to the public including clean and abundant water, renewable energy from biomass, restored wildlife and fish habitat, and resilient forests and rangelands. ASA, CSSA, and SSSA support appropriation for the integrated resource restoration line at $715 million, a 7 percent increase over fiscal year 2010 and $21 million greater than requested in the President's budget.

Office of Ecosystem Services and Markets (USDA Office of Environmental Markets)

ASA, CSSA, and SSSA support appropriation of $2 million to support the mission and goals of the USDA Office of Environmental Markets (OEM). The OEM was established to support development of new opportunities for American agriculture and forestry through environmental services markets.

USGS

Geographic Research, Investigations, and Remote Sensing

Land use and change are major issues of concern for the Nation. Satellite imagery is used by a variety of stakeholders: government agencies such as USGS, EPA, NSF, and USDA; Universities-land grants and private; and private sector environmental managers and planners.

Precision agriculture utilizes remote sensing, in combination with GIS and GPS, to develop farm-specific management maps reducing over-application of nutrients and loss in sensitive areas.

ASA, CSSA, and SSSA are supportive of the President's request for geographic research, investigations, and remote sensing for fiscal year 2011 and recommend a funding level of $153 million. We urge the subcommittee to fund the Geographic Analysis and Monitoring Program at $11.7 million, a 5 percent increase over fiscal year 2010. This funding level will help ensure access to a common set of current, accurate, and consistent data and scientific information that describe the Earth's land surface to help inform decisions by policymakers, resource managers, researchers, citizens, and the private sector.

Water Resources Investigations

Water is a limiting resource for many regions of the United States; certain regions have been in a sustained drought for years. Aquifers are the leading source of fresh water across the country. Therefore it is essential that we monitor and maintain this ecosystem service. Nutrient loading of the Mississippi River has been linked to the hypoxia zone in the Gulf of Mexico. As more farm acreage is converted to crops to be converted into biofuels, there is a growing potential for these systems to load major river systems with unwanted nutrients and sediments. ASA, CSSA, and SSSA recommend $168 million in funding, a 5 percent, for hydrologic, monitoring, assessments, and research (HMAR) for fiscal year 2011. Within HMAR, critical programs—Ground water resources, toxic substances hydrology, and hydrologic research and development—deserve special funding consideration.

Biological Research

For fiscal year 2011, ASA, CSSA, and SSSA recommend funding for biological research be increased to $215 million, an increase of 5 percent which will provide strong support for biological research and monitoring, biological information management and delivery, and cooperative research units.

Science Support

Climate change is a major focus for many agencies in fiscal year 2011 and ASA, CSSA, and SSSA which are interested in the role agriculture can play to mitigate climate change. ASA, CSSA, and SSSA support the President's requested $72.1 million for fiscal year 2011. We find that the need to identify new tools that help land managers adapt to climate change is an essential endeavor. We applaud the subcommittee for its foresight and encourage it to fund USGS climate research at this level so the Department of the Interior can continue to expand much needed work in the areas of biological carbon sequestration and science applications and decision support.

EPA

In order to fulfill its mission, EPA needs increased investments in both its intramural and extramural science programs as well as associated services such as environmental education and libraries. ASA, CSSA, and SSSA recommend that EPA increase investments in socioeconomic, sustainability, ecological, and exploratory research as well as partnerships with academia and State and local government. These areas are essential to move environmental protection from a command-and-control regulatory system to a more rational, compliance-based approach.

For EPA science and technology, for fiscal year 2011, ASA, CSSA, and SSSA recommend a funding level of $888 million a 5 percent increase over fiscal year 2010. The Office of Research and Development (ORD) is the scientific research arm of EPA. The ORD funds and conducts essential research in pollution prevention; air, water, and soil dynamics; and management and behaviors to improve the way we use and conserve our resources.

To help enhance workforce development by recruiting outstanding scientists to participate in the Science to Achieve Results (STAR) program, ASA, CSSA, and SSSA ask the Subcommittee to place special emphasis on funding for this program. The STAR program has not only provided an outstanding source of research results during its tenure, it has also trained bright young minds to explore and expand the basic concepts behind environmental science and related innovations.

For the National Estuary Program/Coastal Waterways program, we recommend an appropriation of $35 million. Finally, for the Wetlands program, we recommend an appropriation at the President's requested level of $28 million, for fiscal year 2011. The study of wetlands occurs under EPA's Office of Research and Development, Ecosystem Services Research Program (ESRP). The program emphasizes the study of wetland ecosystem services to provide the decision support tools needed to target, prioritize, and evaluate policy and management actions that protect, enhance, and restore the ecosystem goods and services provided by wetlands.

Thank you for your thoughtful consideration of our requests.

PREPARED STATEMENT OF THE AMERICAN SOCIETY OF CIVIL ENGINEERS

The American Society of Civil Engineers (ASCE)[1] is pleased to submit to the subcommittee a statement on the proposed budgets for the Environmental Protection Agency (EPA) and the United States Geological Survey (USGS) for fiscal year 2011.

ASCE RECOMMENDS AN APPROPRIATION OF $3 BILLION FOR THE CLEAN WATER ACT STATE REVOLVING LOAN FUND (SRF) IN FISCAL 2011

The administration's fiscal year 2011 budget request for the EPA totals $10 billion. This is slightly less than the agency's fiscal year 2010 enacted budget of $10.3 billion.

The President has requested $2 billion for the Clean Water SRF. Although this request reflects the President's desire to deal forcefully with the funding needs of the Nation's aging wastewater infrastructure, ASCE believes that the wastewater investment "gap" of approximately $400 billion requires an even greater annual commitment.

Aging wastewater treatment systems discharge billions of gallons of untreated wastewater into U.S. surface waters each year. The Environmental Protection Agency estimates that the Nation must invest $390 billion over the next 20 years to update or replace existing systems and build new ones to meet increasing demand.

Since 1972, Congress has directly invested more than $80 billion in the construction of publicly owned sewage treatment works (POTWs) and their related facilities. State and local governments have spent billions more over the years. Total non-Federal spending on sewer and water has been billions more. Nevertheless, the physical condition of many of the Nation's 16,000 wastewater treatment systems is poor, due to a lack of investment in plant, equipment and other capital improvements over the years.

In 2008, EPA reported that the total investment needs of America's publicly owned treatment works as of January 1, 2004, were $202.5 billion. This reflects an increase of $16.1 billion (8.6 percent) since the previous analysis was published in January 2004.

Many systems have reached the end of their useful design lives. Older systems are plagued by chronic overflows during major rain storms and heavy snowmelt and, intentionally or not, are bringing about the discharge of raw sewage into U.S. surface waters.

EPA estimated in August 2004 that the volume of combined sewer overflows (CSOs) discharged nationwide is 850 billion gallons per year. Sanitary sewer overflows (SSOs), caused by blocked or broken pipes, result in the release of as much as 10 billion gallons of raw sewage yearly, according to the EPA.

Wastewater infrastructure is expensive as are the monetary and social costs incurred when infrastructure fails. The Nation's wastewater systems are not resilient in terms of current ability to properly fund and maintain, prevent failure, or reconstitute services.

Additionally, the interdependence on the energy sector contributes to the lack of system resilience that is increasingly being addressed through the construction of dedicated emergency power generation at key wastewater utility facilities. Aging, under-designed, or inadequately maintained systems discharge billions of gallons of untreated wastewater into U.S. surface waters each year.

Future investments must focus on updating or replacing existing systems as well as building new ones to meet increasing demand; improved operations processes including ongoing oversight, evaluation, and asset management on a systemwide

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[1] ASCE was founded in 1852 and is the country's oldest national civil engineering organization. It represents 144,000 civil engineers in private practice, government, industry, and academia who are dedicated to the advancement of the science and profession of civil engineering. ASCE is a non-profit educational and professional society organized under Part 1.501(c)(3) of the Internal Revenue Code.

basis; and watershed approaches to look more broadly at water resources in a coordinated systematic way.

ASCE RECOMMENDS AN APPROPRIATION OF $2 BILLION FOR THE SAFE DRINKING WATER ACT SRF IN FISCAL YEAR 2011

America's drinking water systems face an annual shortfall of at least $11 billion to replace aging facilities that are near the end of their useful life and to comply with existing and future Federal water regulations. This does not account for growth in the demand for drinking water over the next 20 years. Leaking pipes lose an estimated 7 billion gallons of clean drinking water a day.

Of the nearly 53,000 community water systems, approximately 83 percent serve 3,300 or fewer people. These systems provide water to just 9 percent of the total U.S. population served by all community systems. In contrast, 8 percent of community water systems serve more than 10,000 people, and they provide water to 81 percent of the population served.

Eighty-five percent (16,348) of nontransient, noncommunity water systems and 97 percent (83,351) of transient noncommunity water systems serve 500 or fewer people. These smaller systems face huge financial, technological, and managerial challenges in meeting a growing number of Federal drinking-water regulations.

Federal assistance has not kept pace with demand, however. Between fiscal year 1997 and fiscal year 2010, Congress provided more than $11 billion for the DWSRF through annual appropriations. This total is approximately equal to the annual capital investment gap for each of those years as calculated by EPA in 2002.

Although drinking-water treatment plant operators are often able to provide workarounds during system disruptions, the Nation's drinking-water systems are not highly resilient based on present capabilities to prevent failure and properly maintain or reconstitute services.

Additionally, the lack of investment and the interdependence on the energy sector contribute to the lack of overall system resilience. These shortcomings are currently being addressed through the construction of dedicated emergency power generation at key drinking water utility facilities, increased connections with adjacent utilities for emergency supply, and the development of security and criticality criteria within the sector. Investment must be prioritized to take into consideration system vulnerabilities, interdependencies, improved efficiencies in water usage via market incentives, system robustness, redundancy, failure consequences, and ease and cost of recovery.

ASCE RECOMMENDS AN APPROPRIATION OF $1.3 BILLION FOR THE USGS IN FISCAL YEAR 2011

In a time of fiscal restraint, the USGS budget proposal for fiscal year 2011 is up nearly 4 percent over the current fiscal year appropriation, but we believe the request falls short of the amount needed to support the science needs of the Nation.

The fiscal year 2011 budget request for USGS totals $1.1 billion, $21.6 million above the fiscal year 2010 enacted level. The President is asking for increases in programs for renewable energy, climate change, water availability and use, natural hazards, and Landsat.

The Water Resources Investigations activity is funded at $228.8 million in the 2011 budget, which is $3.5 million below the 2010 enacted level. The budget proposes $158.7 million for Hydrologic Monitoring, Assessments, and Research for collection, management, and dissemination of hydrologic data, analysis of hydrologic systems through modeling or statistical methods, and research and development leading to new methods and new understanding, with a focus on water conservation. The tight budget lead the Department to request budget reductions for the Cooperative Water Program ($63.6 million, which is $1.9 less than the fiscal year 2010 enacted level) and for the National Streamflow information Program ($27.1 million, a reduction of $563,000).

Program increases were requested for the National Water Availability and Use Assessment, including $1.1 million for the Groundwater Resources program and $6.4 million for Hydrologic Networks and Analysis.

The WaterSMART Quality Assessment program describes status and trends in water quality, provides an improved understanding of the natural factors and human activity affecting these conditions, and provides information to Federal, State, and local regulatory and policy decisionmakers. A net reduction of $1.5 million is proposed in Hydrologic Monitoring, Assessments, and Research to focus on the WaterSMART program.

The Cooperative Water program is funded at $63.6 million, $2 million below the 2010 level. The program builds on efforts to leverage State, local, and tribal funds

to support the majority of the national hydrologic data network of streamgages, wells, and monitoring sites. The Water Resources Research Act program is funded at $6.5 million to promote State, regional, and national coordination of water resources research and training and a network of Water Resources Research Institutes to facilitate research coordination and information and technology transfer.

PREPARED STATEMENT OF THE ASSOCIATION OF STATE DRINKING WATER ADMINISTRATORS

SUMMARY OF REQUEST

Association of State Drinking Water Administrators (ASDWA) respectfully requests that, for fiscal year 11, the subcommittee appropriate funding for three State drinking water programs at levels commensurate with Federal expectations for performance and at levels that ensure appropriate public health protection. ASDWA requests $200 million for the Public Water System Supervision (PWSS) program; $1.287 billion for the Drinking Water State Revolving Loan Fund (DWSRF) program; and $10 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 requested levels follows.

HOW STATES USE FEDERAL FUNDS

States Need Increased Federal Support To Maintain Overall Public Health Protection.—State drinking water programs strive to meet public health protection goals through two principal funding programs: the PWSS and the 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 the water is both safe to drink and 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 both natural and manmade disasters.

Vibrant and sustainable communities, their citizens, workforce, and businesses are dependent upon a safe and adequate supply of drinking water. Economies only grow and sustain themselves when they have reliable water supplies. More than 90 percent of the population receives water used for bathing, cooking, and drinking from a public water system. Even people who have their own private wells to meet their daily water needs will visit other homes or businesses served by a public water system. Children and seniors are the most susceptible to illness and death from several of the contaminants regulated by Federal drinking water laws including lead, mercury, nitrates, bacteria, and viruses. As important as public water systems are to the quality of water we drink, and therefore our health, the majority of water produced by public water systems is used by businesses and for fire protection. Businesses need adequate supplies of good quality water for processing, cooling, and product manufacturing. The availability of adequate supplies of water is often a critical factor in attracting new industry. Public water systems, including, cities, villages, schools, and businesses rely on State drinking water programs to ensure they are in compliance with Federal requirements.

The PWSS Program.—To meet the requirements of the State Drinking Water Administrators, States have accepted primary enforcement responsibility for oversight of regulatory compliance and technical assistance efforts for more than 155,000 public water systems to ensure potential health-based violations do not occur or are remedied in a timely manner. Since 1996, State drinking water programs have participated in the development and implementation of more than 25 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." These include source water assessments and controls; technical assistance with water treatment and distribution; and enhancement of overall water system performance capabilities. In recent years, States have taken on an increasingly prominent role in working with Federal and local partners to help ensure sufficient water quantity. In short, State activities go well beyond simply ensuring compliance at the tap.

The DWSRF Program.—Drinking water in the United States is among the safest and most reliable in the world, thanks to significant investments made over the decades. The payback on this investment has been exceptional: in the core DWSRF program, $10.7 billion in capitalization grants from Congress since 1997 has been leveraged by States into nearly $19 billion in infrastructure loans to small and large

communities across the country. Everyone agrees this is an investment that pays great dividends both economically and in protection of our citizens' health. State drinking water programs have also used DWSRFs to support the technical assistance and training needs of small drinking water systems and to help these water systems obtain the technical, managerial, and financial proficiency needed to meet the requirements of the SDWA. States also leapt into action to utilize the infrastructure funds provided to the DWSRF through the American Reinvestment and Recovery Act (ARRA) and maximized the depth and breadth of these funding opportunities across all drinking water system sizes and types. Through a herculean effort, all States met the February 17, 2010 deadline (1 year from enactment) for having $2 billion in ARRA funds under contract or construction.

State Drinking Water Security Responsibilities.—Since the events of September 2001, as well as the more recent experiences of devastating hurricanes, wildfires and floods, 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 requests for assistance, training, information, and financial support from the water systems under their purview as well as supported utility-based "mutual aid" networks. States continually work toward integrating security considerations throughout all aspects of their drinking water programs.

WHY INCREASED FUNDING IS URGENTLY NEEDED

State Drinking Water Programs are Hard Pressed.—States must accomplish all of the above-described activities, and take on new responsibilities, in the context of the current national economic crisis. This has meant further cutting their budgets, streamlining their workforces, and operating with less State-provided financial support. State drinking water programs have often 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. Insufficient Federal support for this critical program increases the likelihood of a contamination event that puts public health at risk.

State Funding Gap Continues To Grow; States Cannot Keep Up.—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. $105.7 million was appropriated for the PWSS program in fiscal year 2010. However, as explained below, with Congress' zeroing out of the State drinking water program security grant of $5 million, the net gain to States—from fiscal year 2009 to fiscal year 2010—was only $1 million. Even the fully authorized level of $100 million annually is now, nearly 14 years after enactment, woefully inadequate for the enormity of the task faced by State drinking water programs. A few years ago, 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 only continues to grow and has negative consequences. Many States are simply unable to implement major provisions of the newer regulations, leaving the work undone or ceding the responsibility back to EPA where it is likely to languish because of their own resource constraints and lack of "on the ground" expertise. This situation could create a significant implementation crisis in several regions of the country and ultimately delay implementation of critically needed public health protections.

FISCAL YEAR 2011 REQUEST LEVELS AND SDWA PROGRAM OBLIGATIONS

The PWSS Program.—The number of regulations requiring State implementation and oversight as well as performance expectations continue to grow while, at the same time, the Federal funding support necessary to maintain compliance levels and meet expectations has been in decline. Last year's fiscal year 10 appropriated level of $105.7 million—after subtracting the above-mentioned $5 million for drinking water security—reflects a downward trend from the enacted budget high point of $101.9 million appropriated in fiscal year 2004—an already insufficient amount. Inflation has further eroded these inadequate funding levels. State drinking water programs are hard pressed to understand a justification for these funding levels since they are engaged in the critical phases of implementing the LT 2/Stage 2 Rule cluster (two sophisticated and complex initiatives to control disinfection by-products and microbial contaminants), the recently promulgated Ground Water Rule, and changes to the Lead and Copper Rule. States want to offer the flexibilities allowed under these and other rules to local water systems; however, fewer State resources mean less opportunity to work one-on-one with water systems to meet their individual needs. Looking ahead, States expect that new rules for contaminants on

EPA's Contaminant Candidate List will be forthcoming as well as revisions to the Total Coliform Rule.

ASDWA therefore respectfully requests that the fiscal year 2011 funding for the PWSS program be appropriated at $200 million. This figure was calculated by starting with a baseline of $124.3 million (the fiscal year 2004 appropriated figure, adjusted for inflation); adding $50.7 million to implement recently promulgated rules (per EPA's Economic Analyses for these rules); and adding $25 million for other new program requirements (e.g., emerging contaminants, modernizing data systems, and supporting small water systems).

The DWSRF Program.—States were very encouraged by the $1.387 billion appropriated for the DWSRF in fiscal year 2010 and the $1.287 billion requested in the President's fiscal year 2011 budget. States strongly support that request level. 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. Water infrastructure is needed for public health protection as well as a sustainable economy. For instance, industries have opted not to move to locations with inadequate water and other utility capacity to meet their needs. States have very effectively and efficiently leveraged Federal dollars with State contributions by turning over $10.67 billion in cumulative Federal capitalization grants (not counting ARRA funds) into almost $19 billion in water infrastructure loans since 1997. In so doing, States have provided assistance to more than 6,905 projects improving health protection for millions of Americans. Approximately 72 percent of projects and 38 percent of assistance has been provided to small communities (serving less than 10,000 people). However, EPA's most recent National Drinking Water Infrastructure Needs Survey (2007) indicated that water system needs total $334.8 billion over the next 20 years to comply with SDWA mandates. States believe the $2 billion in ARRA funds and the fiscal year 2010 appropriated level were very substantial down payments on addressing those needs and filling the infrastructure gap. In light of these indicators of success and documented needs, we believe the $1.287 billion level requested in the President's fiscal year 2011 budget will better enable (as compared to levels provided in recent years) the DWSRF to meet the SDWA compliance and public health protection goals for which it was designed.

ASDWA, therefore, respectfully requests $1.287 billion in fiscal year 2011 funding for the DWSRF Program; consistent with the President's budget request.

Security Responsibilities.—After 7 years of supporting State security programs through a small grant of approximately $5 million in EPA's appropriation, no funds were provided for this purpose in fiscal year 2010 and none are requested for fiscal year 11. State drinking water programs need funds to continue to expand their security activities, particularly for small and medium water systems and to support utility-based mutual aid networks for all drinking water systems. It is very difficult to understand why this grant has been zeroed out of EPA's proposed budget. Given the realities exemplified by ongoing Homeland Security initiatives, the goals of the National Infrastructure Protection Plan, and the lessons learned from Hurricanes Katrina, Rita, and Gustav, State drinking water programs are working more closely than ever with their water utilities to evaluate, assist, and support drinking water systems' preparedness, response, and resiliency 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 rely heavily on the States to help them meet their needs and identify potential funding sources (DWSRF).

ASDWA therefore respectfully requests $10 million in fiscal year 2011 funding for the State security initiatives. These funds would be commensurate with the security tasks State drinking water programs must take on.

CONCLUSION

In conclusion, ASDWA respectfully recommends that both State and Federal fiscal year 2011 budget needs for the provision of safe drinking water be adequately funded by Congress. 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. However, additional Federal financial assistance is needed to meet ongoing and ever growing regulatory and security needs. In 1996, Congress provided the authority to ensure that the burden would not go un-

supported. For fiscal year 2011, ASDWA asks that the promise of that support be realized.

PREPARED STATEMENT OF THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS

Mr. Chairman, Ranking Member, and members of the subcommittee: The American Society of Mechanical Engineers (ASME) Environmental Protection Agency (EPA) Task Force is pleased to provide this testimony on the fiscal year 2010 (fiscal year 2011) budget request for research and development programs in the Department of Energy (DOE).

INTRODUCTION

The 127,000-member ASME is a nonprofit, worldwide educational and technical society. It conducts one of the world's largest technical publishing operations, holds more than 30 technical conferences and 200 professional development courses each year, and sets some 600 industrial and manufacturing standards.

BACKGROUND

Scientists and engineers have a long-standing professional interest in applying science and technology (S&T) to improve the environment and human health in the United States. Mechanical engineers increasingly collaborate with other professionals to develop innovative and cost-effective environmental technologies and systems.

The EPA plays an essential role in the Nation's efforts to protect human health and safeguard the environment, and EPA's S&T research and development (R&D) activities are instrumental in improving environmental protection in a sound, sustainable, and cost-effective manner. R&D efforts are needed to improve environmental health and ecology, environmental monitoring, environmental technology development, and implementation. Additionally, pollution prevention is also necessary in order to address the emerging concerns of climate change, as well as the environmental issues of homeland security and infrastructure protection.

The fiscal year 2011 budget request for EPA is $10.02 billion, a $277 million decrease from the fiscal year 2010 appropriated amount of $10.3 billion. The EPA's S&T Directorate would be essentially flat at $846.7 million in fiscal year 2011, up slightly from the $846 million appropriated amount for fiscal year 2010. After several years of funding decreases, followed by a significant boost to funding for fiscal year 2010, the EPA Task Force feels that a higher appropriation is warranted for fiscal year 2011. The R&D funds are needed in order to enhance study responses to climate change, terrestrial carbon sequestration and management, biofuels and oil shale waste issues, and nanotechnology development.

OVERVIEW OF THE ASME TASK FORCE REVIEW

We will focus our analysis on the R&D activities of the S&T portfolio within the EPA's Office of Research and Development (ORD) and the Superfund program that support eight strategic programmatic research areas:

—Clean air and global climate change;
—Clean and safe water;
—Land preservation and restoration;
—Human health and ecosystems;
—Compliance and environmental stewardship;
—Toxic research and prevention;
—Sustainability; and
—Homeland security.

The change in funding levels supporting these core objectives between fiscal year 2010 and fiscal year 2011 is as follows:

[In millions of dollars]

	Fiscal year 2010	Fiscal year 2011	Change
Clean air research	102.7	107.3	+4.6
Clean water	111	121.1	+10.1
Land protection and restoration	14.1	13.8	−0.3
Human health and ecosystems	246.8	256.2	+9.4
Toxic research and prevention	27.3	27.6	+0.3
Sustainability	27.2	25.2	−2.0

[In millions of dollars]

	Fiscal year 2010	Fiscal year 2011	Change
Homeland security	65.2	51.3	−13.9
Total	594.3	602.5	+8.2

EPA ORD

Through research and technical assistance, ORD provides the scientific foundation for EPA by performing research and development to identify and solve present and future environmental issues and providing responsive technical support to its scientific partners. The ORD administers programs addressing both foundational research to improve the scientific tools used to understand and evaluate environmental health as well as problem-driven research designed to provide scientific solutions to high-priority environmental problems. It is an invaluable national resource. We note that the ORD workforce has declined by more than 10 percent over the past several years and now is not sufficient to permit action on various topics of national importance. Effort should be made to "rightsize" the ORD staff so that it can continue to support R&D on current and future environmental problems.

We support the increases requested for the EPA's S&T directorate, which reverses several years of funding decreases. An evaluation of EPA's resources is needed to ensure that it can balance between existing priorities and new challenges. Program specifics issues are outlined below:

CLEAN AIR RESEARCH

[In millions of dollars]

	Fiscal year 2010	Fiscal year 2011	Change
Global change	20.8	21.9	+1.1
Clean air	102.7	107.3	+4.6
Total	123.5	129.2	+5.7

The EPA Task Force views Global Change as a critical issue and is supportive of this increase in funding. We urge Congress to appropriate these additional funds for Global Change to at least the fiscal year 2011 requested level. The Task Force supports the current request for Clean Air and Global Change Research.

CLEAN WATER RESEARCH

[In millions of dollars]

	Fiscal year 2010	Fiscal year 2011	Change
Clean water	111	121.1	+10.1

Overall, the fiscal year 2011 budget request calls for an increase of about $10 million more than the fiscal year 2010 appropriated amount. This increase will help support the long-term development of infrastructure related to water quality issues. The Task Force is pleased with the increases for Clean Water Research and urges Congress to sustain funding for the Drinking Water and Water Quality programs consistent with the fiscal year 2011 request.

LAND PROTECTION AND RESTORATION

[In millions of dollars]

	Fiscal year 2010	Fiscal year 2011	Change
Land protection research	14.1	13.8	−0.3

The $311,000 decrease in land protection and restoration research comes as ecosystem research and sustainability and environmental management are being raised. Still, further support would greatly assist this program with studies related to the impact of carbon sequestration, something that may be implemented in the U.S. This research is expensive but necessary. Therefore, the Task Force rec-

ommends that additional funding for land protection and restoration be appropriated for fiscal year 2011.

SUSTAINABILITY RESEARCH

[In millions of dollars]

	Fiscal year 2010	Fiscal year 2011	Change
Sustainability	27.3	25.3	−2

Funding for Sustainability research is slated for a decrease of almost $2 million for this year. The Task Force recommends that funding for sustainability research be funded at the previously appropriated levels for fiscal year 2010.

TOXIC RESEARCH AND PREVENTION

[In millions of dollars]

	Fiscal year 2010	Fiscal year 2011	Change
Toxic research and prevention	27.3	27.6	+0.3

Funding for Toxic Research and Prevention is slated for an increase of $298,000 for fiscal year 2011. The Task Force recommends that funding for Toxic Research and Prevention be appropriated at requested levels for fiscal year 2011.

HUMAN HEALTH AND ECOSYSTEMS

[In millions of dollars]

	Fiscal year 2010	Fiscal year 2011	Change
Endocrine disruptors	11.4	17.4	+6.0
Fellowships	11.1	17.3	+6.2
Computational toxicology	20.0	21.8	+1.8
Total	42.5	56.5	+14.0

The Task Force supports the fiscal year 2011 proposed budget for ecosystems research, which will foster new technologies that minimize future environmental damage. The Task Force is also very pleased to see such a bold increase for Fellowships. Although other agencies are receiving increased funding for research to support long-term energy reliability and sustainability, such as oil shale, biofuels, and carbon capture and sequestration, EPA has not received funding to assess the ecosystem impacts of these major initiatives.

HOMELAND SECURITY

[In millions of dollars]

	Fiscal year 2010	Fiscal year 2011	Change
Water sentinel	18.5	11.6	−6.9
Decontamination	24.8	21.7	−3.1
Total	43.3	33.3	−10.0

Homeland security activities are a significant element of EPA's S&T activities, focusing on critical infrastructure protection and disaster preparedness and response. The Task Force plans to review the proposed cuts to insure that the reductions do not delay the completion of the program's objectives.

ENVIRONMENTAL EDUCATION

The fiscal year 2011 EPA budget requests $17.3 million to support research fellowships, a large increase from the previous fiscal year. The STAR (Science to Achieve Results) fellowship program is the only Federal fellowship program designed exclusively for students pursuing advanced degrees in environmental sciences and engineering. This is an important investment and the Task Force fully supports this program. The Task Force is pleased with the proposed increase. It is

essential to encourage students to pursue careers in environmental science and engineering. Such investments are critical to addressing environmental concerns, bolstering our Nation's workforce, and maintaining its competitiveness.

CONCLUSION

The administration's fiscal year 2011 request is generally flat overall, while this is appropriate within current budget constraints, the Task Force requests that additional funding for the Homeland Security programs be considered and added if necessary to insure security enhancements to our water supply are not delayed nor disrupted.

The proposed fiscal year 2011 EPA Science and Technology budget includes increases for a number of program areas, specifically Clean Air, and Research Fellowships, and the overall research budget has decreased slightly from last fiscal year's historic highs. This is necessary to preserve EPA's important contribution in meeting the challenges of our natural resource and policy issues in compliance with its regulatory mission.

This statement represents the views of the EPA Task Force of the Environmental Engineering Division of ASME's Technical Communities and is not necessarily a position of ASME as a whole.

PREPARED STATEMENT OF THE ASSINIBOINE AND SIOUX TRIBES OF THE FORT PECK RESERVATION

On behalf of the Fort Peck Tribes, I am pleased to present testimony on the fiscal year 2011 BIA and IHS Budget. We are a large, land-based tribe. The Fort Peck Reservation encompasses 2.09 million acres of which only 378,000 are tribally owned, with another 548,000 held as individual allotments. The Reservation population is growing and our tribal enrollment is nearly 12,000 members. Our greatest need is healthcare, public safety and education. The United States must live up to its trust responsibilities to the Indian people. With the historic action by Congress to extend health insurance to an additional 32 million Americans, we hope that Congress will more closely examine the state of healthcare in Indian country today. The health conditions of the Nation's first Americans are substandard. My recommendations are as follows:

—*Healthcare*.—Substantially increase funding for Tribal health programs and facilities construction and maintenance so that we may live with dignity;

—*Public Safety and Education*.—Expand Tribal access to Federal public safety programs (police, prosecutors, corrections officers, and tribal courts) and the facilities to house them so that we may tackle crime and public safety issues in a comprehensive manner. At the same time, expand opportunities for tribal education to give our children a brighter future and hope;

—*Economic Development and Infrastructure*.—Economic development and infrastructure are interconnected. Address infrastructure needs on Indian reservations by increasing funding for safe drinking and water projects, road construction and road maintenance so that we may keep our communities safe and healthy and promote economic development;

—*Transparency*.—Direct the Bureau and IHS to develop their budgets with meaningful consultation with Tribes to reflect local, Tribal priorities, rather than Federal.

The tribes' unemployment rate on the reservation is 57 percent (latest BIA Labor Force Report, 2005). Of our tribal members who are working, approximately 43 percent live below the poverty level (BIA Labor Force Report, 2005). Given the enormous unemployment and poverty rates on the reservation, our needs for both Bureau of Indian Affairs (BIA) and Indian Health Service (IHS) programs and services are substantial.

The United States must assist tribes address basic governmental services such as safe drinking water, safe streets and communities, and healthcare. More than 20 years ago, an earlier Congress noted that when there is community stability—with core governmental services being met—"Indian tribes are in the best position to implement economic development plans, taking into account the available natural resources, labor force, financial resources and markets." If the Federal Government could provide greater assistance to us with these core governmental services, our members would be so much better off. Here are a few of our key funding requests which we ask the Congress and the administration to support. I will address the IHS budget first, then the BIA budget.

INDIAN HEALTH SERVICE

Indian country continues to suffer higher rates of infant mortality, teenage suicide, accident, alcoholism, diabetes, and heart disease when compared with other minorities and the general American population. Yet money directed to healthcare, especially preventative care—such as routine checkups and health education that clearly improves the quality of life and helps avoid more expensive healthcare costs in the future—has not been provided to Tribal communities. The Federal Government has a trust responsibility to provide healthcare to Native Americans, an obligation that was paid for by the Native people of this county with millions of acres of land, resources, and our traditional way of life.

Facilities Construction and Dialysis Center.—There is a desperate need for fully staffed and equipped health facilities capable of providing a full range of medical services. The IHS needs to evaluate and plan the process for new in-patient facilities in Montana, including the urgent expansion of the Fort Peck Tribal Dialysis Unit to 18 stations (from 10) or construction of a new dialysis unit. We are now at capacity, serving 33 patients 6 days a week, including non-Indian patients. If we cannot expand our services, these patients will have to travel long distances for this life-sustaining care.

Contract Health.—We recognize the significance of the requested $84 million increase in Contract Health Care but this increase is inadequate to address the growing healthcare crisis in Indian country. The Fort Peck Tribes alone need a near doubling of our inadequate Contract Health Care budget—to $11 million—to meet the growing health demands of our more than 11,000 tribal members. Far too many members are not referred out for Contract Health Care Services that their primary healthcare professionals determine are medically necessary because we are at level 12. Members are told that no funds are available for Contract Health Services medical services. Patients requiring surgeries are mostly given prescriptions for pain instead of receiving Contract Health Services, which can lead to dire consequences.

I would like to provide an example of the danger of underfunding Contract Health Care. It involves our Vice-Chair, Roxann Bighorn. She suffered an injury to her knee from a fall. After several weeks her knee did not heal. She sought a referral from the IHS to obtain an MRI. Instead the IHS Clinic provided her a prescription for the pain and one for the inflammation. After several weeks on these medications, her kidneys began to falter and she was on the verge of kidney failure. One would think that after all of this she would have risen to the level of care to repair her knee. Unfortunately, that is not the case. This is unacceptable, yet it is typical in Indian country. Please ensure that Contract Health resources are increased in the fiscal year 2011 budget.

BUREAU OF INDIAN AFFAIRS

The Fort Peck Reservation Rural Water System.—The health status of a community is directly related to the quality of water available, which is why the Fort Peck Tribes took the lead in building the Fort Peck Reservation Rural Water System, a system that will provide quality drinking water to the reservation and surrounding communities. However, we need increased funding for the operation, maintenance and replacement (OM&R) costs associated with the System. For nearly 2 years, we informed the BIA that our OM&R costs would rise as our water treatment plant came on line. We request $636,000 for fiscal year 2011, a $436,000 increase above the President's request.

Congress enacted the Fort Peck Reservation Rural Water System Act of 2000, Public Law 106–382, to ensure safe and adequate municipal, rural and industrial water supply to all of the residents of the Fort Peck Indian Reservation. The law directs that funding for the operation and maintenance of the water system is to be fully paid for by the BIA. The Tribes and the Bureau of Reclamation have completed construction of many components of this project, including the raw water intake facility and will soon complete the water treatment facility. This means that in fiscal year 2011 this Project will be delivering water to the largest towns on the Reservation. This will require additional training and oversight. Unfortunately, OM&R funding has not kept pace with our progress. We need an additional $436,000 above the President's budgeted amount of $200,000 to ensure that we can carry-out the additional certification training and oversight, security for the intake and sludge lagoon and water treatment plant operation. We have provided detailed budgets and budget narratives to the BIA explaining our OM&R program needs. The BIA has not adjusted our OM&R funding level to reflect our growing needs.

Funding for Law Enforcement and Tribal Court Programs.—The need for increased law enforcement and Tribal Courts remains a priority for the Fort Peck Tribes. We greatly appreciate the increases Congress provided last year for public

safety programs. These increases, however, are insufficient to fulfill the United States' basic trust responsibility in the areas of health and safety. Our reservation needs more officers and the resources they require to patrol a large land base. This must be matched with additional resources for tribal courts. Congress should ensure that the $20 million proposed increase in law enforcement funding for fiscal year 2011 translates into more officers on the Fort Peck Reservation. More officers mean more detentions so our tribes must have increased funding for tribal court personnel.

The Fort Peck Tribes' Public Safety Department currently has 22 sworn public safety officers, less than half the number needed to provide adequate coverage for our large reservation. These officers cannot adequately patrol a 2 million-acre reservation with a population of more than 11,000 and a high incidence of substance abuse and violent crimes. A survey of current officers has shown that they will not continue to work for the tribes under conditions where they must patrol alone, respond to calls without backup, and work longer hours for the same or less pay. I hope that Congress will provide adequate resources so that Indian communities, especially rural communities like Fort Peck, can recruit and retain public safety officers.

An independent "Gap Analysis" study prepared in 2006 for the BIA's Office of Law Enforcement Services confirms the glaring shortage of law enforcement officers in Indian country. The BIA's Office of Law Enforcement Services divides Indian country into six Districts. Montana is located in District 5. In 2006, District 5 had 87 law enforcement officers, including criminal investigators and telecommunication operators. To reach the recommended level of 3.3 law enforcement officers per 1,000 population, District 5 would need to increase its law enforcement personnel by 135 to reach 222 law enforcement officers. Of this amount, 111 or 50 percent would be police officers. Unlike far less violent non-Indian communities, which have on average 2.9 officers to every 1,000 inhabitants, Indian country averages about 1.3 officers for every 1,000 inhabitants. The Gap Analysis revealed that BIA District 5 is at 39 percent capacity for law enforcement. That is one of the primary reasons our crime statistics are so high.

On the seven reservations in Montana for the 2-year period of 2004–05 (the period for which we have the most complete data), there were 10 murders, 62 forcible rapes, 1,147 aggravated assaults and 529 burglaries. In 2007, the Tribes' Public Safety Department was responsible for addressing 3,956 offenses committed on the Fort Peck Reservation, including 595 violent or serious offenses and 1,004 juvenile offenses. During fiscal year 2009, the Court processed 3,247 criminal cases; 1,512 delinquency/status offenses, 535 civil actions, and 757 family court cases. Indian Country needs more resources in every area of law enforcement from police staffing, tribal courts, detention, and equipment. The Tribes already subsidize the tribal courts budget at the level of 73 percent.

I would be remiss if I did not also call for increased funding for detention facilities, for both operations and construction. The Fort Peck Tribes received a $1 million stimulus grant from the Department of Justice to rebuild our detention facilities. We are excited about this and are now in the process of implementing this grant. However, this new facility will require additional staffing and maintenance funding to ensure that the new facility is properly maintained. By industry standards we will need to double our detention personnel.

Education.—As President Obama has stated, education is the key to lift people out of poverty and put them on the road to success. But we must have healthy communities to raise our children in and they must be given the resources to overcome the ills of poverty. We need the resources to address our high drop out rates and poor school attendance. There are too few educational, recreational, and constructive social outlets available to our tribal youth. Without addressing these funding shortfalls we will continue to experience unacceptable levels of juvenile delinquency, substance abuse, suicide and violence.

Thank you for providing me the opportunity to present the views of the Fort Peck Tribes.

PREPARED STATEMENT OF THE APPALACHIAN TRAIL CONSERVANCY

Dear Madam Chair and members of the subcommittee: In behalf of the Appalachian Trail Conservancy (ATC), for reasons described below, I am requesting a fiscal year 2011 appropriation from the Land and Water Conservation Fund (LWCF) in the amount of $1,505,000 for the National Park Service (NPS) and $13,899,000 for the USDA Forest Service (USFS) for the acquisition of lands and interests in lands surrounding or bordering the Appalachian National Scenic Trail (ANST) in

the States of Vermont, Pennsylvania, Virginia, Tennessee, North Carolina, and Georgia.

Background.—The Appalachian Trail (AT) 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. Amendments to that act in 1978 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, with the strong support of the subcommittee and the Congress as a whole, the ANST land-acquisition program of the NPS and USFS has become one of the most successful land-conservation efforts in the Nation's history with the acquisition of more than 189,000 acres, more than 3,370 parcels, in 14 States. Today, only approximately 7 miles of the 2,179-mile AT remain to be protected through public ownership.

Resource Characteristics.—The AT is a 2,179-mile footpath extending along the crests and valleys of the Appalachian Mountains 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 60 State parks, forests, and game-management units. With an estimated 2 to 3 million visitors per year, it 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 diversity with more than 2,200 documented occurrences of federally and State-listed rare, threatened, or endangered species at more than 500 discrete sites.

The AT is equally well known as a remarkable public/private partnership. Since the initial construction of the trail in the 1920s and 1930s, volunteers affiliated with the 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. In 2009, for example, more than 6,800 volunteers contributed more than 220,500 hours of labor along the trail. As an outgrowth of an agreement between the NPS and ATC, ATC has accepted management responsibility for most lands acquired by that agency along the trail. ATC, through its network of 30 club affiliates, 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. ATC also provides ongoing, volunteer-based stewardship for other trail lands, totaling more than 250,000 acres.

Need for Appropriations.—As noted previously, while the ANST protection program represents one of the most successful land-acquisition programs 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. Nevertheless, a number of critical parcels are now "ripe" for land acquisition from willing sellers and we are seeking fiscal year 2011 LWCF appropriations to secure those properties. A brief description of each of those critical parcels follows.

Chateauguay: No Town Project, Vermont.—This project involves four parcels, totaling 1,000 acres, in the towns of Barnard and Bridgewater, Vermont, to be acquired in fee-simple and an additional 81.39-acre parcel in Pomfret, Vermont, to be placed under a conservation easement. Negotiations have been spearheaded for several years by The Conservation Fund, which also has secured a pledge for a significant private contribution toward the project. The four properties straddle more than 1½ miles of the AT in an area where earlier acquisitions by the NPS provided only a narrow buffer for the footpath. They include a high-value wetland complex and feeding habitat for migratory birds, black bears, and moose as well as the headwaters of the Locust Creek watershed, a Vermont Class A stream. The fifth, easement parcel is situated on a hillside adjacent to and above the trail in the Town of Pomfret that is under threat of residential subdivision. A partial appropriation for this project was included in the fiscal year 2010 Interior, Environment, and Related Agencies appropriations bill. ATC and The Conservation Fund are requesting second-installment funding for this project: an fiscal year 2011 LWCF appropriation of $1.25 million for the NPS.

Hauser Tract, Pennsylvania.—This project affects a 172-acre farm property in Carbon County, Pennsylvania, situated on the north slope of Kittatinny Ridge adjacent to the AT. The property also borders Pennsylvania Game Commission lands, the Lehigh Gap Nature Center, and a Pennsylvania Turnpike tunnel. It also includes the State's largest native grassland habitat and is highly sought after by the Pennsylvania Department of Conservation and Natural Resources (PA–DCNR) as

part of its Pocono Forest and Waters Conservation Landscape Initiative. We are requesting an fiscal year 2011 LWCF appropriation of $255,000 for the NPS to acquire this parcel.

Dismal Creek, Virginia/Jefferson National Forest.—ATC and the USFS are seeking to acquire in fee-simple this 89-acre farm property consisting of two parcels adjacent to Forest Service Road 201. The two parcels are proximate to the AT and are located within a special biological area encompassing a number of rare plants, such as the Yellow Sedge. Dismal Creek also flows through the properties and conservation of the two properties is considered important for assuring stream-water quality as well as the quality of the associated trout fishery. ATC is requesting an fiscal year 2011 LWCF appropriation of $190,000 for acquisition of the two properties by the USFS.

Rocky Fork, Tennessee/Cherokee National Forest.—In mid-December, 2008, the USFS acquired approximately 2,200 acres of this 10,000-acre property in eastern Tennessee situated midway between Johnson City and Asheville, North Carolina, and adjacent to Interstate 26. The Conservation Fund provided bridge funding to acquire the balance of the property in anticipation of future sale to the USFS and the State of Tennessee. The property includes many 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 includes 1.2 miles of the ANST and its acquisition will permit future construction of a 3-mile relocation to provide a much-improved alignment for the footpath. Total costs for the acquisition were approximately $43 million and ATC is working closely with TCF, the Southern Appalachian Highlands Conservancy (SAHC), and a number of other conservation and sportsmen organizations to complete the overall funding package for the project. ATC and The Conservation Fund are requesting an fiscal year 2011 LWCF appropriation of $11 million for the USFS which will permit the USFS to acquire the remaining approximately 2,750 acres of the property.

Rich Mountain, Tennessee/Cherokee National Forest.—This 100-acre privately owned in-holding is situated in the northwest corner of the Rocky Fork property (see above) and unfortunately was carved out by New Forestry, LLC—the previous owners of the Rocky Fork property—at the time the remainder of the property was sold to the USFS and The Conservation Fund. It includes the highest point of land for the overall property as well as prominent cliffs locally known as Buzzard Rock. The cliffs are only a short distance from the AT through a high elevation health bald. The property provides sweeping views of the Sampson Mountain Wilderness and northeast Tennessee/southwest Virginia. ATC is requesting an fiscal year 2011 LWCF appropriation of $1,000,000 for the USFS to acquire this critical in-holding.

Shook Branch, Tennessee/Cherokee National Forest.—This 20-acre property is situated in eastern Tennessee in the Cherokee National Forest. The AT currently follows a dangerous road-walk and crosses US 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 USFS 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. ATC is requesting a fiscal year 2011 LWCF appropriation of $829,000 for the USFS to acquire the property at appraised value.

Wesser Bald, North Carolina/Nantahala National Forest.—This property is situated in western North Carolina in the Nantahala National Forest. The AT 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 with 360-degree views encompassing the Great Smoky Mountains skyline, the Nantahala Mountains, and northern Georgia. The property was acquired in fee in several phases by the SAHC with the aid of a bridge loan from The Conservation Fund. The requested fiscal year 2011 appropriation will be used to repurchase a 20-acre portion of the property at a bargain-sale price with ownership transferred to the USFS. SAHC also has secured a conservation easement affecting an additional 41 acres of the property. The total value of the fee and easement interests is approximately $450,000. ATC is requesting an fiscal year 2011 LWCF appropriation in the amount of $180,000 for the USFS.

Blood Mountain, Georgia/Chattahoochee National Forest.—ATC and the USFS have sought for decades to extinguish an outstanding road right-of-way through this 22.9-acre in-holding within the Blood Mountain Wilderness Area that also crosses the Appalachian Trail. The property is within the viewshed from the summit rock outcroppings of Blood Mountain—one of the most heavily visited trail segments in the southern national forests (Region 8). The ATC local affiliate, the Georgia Appalachian Trail Club, is proposing to contribute $100,000 toward the overall costs of

this acquisition. ATC is requesting an fiscal year 2011 LWCF appropriation of $700,000 for the USFS to acquire the property.

With the acquisition of the above-described properties, ATC hopes to complete a substantial portion of the remaining land-acquisition needs in the ANST program. Again, we respectfully request an fiscal year 2011 LWCF appropriation of $1.505 million for the NPS and $13.899 million for the USFS.

PREPARED STATEMENT OF APS FOUR CORNERS POWER PLANT; AURORA WATER; CENTRAL UTAH WATER CONSERVANCY DISTRICT; COLORADO RIVER ENERGY DISTRIBUTERS ASSOCIATION; COLORADO RIVER WATER CONSERVATION DISTRICT; COLORADO SPRINGS UTILITITES; COLORADO WATER CONGRESS; DENVER WATER; DOLORES WATER CONSERVANCY DISTRICT; GRAND VALLEY WATER USERS ASSOCIATION; JICARILLA APACHE NATION; NORTHERN COLORADO WATER CONSERVANCY DISTRICT; ORCHARD MESA IRRIGATION DISTRICT; PNM RESOURCES, INC.; SAN JUAN WATER COMMISSION; SOUTHERN UTE INDIAN TRIBE; THE NATURE CONSERVANCY AND WESTERN RESOURCES ADVOCATES; TRI COUNTY WATER CONSERVANCY DISTRICT; UNCOMAHGRE VALLEY WATERS USERS ASSOCIATION; UTAH WATER USES ASSOCIATION; AND WYOMING WATER ASSOCIATION

Dear Chairman Feinstein and Senator Alexander: I am requesting your support for appropriations in fiscal year 2011 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.

Appropriation of $709,000 in "recovery" funds to FWS to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

Appropriation of $485,000 in operation and maintenance funds within the $50, 271,000 item entitled "National Fish Hatchery Operations" to support the ongoing operation of the FWS Ouray National Fish Hatchery in Utah.

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 2011 funding to ensure FWS' continuing financial participation in these vitally important programs.

Sincerely,

JOHN M. FRACHINI,
Site Manager.

PREPARED STATEMENT OF THE ANIMAL WELFARE INSTITUTE

The Animal Welfare Institute (AWI) respectfully requests that the Senate Appropriations Subcommittee on the Interior, Environment and Related Agencies appropriate a total of $88.3 million to the U.S. Fish and Wildlife Service (FWS) including an additional $45 million to increase and expand activities of the Office of Law Enforcement (OLE), $26.2 million for special agents, $3.1 million for ports of entry, and $5 million for the Clark R. Bavin National Fish and Wildlife Forensics Laboratory, and $9 million to explore the potentially devastating effects of White Nose Syndrome (WNS) on bats. The administration's fiscal year 2011 proposed budget falls far short of providing the funds needed by agencies within the Department of the Interior to protect, 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. AWI also asks Congress to include language to preserve and protect wild horses.

OLE.—The administration's fiscal year 2011 budget proposes a decrease in funding to one of the most important lines of defense for America's wildlife, the FWS OLE. Even those who may not concern themselves with wildlife are reaping benefits as OLE protects against smuggling illegal substances from invasive species to contraband and even helps to thwart potentially devastating human health threats. Still, each year, OLE is increasingly underfunded and understaffed, placing the public at greater danger unnecessarily. AWI requests an additional $45 million be allocated to the FWS to increase and expand the activities of OLE in its critical role combating wildlife crime. Currently, OLE is tasked with enforcing and implementing more than a dozen Federal wildlife and conservation laws that frequently impact both domestic and global security.

It is disheartening that the new budget proposals have chosen to decrease funding to such an imperative office and its programs in the wake of success. Year after year, OLE protects the public against the illegal trade in wildlife and wildlife products, which is third only to the illicit trade in narcotics and weapons 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. Congress must act rapidly to make available those funds that are crucial to OLE, its programs, and the safety of the American public.

FWS Special Agents.—Staff tasked with enforcement of U.S. wildlife laws risk their lives in an effort to protect our Nation's wildlife. In fiscal year 2009, FWS agents pursued more than 13,097 investigations resulting in more than $6.1 million in fines, 39.9 years of jail time for the perpetrators, and 512.3 years of probation.[1] FWS cases documented illegal trafficking in U.S. leopard sharks, coral reef organisms, live reptiles, and paddlefish. On the global front, FWS agents, together with the Royal Thai Police, broke up an illegal ivory trading ring, spanning three continents. The case, to date, has secured the U.S. indictment of two individuals and four criminal arrests in Thailand, as well as seizures of elephant tusks and carved ivory in both countries. If convicted on the 23-plus indictments, prison terms for both defendants in the United States could collectively total 78 years. This impressive record merits advancement and proper funding. FWS Special Agents have proven time and time again their work deserves funding levels beyond the administration's fiscal year 2011 budget proposal, to aid in the reduction of illegal trade in wildlife and wildlife products, which continues to imperil wildlife species in the United States and around the world.

Currently, there are only 190 FWS agents responsible for the enforcement of Federal wildlife laws throughout the entire United States. This number is 11 fewer than in fiscal year 2009, which was 9 fewer than existed in fiscal year 2008. There are 71 agent vacancies. AWI respectfully requests an additional $14.2 million to fill these 71 agent vacancies and an additional $12 million to ensure sufficient operational funds for existing agents and for those hired in the future.

Port Inspectors.—Keeping our ports and boarders secure remains America's single best opportunity to prevent potential attacks. Whether intercepting bioterrorism agents or uncovering security threats, FWS Port Security, along with U.S. Coast Guard, Department of Homeland Security, and other agencies involved, holds the daunting task of keeping our Nation safe. The noble individuals employed by these agencies are charged with precluding a wide variety of potentially disastrous threats, including: minimizing illegal contraband shipments, often transported in body cavities of vicious species; uncovering smuggled goods and illegal trade rings at the border, which include products of severely endangered species; and thwarting national and global health risks by shielding the American public from the disease and safety risks associated with importing non-native species (e.g. avian flu, Newcastle's disease, and foot and mouth disease).

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. Most recently, FWS port agents, together with the National Oceanic and Atmospheric Administration, Immigration and Customs Enforcement, and U.S. Customs and Border Protection, uncovered shipments originating from the Virgin Islands containing protected black coral (CITES Appendix II). Black coral when removed, threatens the marine ecosystem and damages the habitats of several species. This case resulted in the arrest and conviction of two Taiwanese nationals on nine counts of conspiracy, including conspiracy, false statements, and violations of both the Endangered Species Act and the Lacey Act. It is critical that these programs remain fully funded to protect domestic and international wildlife, and to ensure our Nation's safety through hiring and training staff at each designated U.S. ports of entry. AWI requests an additional $3.1 million for the ports of entry.

The Clark R. Bavin National Fish and Wildlife Forensics Laboratory.—The successful outcomes stated previously would not have been possible without the essential work of the FWS forensic laboratory, used by FWS agents and inspectors to gather hard evidence in wildlife crime cases. The lab uses state-of-the-art science, along with years of institutional knowledge, to identify wildlife products by species, determine the 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. The lab and its personnel have worked diligently over the past year to nearly clear a 7-month computer case

[1] *Law Enforcement at a Glance.* Office of Law Enforcement. U.S. Fish and Wildlife Service. January 2010.

backlog but remain challenged in tackling the 4- to 8-month hard case backlog. The Bavin Laboratory desperately needs to hire and train essential staff to help alleviate some of the backlog, which has delayed investigations and potential prosecutions by FWS investigators, inspectors, and Federal prosecutors.

All 50 States and the 175 Convention for International Trade in Endangered Species (CITES) member countries depend on this facility to prosecute their wildlife crimes; however, this partnership is jeopardized by the lab's inability to churn out timely results. To reduce both staffing shortages and existing analytical workload and backlog, $5 million is requested for the lab, including $1 million to fill the eight essential vacancies. A timely hire is crucial to train second generation forensic morphologists prior to the departure of current staff. Such funds would also allow for the construction of a new building to house the lab's comparison standards collection ($3.5 million).

Wild Free-roaming Horses and Burros Act.—The wild horse is as much a symbol of American heritage as the image of Uncle Sam and baseball. Currently, these wild horses are at risk of mistreatment by the Bureau of Land Management (BLM), which misuses most of its budget to round up and warehouse wild horses and burros to make room for privately owned cattle. Wild horses have been removed from more than 19 million of the 52 million acres allocated to them by Congress. Since 2004, wild horses have been at risk of being sold to killer-buyers who make a profit by sending horses to slaughter for human consumption. More than 35 years ago, Congress acted on behalf of these wild animals to protect their natural habitat and lifestyle. It is now time for Congress to act again to ensure these animals are neither sent into long-term holding facilities nor sentenced to slaughter. AWI requests that this "no-kill" language be maintained to ensure the BLM does not kill healthy wild horses and burros:

"*Provided*, that appropriations herein made shall not be available for the sale or destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors."

WNS in Bats.—Last year, there were dire reports that as many as a 1 million hibernating bats throughout the Eastern United States had died over the previous 3 years—with some hibernacula (caves and mines where bats hibernate) experiencing 95–100 percent mortality—and that the problem was moving to other States. The news this year is even worse: WNS has indeed continued its march south and west. In February, West Virginia's Division of Natural Resources announced a WNS outbreak in one of the State's caves, housing 200,000 hibernating bats (including 5,000 Virginia big-eared bats and 13,000 Indiana bats, both endangered species). That same week, wildlife officials in Tennessee reported that two bats from Worley Cave in Sullivan County had tested positive for WNS. Hundreds and thousands of bats hibernate in 9,600 caves in Tennessee, and biologists fear devastation of the endangered Indiana and grey bats. And then in early March, the Maryland Department of Natural Resources reported a likely WNS outbreak in a cave in Allegany County.

This die-off is an unprecedented animal welfare, environmental, and economic disaster. Bats play a crucial role in the ecosystem, including pollinating crops and consuming insects that pose a threat to human health and agriculture. The million bats that have been lost could have consumed as many as 649,000 tons of insects each year. A consensus statement issued in May 2009 by a group of scientists and wildlife managers working on this problem calls WNS "the most precipitous decline of North American wildlife in recorded history," and they fear it could wipe out some endangered bat species and cause others to be listed. A fungus, called WNS for the white patches that appear on the bats' noses and elsewhere, seems to be the culprit, and scientists are working furiously to prevent its spread and find a cause and a treatment. Additional funds are needed to enable them to get this disease under control and avert an even bigger ecological and financial catastrophe later.

We respectfully ask Congress to do the following: (1) support the $4 million increase the Fish and Wildlife Service (FWS) requested for Declining Species; (2) approve the 2 additional FTEs FWS requested, which we understand are to be the WNS coordinators for regions 3 and 4; (3) Support the $3 million increase the U.S. Geological Survey (USGS) requested for science support for FWS and National Park Service priority research, monitoring, and technical assistance needs; (4) Support the $600,000 increase USGS requested for wildlife: terrestrial and endangered resources; and (5) Include an additional $5 million in FWS' Endangered Species: Recovery of Listed Species programming funds.

We are grateful that Congress provided the FWS with an additional $1.9 million in fiscal year 2010 for WNS research and monitoring activities, but as recent developments show, the spread of WNS is outpacing efforts to control it. With an addi-

tional $5 million in its endangered species recovery program, the FWS will be able to offer another year of WNS research grants targeting disease transmission and spread, control and treatment, bat genetics, and population modeling—critical to our understanding of this disease. Funding will be available to support development and implementation of Federal and State WNS response plans, baseline data collection, WNS surveillance and monitoring, and related tasks, as well as public outreach. Without sufficient resources to accelerate these efforts, WNS will continue its relentless assault, potentially devastating the majority of our Nation's bat species.

LETTER FROM THE BIRD CONSERVATION ALLIANCE

MAY 14, 2010.

Hon. DIANNE FEINSTEIN,
Chairman, Interior, Environment, and Related Agencies Appropriations Subcommittee, Washington, DC.

Hon. LAMAR ALEXANDER,
Ranking Member, Interior, Environment, and Related Agencies Appropriations Subcommittee, Washington, DC.

DEAR CHAIRMAN FEINSTEIN AND RANKING MEMBER ALEXANDER: On behalf of the undersigned Bird Conservation Alliance members, we want to thank you Chairman Moran and Ranking Member Simpson for this opportunity to speak to you and the members of this subcommittee about the need to increase funding to Federal bird conservation programs that have proven effective. The Bird Conservation Alliance (BCA) is a network of bird conservation organizations, scientific societies, environmental groups, and birding clubs working together to conserve wild birds. Funding for these programs is crucial for restoring and maintaining healthy and abundant bird populations throughout the United States. For many of these programs, the need is far greater than the levels that we are advocating for.

For the purposes of this letter, we will focus on the U.S. Fish and Wildlife Service's (FWS) Neotropical Migratory Bird Conservation Act (NMBCA) grants program and the Joint Ventures (JV) program. The BCA requests NMBCA be funded at $6.5 million ($1.5 million above fiscal year 2010's level) and JVs be funded at $18 million ($4 million above fiscal year 2010's level) to allow them to meet their increased responsibilities. An increase in funding for these programs would benefit the songbirds that are soon to arrive in the backyards and birdfeeders of millions of anxiously awaiting Americans.

America is blessed with a spectacular abundance and rich diversity of birds, with more than 800 species inhabiting the mainland, Hawaii, and surrounding oceans. Currently 75 million Americans engage in bird watching generating over $45 billion to our economy every year. Unfortunately, we found out in last year's FWS groundbreaking State of the Birds Report that many of our bird species are in decline and some are threatened with extinction. The 2010 State of the Birds finds that most U.S. bird species will be imperiled by climate change, including common birds that are currently not of conservation concern.

NMBCA

To address two of the primary causes for the decline of bird species; habitat loss and degradation, both of which are rapidly increasing south of our border—the BCA respectfully suggests that Congress act to help mitigate their impact by improving the appropriations level for the NMBCA grants program. As the subcommittee knows, the NMBCA supports partnership programs in the United States, Canada, Latin America, and the Caribbean to conserve migratory birds, especially on their wintering grounds where birds of nearly 350 species, including some of the most endangered birds in North America, spend their winters. Projects include activities that benefit bird populations such as habitat restoration, research and monitoring, law enforcement, and outreach and education.

From 2002–2008, grant money has gone out to 44 U.S. States and 34 countries, funding 260 projects, impacting almost 3 million acres of critical bird habitat. More than $250 million in Federal appropriated dollars have leveraged more than $116 million in partner contributions. However, demand for funding of high-quality conservation projects far outstrips current appropriations, and in 2008, 63 projects requesting nearly $10,000,000 were not funded. From these numbers, it is clear that conservation that would benefit our migrant songbirds is not able to take place due to a lack of funding for this program.

JVs

JVs also exemplify a highly successful, cost-effective approach to conservation and are now being looked to as model for the Landscape Conservation Cooperatives. By applying science and bringing diverse constituents together, JVs across the United States have created a model for solving wildlife management problems and restoring habitats critical to conserving declining species. Nationally, JVs have protected, restored, or enhanced more than 13 million acres of important habitat for migratory bird species. There are currently 21 JVs in the United States that provide coordination for conservation planning and implementation of projects that benefit all migratory bird populations and other species.

JVs have a long history of success in implementing bird conservation initiatives mandated by Congress and by international treaties. Projects are developed at the local level and implemented through diverse public/private partnerships. These projects reflect local values and needs, while addressing regional and national conservation priorities. The projects benefit not only birds, but many wildlife species, and have a positive impact on the health of watersheds and local economies.

Every $1 invested in JVs leverages more than $44 in non-Federal partner funds (1999–2004) for on-the-ground habitat conservation and restoration projects, biological planning, and outreach. Additional dollars would help JVs strengthen the public/private partnerships that leverage increasingly scarce public funds for on-the-ground habitat restoration and acquisition projects; continue to incorporate recent scientific advances in the development of landscape-conservation plans; and build capacity within the newer JVs, while maintaining expertise within established ones.

BCA strongly believes increased funding for NMBCA and JVs is essential to achieving conservation goals critical to our environment and economy. Just as importantly, these Federal programs are good values for taxpayers, leveraging more than $4 and $44, respectively, in partner contributions for every $1 that we spend.

DARIN SCHROEDER,
Vice President of Conservation Advocacy, American Bird Conservancy.

JOHN FAABORG,
American Ornithologists Union.

ELLIE COHEN,
President and CEO, PRBO Conservation Science.

DAN SILVER,
Executive Director, Endangered Habitats League.

THOMAS PARCHMAN,
President, Audubon Society of Greater Denver.

MILAN G. BULL,
Senior Director of Science and Conservation, Connecticut Audubon Society.

BILL STEWART,
Conservation Chair, Delmarva Ornithological Society.

LISA SORENSON, PH.D.,
President, Society for the Conservation and Study of Caribbean Birds.

CHARLES H. TROST, PH.D.,
Field Trip Chair and Board Member, Portneuf Valley Audubon Society.

DONNIE DANN,
Advocacy Chair and Past President, Bird Conservation Network.

MARCIA T. FOWLE,
Bird-Safe Glass Foundation, New York City Audubon.

DIANA VAN BUREN,
President & Program Chair, North Fork Audubon Society.

W. HARDY ESHBAUGH,
President, Audubon Miami Valley.

TOM ROMITO,
President, Western Cuyahoga Audubon Society.

STEVE SHERROD,
Sutton Avian Research Center.

ANI KAME'ENUI,
Oregon Wild.

DAVID HARRISON, MD,
Conservation Chair, Salem Audubon Society.

LAURIE GOODRICH,
Senior Biologist, Hawk Mountain Sanctuary Association.
BILL HILTON, JR.,
Executive Director, Hilton Pond Center for Piedmont Natural History.
DR. JOHN W. FITZPATRICK,
Director, Cornell Laboratory of Ornithology.
RODNEY SIEGEL,
Executive Director, The Institute for Bird Populations.
CATHERINE RICH,
Executive Officer, The Urban Wildlands Group.
KURT R. SCHWARZ,
Conservation Chair, Maryland Ornithological Society.
TIM RICHARDSON,
Wildlife Forever & American Land Conservancy.
KAY CHARTER,
Executive Director, Saving Birds Thru Habitat.
GIL RANDELL,
Chairman, Hawk Migration Association of North America.
DAVID GOVATSKI,
Chairman, Friends of Pondicherry NWR.
ELIZABETH HURST-WAITZ,
Chapter President, Central New Mexico Audubon Society.
JANE ALEXANDER,
Board member, American Birding Association,
Advisory Board member, American Bird Conservancy.
ALAN WEEDEN,
Trustee, Weeden Foundation.
RON MARTIN,
North Dakota Birding Society.
DICK PRESTON,
President, Tennessee Ornithological Society.
LEAH PUMMILL,
President, Audubon Outdoor Club of Corpus Christi, TX.
WALLACE ELTON,
Ascutney Mountain Audubon Society.
BRUCE JOHNSON,
President, Audubon Society of Northern Virginia Virginia.
STEPHEN ECCLES,
Chair, Conservation Committee, Virginia Society of Ornithology.
PAUL HUNTER,
Secretary, Milwaukee Olmsted Bird Conservation, Alliance of Wisconsin.
ANN SHAHID,
Important Bird Areas Coordinator, Audubon South Carolina.

LETTER FROM THE BIRD CONSERVATION FUNDING COALITION

APRIL 19, 2010.

Hon. DIANNE FEINSTEIN,
Chairman, Subcommittee on the Interior, Environment and Related Agencies, Washington, DC.

Hon. LAMAR ALEXANDER,
Ranking Member, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

CHAIRMAN FEINSTEIN AND RANKING MEMBER ALEXANDER: The Bird Conservation Funding Coalition (BCFC) consists of national organizations that jointly advocate for Federal funding to advance bird conservation. Birds are not only beautiful and interesting creatures eagerly welcomed by millions of Americans into their backyard every year; bird watching is also a big business. According to a report released by the U.S. Fish and Wildlife Service (FWS), birdwatchers contributed $36 billion to the U.S. economy in 2006, the most recent year for which economic data are available. The report, "Birding in the United States: A Demographic and Economic Anal-

ysis," shows that total participation in bird watching is strong at 48 million and has remained steady since 1996. Birds also naturally provide billions of dollars worth of pest control each year, benefiting farmers and consumers alike.

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. For many of these programs, the need is far greater than the recommended levels. However, we recognize our Nation's severe fiscal constraints and are thereby requesting a modest increase for this coming fiscal year. These programs are:

NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT (NMBCA) GRANTS PROGRAM

The NMBCA Grants Program supports partnership programs to conserve birds in the United States, Latin America and the Caribbean, where approximately 5 billion birds representing 341 species spend their winters, including some of the most endangered birds in North America. Between 2002 and 2008, the program supported 260 projects, coordinated by partners in 44 U.S. States/territories and 34 countries. More than $25 million in federal appropriated dollars have leveraged more than $116 million in partner contributions. The BCFC respectfully requests the subcommittee prioritize fiscal year 2011 funding for the NMBCA at $6.5 million, an increase of $1.5 million from the amount appropriated in fiscal year 2010.

JOINT VENTURES (JVS)

JVs exemplify a highly successful and cost-effective approach to the conservation of all migratory bird populations. JVs are regionally based partnerships of public and private organizations dedicated to the delivery of bird conservation within their boundaries. They also have a long history of demonstrated success in implementing bird conservation initiatives mandated by Congress and by international treaties. For every Federal dollar that was invested in JVs from 1999–2004, more than $44 in non-Federal partner funds was brought to the table for on-the-ground habitat conservation and restoration projects, biological planning, and outreach. The BCFC respectfully requests the subcommittee allocate $18 million for fiscal year 2011, an increase of $4 million from the appropriated amount in fiscal year 2010.

SCIENCE AND MONITORING

Science and Monitoring done within the FWS Office of Migratory Bird Management 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 BCFC respectfully requests the subcommittee provide $35 million for this important program, an increase of approximately $4 million from the appropriated amount in fiscal year 2010.

NORTH AMERICAN WETLANDS CONSERVATION ACT (NAWCA)

NAWCA provides funding for conservation projects for the benefit of wetland-associated migratory birds in the United States, Canada, and Mexico. Unfortunately, more than half of the original wetlands in the United States have been lost, contributing to the steady decline of migratory birds. Approximately 4,000 partners through 1,943 projects have received more than $1 billion in grants from 1990–2009 which have contributed another $2.06 billion in matching funds to affect 25.2 million acres of habitat. The BCFC respectfully requests the subcommittee prioritize fiscal year 2011 funding for NAWCA at $52.6 million, an increase of approximately $5 million from the level appropriated in fiscal year 2010.

STATE AND TRIBAL WILDLIFE GRANTS PROGRAM

The State and Tribal Wildlife Grants Program is the Nation's core program for preventing wildlife from becoming endangered and supports strategic conservation investments in every State and territory. The conservation actions funded by this program puts thousands of Americans to work to remove invasive species, restore and protect habitat, reintroduce native wildlife and to work with private landowners to improve habitat for at risk birds and wildlife. In order to ensure the states and territories can implement needed conservation actions that will retain and create thousands of jobs that will save both wildlife and taxpayer dollars, we ask you to support the reduction in the non-Federal match requirement from 50 percent to 35 percent to help financially strapped States. The BCFC respectfully requests the subcommittee allocates $100 million for fiscal year 2011, an increase of $10 million from the level appropriated in fiscal year 2010.

INTERNATIONAL AFFAIRS WITHIN THE FWS

Wildlife Without Borders (WWB), located within the FWS Division of International Conservation, is a mainstay of bird conservation in Mexico, Central America, and the Caribbean. WWB programs are a foundation for long-term conservation efforts because they focus on developing in-country capacity and leverage $4 for every Federal dollar appropriated. The BCFC respectfully requests the subcommittee prioritize fiscal year 2011 funding at $22 million which is an increase of $8 million from the level appropriated in fiscal year 2010.

INTERNATIONAL PROGRAMS WITHIN THE USDA FOREST SERVICE (USFS)

International Programs within the USFS support an array of extremely effective bird conservation projects with a relatively small budget. Among these are restoration of Kirkland's Warbler with programs in Michigan and the Bahamas, and conservation of breeding habitat in Canada's Boreal Forest. This modest increase in funding would be used to expand and accelerate work on these projects, as well as projects benefiting the rapidly declining Cerulean Warbler, declining prairie grasslands birds, declining forest birds such as the Wood Thrush, conservation of mangroves and wetlands of Mexico's Pacific Coast and conservation of habitat for migratory hummingbirds in forests of Western United States, Canada, and Mexico. The BCFC respectfully requests the subcommittee provide $16 million for fiscal year 2011, an increase of $6.2 million over fiscal year 2010.

USGS AMERICAN BREEDING BIRD SURVEY (BBS)

BBS has been providing data crucial for migratory bird conservation planning since 1966. Today, the BBS provides the foundation for nongame, land bird conservation in North America with more than 3,200 skilled volunteer participants sampling 3,000 routes annually across the continental United States and Southern Canada. The BCFC respectfully requests the subcommittee provide this important program with the highest possible level of funding.

Birds, other wildlife, and their habitats are perhaps the greatest legacy we have to leave to our children and subsequent generations. Money that is spent now on wildlife programs will be repaid many times over in a cleaner healthier environment from which we will all benefit.

Again, we thank you for your steadfast support of these critically important programs.

Sincerely,

DARIN C. SCHROEDER,
Vice President of Conservation Advocacy,
American Bird Conservancy.

RON REGAN,
Executive Director,
Association of Fish and Wildlife Agencies.

MICHAEL DAULTON,
Senior Director for Government Relations,
National Audubon Society.

MICHAEL HUTCHINS,
Executive Director,
The Wildlife Society.

PREPARED STATEMENT OF BAT CONSERVATION INTERNATIONAL

On behalf of the undersigned organizations and researchers, with more than 4 million combined supporters, we submit the following testimony requesting an additional $5 million in designated Federal funding to support research and management on white-nose syndrome (WNS) in fiscal year 2011. We also encourage approval of the pending appropriations requests from the U.S. Fish and Wildlife Service (FWS) and the U.S. Geological Survey (USGS). This funding is urgently needed to understand the cause, transmission, and control of WNS and to reduce the impacts of this devastating wildlife disease.

WNS is an infectious disease that has already killed more than 1 million bats throughout the Eastern United States. The disease is named for a newly described fungus that grows on the noses (and sometimes wings, ears, and tails) of affected bats. Hibernating bats affected by WNS experience some or all of the following symptoms: (1) frequent arousals during hibernation, leading to depleted fat reserves and starvation; (2) suppressed immune system; (3) damage or scarring of the wings;

and (4) abnormal behavior (for example, bats emerge too soon from hibernation and are often seen flying around in midwinter, which usually means they will freeze or starve to death).

The unprecedented mortality associated with WNS has caused the most precipitous wildlife decline in the past century in North America, with significant ecological and economic consequences throughout the United States. In the Northeastern United States, where WNS was first discovered in 2006, mortality rates of nearly 100 percent are reported for some bat colonies. Over the past 2 years, this disease has spread rapidly beyond the Northeast. This past winter, the WNS-associated fungus has been documented in Maryland, Delaware, Tennessee, and Missouri. WNS has already killed thousands of endangered Indiana bats and now threatens some of the largest hibernating populations of endangered gray bats, Virginia big-eared bats, and Ozark big-eared bats. Ultimately, more than half (25 of 46) of bat species in the continental United States are at risk.

Bats play a critical role in maintaining the balance of nature. They are primary predators of vast numbers of insects, including pests that annually cost American farmers and foresters billions of dollars. Additionally, the droppings of bats that live in caves support unique ecosystems, including microorganisms that potentially could provide invaluable resources for detoxifying industrial wastes and producing safer pesticides and antibiotics. Loss of bats would have serious, potentially irreversible consequences, both ecologically and economically.

In June 2009, bat expert Dr. Thomas Kunz of Boston University presented testimony to Congress that outlined a need for WNS funding in excess of $45 million over a 5-year period, with $17 million in the first year. This was developed through extensive collaboration among scientists and wildlife managers deeply concerned about the consequences of WNS. Congress appropriated $1.9 million for WNS in the fiscal year 2010 FWS Recovery of Listed Species program. Of these appropriated funds, FWS distributed $1 million to WNS research, $450,000 to State WNS response activities and $450,000 to FWS WNS coordination efforts.

Since October 2009, when Congress appropriated this funding, the WNS-associated fungus has been found in four additional States (Delaware, Maryland, Tennessee, and Missouri) as well the Canadian provinces of Ontario and Quebec. WNS is now within 100 miles of the crown jewel of the National Park System's cave parks: Mammoth Cave National Park. And it has crossed the Mississippi River into the American Midwest (*see* FIGURE 1). This past winter, at least 36 additional United States counties and 8 Canadian counties were infected, and WNS now occurs within the range of two additional endangered species (the Virginia big-eared bat and gray bat). A cave used by the largest hibernating colony of Virginia big-eared bats (in Pendleton County, West Virginia) has been diagnosed with WNS, and we expect the largest caves used by gray bats to be impacted within the next year. At the current rate of spread, WNS will very likely be within range of the endangered Ozark big-eared bat within 1 year.

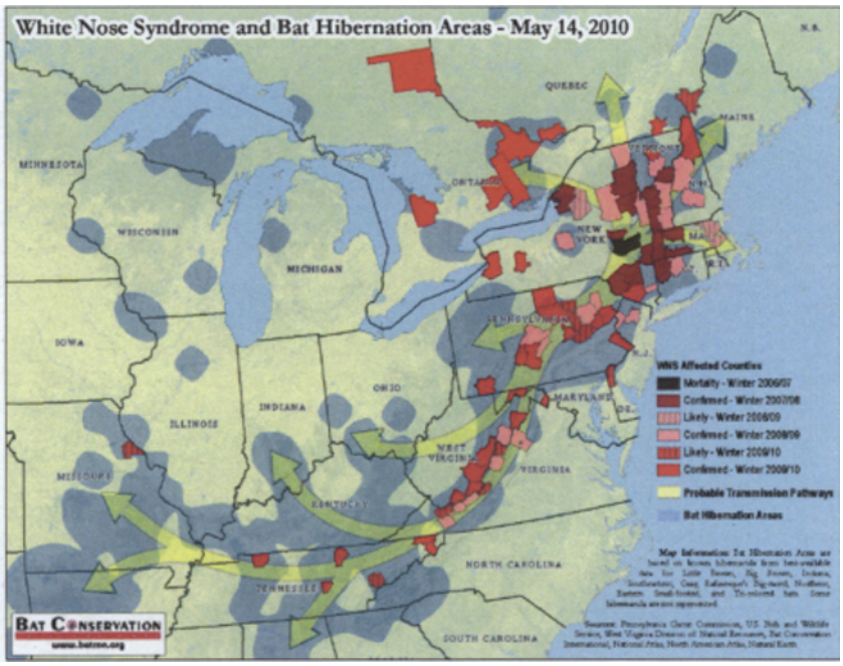

FIGURE 1. Map showing the current distribution and predicted spread of WNS across the Eastern United States Red areas depict counties where WNS has been detected as of May 2010. Blue areas show regions in the United States where major hibernating colonies are present. Yellow arrows indicate probable transmission routes as the fungal infection spreads across the United States.

In addition to the significant risk WNS poses to federally listed endangered species, the little brown bat, a relatively common and widespread species in the United States, could decline to the point that it warrants listing as threatened or endangered. Already this year, the Center for Biological Diversity has petitioned for endangered species listing of two bat species (Northern long-eared bat and Eastern small-footed bat) due to threats posed by WNS and other factors.

Listing species under the Endangered Species Act is very expensive. According to the Government Accountability Office (GAO–06–463R), the average cost for recovery of an endangered species is $15.9 million; the highest estimate on record is $125 million to recover the whooping crane. Bat species affected by WNS have broad geographic distributions and complex life histories, which likely would require even higher recovery costs. The economic consequence of additional bat listings would undoubtedly affect operational costs of a number of industries, including defense, energy, mining, timber, agriculture, construction, transportation, tourism/recreation, and others. We believe it makes better economic sense to fund WNS research and prevention now, rather than bear the cost of endangered species recovery for years to come.

The need for support of research, monitoring and management of WNS is substantial, but we recognize that the current economic climate may not allow for funding at previously proposed levels. Nonetheless, the geographic scope and expected ecological and economic consequences of WNS will require a substantial financial response.

With an additional $5 million in appropriated funds for WNS, resources could be available for research grants targeting control and treatment, disease transmission and spread, population genetics, and other topics critical to our understanding of this devastating disease and how to combat it. Funding could also support much-needed development and implementation of Federal and State WNS-response plans, critical data collection, surveillance and monitoring and program administration. Finally, resources could be available to fund public outreach and communication ef-

forts to disseminate information to constituents of States within the impact zone of WNS and those expected to become infected within the next few years.

Congressional support is critical because other funding sources are extremely limited. State budgets have been drastically reduced and Federal agencies cannot absorb this cost within their existing resources. We strongly urge Congress to approve the pending appropriations requests from the FWS and the USGS. A portion of these requested funds will provide some support for WNS research, management and outreach activities, but the fiscal year 2011 Federal budget requests will not be sufficient to address this devastating disease. For this reason, we are requesting an additional $5 million in designated funds for WNS.

Unless additional funding is provided in the fiscal year 2011 budget, WNS will continue to spread across the landscape unchecked, killing enormous numbers of North American bats. We desperately need designated support for WNS research, monitoring, management, and outreach. Without targeted funds, agencies may be forced to expend their budgets on internal operating costs, leaving little or nothing to truly address the cause and possible cure of WNS. As a result, we may see significant ecological and economic changes that will have a negative impact on America's taxpayers and the U.S. economy, while adding new species to the ranks of endangered and extinct animals.

We appreciate the opportunity to share our position concerning this serious matter, and respectfully ask you to consider our urgent request.

Sincerly yours,

10,000 Birds, NY; Adirondack Council, NY; Allegheny Defense Project, PA; Appalachian Center for the Economy and the Environment, WV; Appalachian Voices, NC.

Bat Conservation International, TX; Bat World Sanctuary, TX; Biodiversity Conservation Alliance, WY; Biodiversity Research Institute, ME; Cary Institute of Ecosystem Studies, NY.

Center for Biological Diversity, AZ; Center for North American Bat Research and Conservation, IN; Connecticut Audubon Society, CT; Conservation Northwest, WA; Defenders of Wildlife, DC.

Foundation for Deep Ecology, CA; Friends of Blackwater, WV; Global Wildlife Conservation, CA; Green Berkshires, MA; Hilton Pond Center for Piedmont.

Natural History, SC; Maine Organic Farmer's and Gardener's Association, ME; Massachusetts Forest Watch, MA; Midwest Bat Working Group, IN; National Speleological Society, AL.

National Cave and Karst Research Institute, NM; Natural Resources Defense Council, NY; New Jersey Audubon Society, NJ; Northeast Organic Farmers Association: Connecticut; Northeast Organic Farmers Association: Massachusetts.

Northeast Organic Farmers Association: New Hampshire; Northeast Organic Farmers Association: New Jersey; Northeast Organic Farmers Association: New York; Northeast Organic Farmers Association: Rhode Island; Northeast Organic Farmers Association: Vermont.

North American Symposium for Bat Research; Northeastern Cave Conservancy, NY; Northwest Coalition for Alternatives to Pesticides, OR; Organization for Bat Conservation, MI; Predator Defense, OR.

RESTORE: The North Woods, MA; Save the Cumberland, TN; South Carolina Audubon Society, SC; Southeastern Bat Diversity Network, MS; Sweet Water Trust, VT.

The Enviro Show, MA; The Lands Council, WA; The Nature Conservancy, Tennessee Chapter, TN; The Northeast Ecological Recovery Society, NY; Sierra Club, DC.

The Wildlife Society, MD; Vermont Law School: Environmental and Natural Resources Law Clinic, VT; Walden's Puddle Wildlife Rehabilitation and Education Center, TN; Western Bat Working Group, SD; Western Watersheds Project, UT.

Wild Farm Alliance, CA; Wild South, NC; Wildlife Alliance of Maine, ME; Wildlife Conservation Society, DC; Women, Food and Agriculture Network, IA.

Hazel Barton, Ph.D., cave biologist, KY; Brad Bergstrom, Ph.D., mammalogist, GA; Angie Doerr, Ph.D., ecologist, CA; Winifred Frick, Ph.D., bat biologist, CA; John Hayes, Ph.D., mammal ecologist, FL.

Thomas Kunz, Ph.D., bat ecologist, MA; Gary Kwiecinski, Ph.D., bat biologist, PA; Kathleen LoGiudice, Ph.D., wildlife biologist, NY; Gary McCracken, Ph.D., ecologist, TN; Marianne Moore, Ph.D., bat biologist, MA.

Phil Myers, Ph.D., ecologist, MI; DeeAnn Reeder, Ph.D., bat biologist, PA; Fraser Shilling, Ph.D., ecologist, CA; Merlin Tuttle, Ph.D., bat biologist, TX.

PREPARED STATEMENT OF THE BLACK MESA COMMUNITY SCHOOL

BUREAU OF INDIAN EDUCATION (BIE) PROGRAMS

Tribal Grant Support Costs (TGSC); Student transportation; Indian School Equalization Formula (ISEF); and facilities operations.

Black Mesa Community School is a K–8 school located on a 6,700-foot high mesa in an extremely remote portion of the Navajo Reservation in Arizona. Our testimony focuses on the challenges of operating a very small school in an extremely isolated area and asks for your help.

Costs of Isolation.—Neither of the two roads leading onto Black Mesa is paved. To get on or off the mesa, we must travel 16 miles of dirt road north to Rough Rock, or 26 miles south to Pinon. From either location, it is yet another hour's drive to our closest town—Chinle. During periods of snow or heavy rain, both dirt roads to our community are impassible or, if we are lucky, we can make the journey in 6 or 7 hours.

This extreme isolation requires us to be as self-sufficient as possible, as we can't depend on vendors, service-providers, repair people, and other outsiders being able to get to our school. Even when they can get to us, the time they must spend in travel makes their goods and services very expensive. When we have to send staff out to pick up supplies or go to the bank, a roundtrip can take a full day or more. Last year, when our large freezer broke down, impassable roads made it impossible for the repairman to get to us. As a result, we lost a whole month's worth of food for the school cafeteria.

Let us give you an idea of some measures we have had to institute due to our remote location. Our student transportation program is a vital part of our operations because so many of our children live far away from the school campus. Bus break-downs were so frequent that we had to purchase our own service truck and a back-hoe to dig out buses that get stuck in the mud. We have also had to buy our own school buses (at a cost of approximately $80,000 each) in an effort to reduce bus malfunctions. The General Services Administration (GSA) refuses to lease new buses to us because our roads are so bad, but the used buses they supplied broke down too often. It cost us enormous sums to tow a bus to the GSA for repairs, deprived students of educational days, and put our children at risk. Thus, the school board determined that the only course was to use our scarce transportation dollars to buy our own buses. This means we also have high insurance bills for the buses we own.

Because our children live so far from the school and our roads are so bad, a one-way bus ride takes at least 2 hours—in good weather with no bus break-down—and up to 4 hours in bad weather. Can you imagine elementary-age children spending 4 to 8 hours per day on a school bus? They arrive at school too tired to learn. We wish we could operate more bus routes to make the journeys shorter but we don't get enough student transportation funding to allow for this. As it is, our student transportation budget was exceeded last year, and we had to make up this shortage by taking funds from our education program.

Costs of Operating a Small School.—As you know, most of the funding we receive from the BIE is based on the number of students we enroll. Our community is very sparselyn populated so our student enrollment is small—it varies from 40 to 60 students. The consequence of being such a small school is that we do not attract much funding from the ISEF for our education program, nor do we generate much funding under the formula for calculating TGSC.

The TGSC law requires that each tribally operated school receive at least $200,000 each year for its administrative and indirect costs, and Black Mesa should qualify for this small school minimum. But we routinely receive less than that amount because Congress never supplies the full amount required by the law for these costs. This year, we received only $172,800 in TGSC funding. Overall, BIE paid TGSC at only 61 percent of the amount the law requires.[1]

Even though ours is a small school, we nonetheless must perform all of the fundamental administrative tasks required of a school board—including executive direction; curriculum development; financial, personnel, property and procurement man-

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[1] The formula for calculating Tribal Grant Support Costs (previously called "Administrative Cost Grants") is set out at 25 USC § 2008.

agement; recordkeeping; auditing; and maintaining prudent internal controls. But our TGSC funding is so low that we can't afford to employ a business manager to keep track of our grant funds and capital assets, reconcile bank statements, arrange for audits and perform other vital financial management services. Nor can we afford to employ a human resources manager. All of these functions, therefore, must be performed by one business office technician and the school principal—who is also responsible for directing the education program and supervision of the teaching staff. In other words, we have one person essentially performing three jobs. A large portion of our TGSC funds must be reserved to pay for our audit which costs $40,000 each year.

Our facilities operations budget also falls far short of the amount we need to pay our utilities, clean our school buildings, and maintain our Internet, telephone, and telecommunications systems. Even though the BIE has a formula for calculating facilities operations funding needs, we receive less than one-half of the amount the formula produces. When our equipment malfunctions, we often have to wait days or even weeks for a technician to travel to the school to make repairs—and these service calls to our remote location are very expensive.

ISEF Budget.—For the current school year, we received $338,300 under the ISEF formula for our education program. These funds must support teaching personnel to staff seven classrooms and special education. The low salaries we offer makes recruitment and retention of certified personnel very difficult.

Conclusions.—The Federal Government made a commitment to the Indian children who attend BIE-funded schools, but that commitment is not being met. How can our children be expected to reach achievement targets when they must spend many hours getting to/from school, have school cancelled because of bad roads, and then find when they do get to school the funds for their education program has to subsidize inadequate funding for administrative costs and facilities operation expenses?

All of us connected with the Black Mesa School work hard every day to keep our school in operation because we know that if we fail in this mission, most of the children in our community would not have access to an education. The United States made a commitment to the Indian children enrolled in the 183 BIE schools, including the Indian children at Black Mesa. We need you to fulfill that commitment by providing us with the resources we need to make their path toward a quality education easier to navigate. We promise you that if you provide the resources, all of us in the Black Mesa Community will re-double our efforts to provide our children with a challenging and satisfying educational experience.

PREPARED STATEMENT OF THE COOPERATIVE ALLIANCE FOR REFUGE ENHANCEMENT

Chairwoman Feinstein, Ranking Member Alexander, and members of the subcommittee: Thank you for the opportunity to offer comments on the fiscal year 2011 Interior, Environment, and Related Agencies appropriations bill. The National Wildlife Refuge System (NWRS) stands alone as the only land and water conservation system with a mission that prioritizes wildlife and habitat conservation and wildlife-dependant recreation. Since 1995, the Cooperative Alliance for Refuge Enhancement (CARE) has worked to showcase the value of the NWRS and to secure a strong congressional commitment for conserving these special places. Located in every U.S. State and territory, refuges conserve a diversity of America's environmentally sensitive and economically vital ecosystems, including oceans, coasts, wetlands, deserts, tundra, prairie, and forests. We respectfully request a funding level of $578 million for the operations and maintenance accounts of the NWRS for fiscal year 2011.

The NWRS needs strong and incremental increases to fulfill its mission and purposes, and with the tragedy unfolding before our eyes in the Gulf of Mexico with the Deepwater Horizon oil spill, potentially impacting up to 60 national wildlife refuges should the oil reach the Gulf Loop, funding the NWRS adequately is more important than ever. While NWRS staff is feverishly working to protect refuges and wildlife from the oil itself, the pervasive lack of funding is noticeably apparent by the lack of baseline data at each of the 25 refuges expected to be first impacted. Not one of the refuges in the immediate path of the oil spill has baseline inventories for all the resources that could be impacted by the oil. Refuges in Louisiana, Mississippi, Alabama, and Florida are scrambling to do baseline inventories of wildlife and water quality. While we thank the subcommittee for funding the NWRS's Inventory and Monitoring program in the fiscal year 2010 budget, the strain on this program due to years of funding shortages has put America's wildlife at a distinct disadvantage. Unless refuges get this information now, it will be too late to prove

how the oil impacted refuge resources. This baseline inventory information is not a luxury item; it's an essential tool.

This testimony is submitted on behalf of CARE's 22 member organizations, which represent more than 15 million Americans passionate about wildlife conservation and related recreational opportunities.

American Birding Association	National Wildlife Federation
American Fisheries Society	National Wildlife Refuge Association
American Sportfishing Association	Safari Club International
Association of Fish and Wildlife Agencies	The Corps Network
Congressional Sportsmen's Foundation	The Nature Conservancy
Defenders of Wildlife	The Wilderness Society
Ducks Unlimited, Inc.	The Wildlife Society
Izaak Walton League of America	Trout Unlimited
Marine Conservation Biology Institute	U.S. Sportsmen's Alliance
National Audubon Society	Wildlife Forever
National Rifle Association	Wildlife Management Institute

CARE deeply appreciates the subcommittee's vision and leadership regarding the funding increases realized in fiscal year 2008 through fiscal year 2010, and the 2009 American Recovery and Reinvestment Act (ARRA). While it does not reduce the annual needs of the NWRS, the ARRA is providing a jolt to local economies by providing refuges across the country with the means to hire local contractors and purchase local materials for important infrastructure and habitat restoration projects. Following a period of essentially flat annual budgets, the recent increases in annual appropriations allowed for the suspension of workforce downsizing plans that called for an eventual 20 percent reduction in overall staffing levels. But with more than 10 percent of staff already eliminated since 2004, additional funding increases that build upon the last 3 years are essential if this valued system of conservation lands is to rebound to its full potential. With the goal of fulfilling the progressive conservation vision that President Theodore Roosevelt first espoused more than a century ago, CARE respectfully requests a fiscal year 2011 funding level of $578 million for the operations and maintenance accounts of the NWRS.

As our 2010 CARE report shows, the NWRS needs to reach an annual funding level of $900 million over the long term. The $578 million for fiscal year 2011 is considered an essential next step on a long path toward adequate funding. This annual funding is needed to properly patrol and enforce laws on 150 million acres, provide nature programs to the public, maintain high-water-quality, complete habitat restoration projects, address scores of mothballed mission-critical projects, respond to the adverse impacts of climate change, and more.

An appropriation of $578 million in fiscal year 2011 would stabilize the workforce by keeping the workforce downsizing plans securely on the shelf and thereby reducing pressure on the U.S. Fish and Wildlife Service (FWS) to cut refuge staff below already insufficient levels. This funding level would enable FWS staff to return to what they do best: protecting, restoring, and enhancing America's wildlife and habitat, providing a haven for a growing list of threatened and endangered species, and guaranteeing a positive experience for more than 41 million annual visitors, whether hunting, fishing, watching wildlife, or learning from educational programs.

Prior to fiscal year 2008, several years of appropriations failed to even cover increases in fixed costs. Simply to keep fuel in the trucks, pay for rising utilities and building rent, allow for salary adjustments, and cover other fixed costs, the NWRS needs at least a $15 million annual increase.

Many years of inadequate budgets have ballooned the operations and maintenance backlog to more than $3.7 billion. While the appropriation for fiscal year 2008 through fiscal year 2010 helped immensely, too many visitors still show up to find roads and visitor centers closed, viewing platforms and hiking trails in disrepair, and habitat restoration and nature education programs eliminated.

Today, more than 35 percent of America's wildlife refuges have no on-site staff, leaving no one there to unlock the gates, teach the schoolchildren, or administer the hunting programs, let alone recover endangered species or perform major habitat restoration projects. Non-native, invasive plants have infested more than 2.3 million acres (only 14.6 percent of this acreage was treated in 2008). Further, a crippling deficiency of law enforcement officers has led to a rise in illegal activities such as drug production and trafficking, wildlife poaching, illegal border activity, assaults, and many types of natural resource violations. Currently, only 213 full-time law enforcement officers are tasked with responsibilities and risks that the International Association of Chiefs of Police suggests be tackled by a force of 845 professional officers.

When refuges are short-staffed, not only are activities inside refuge boundaries affected, but refuge employees are unable to devote sufficient attention to threats be-

yond refuge boundaries, such as water rights disputes, upstream contamination, or encroaching developments. Overworked staff cannot take advantage of land acquisition or easement opportunities, and conservation opportunities often slip away. When staff levels are reduced to only one or a few people per refuge, opportunities to partner with other interested stakeholders are lost, dramatically and adversely affecting volunteer involvement and the leveraging of additional dollars.

In addition to their integral role in American wildlife conservation, refuges are critically important on local and regional scales. Visitors in 2006 generated more than $1.7 billion in sales to local economies, creating nearly 27,000 U.S. jobs and $543 million in employment income. While these figures are undeniably significant, the NWRS's potential remains largely untapped and unquantified. In addition to being local economic engines, the sustainable use of natural resources on America's refuges provides innumerable environmental benefits to communities. For example, many refuges in urban or suburban settings filter storm water before it runs downstream to municipal water supplies and, in many areas, reduce flooding by capturing excess rainwater and attenuating coastal storm surges. The vegetation on America's refuges captures atmospheric carbon, while natural filtration and sound water management promotes healthy fisheries within and beyond refuge boundaries.

Of increasing importance, national wildlife refuges provide a way for children to connect with the natural world. There is a refuge within an hour's drive of most metropolitan areas in the United States. As today's children spend more time inside on computers, watching television, or playing video games, the need for a place to bring our younger generations to experience and explore the outdoors has never been more important. Many refuges work with local volunteer organizations such as "Friends groups" to provide environmental education programs to local schools, but they are often the first programs to be curtailed when budgets are tight.

In a Nation with ever-shrinking natural areas, we must act quickly to safeguard our unique natural heritage for the benefit of wildlife and millions of present and future Americans. It was Theodore Roosevelt who reminded America that "our duty to the whole, including the unborn generations, bids us restrain an unprincipled present-day minority from wasting the heritage of these unborn generations." CARE agrees that 41 million annual visitors and all future generations deserve the opportunity to see and appreciate 150 million acres of the most visually stunning and biologically rich lands and waters in North America. Simply put, the way to ensure a future with clean water, thriving wildlife populations, and hunting and fishing opportunities is to increase the NWRS's fiscal year 2011 appropriation to $578 million and continue the restoration of America's commitment to healthy public lands.

On behalf of our more than 15 million members and supporters, CARE thanks the subcommittee for the opportunity to offer comments on the fiscal year 2011 Interior, Environment, and Related Agencies appropriations bill and extends our sincere appreciation for the subcommittee's strong commitment to the NWRS.

PREPARED STATEMENT OF THE CITIZENS CAMPAIGN FOR THE ENVIRONMENT

Citizens Campaign for the Environment (CCE) is an 80,000 member non-profit, non-partisan advocacy organization that works to empower communities and advocate solutions that protect public health and the environment. CCE appreciates the opportunity to comment on the EPA's budget request.

The Environmental Protection Agency represents a mere 1 percent of the entire Federal budget, therefore CCE believes that, at a minimum, the EPA's proposed budget should be funded in its entirety, and also believes Congress should increase funding for the EPA. The EPA is responsible for protecting the precious natural resources of our country and ensuring the protection of human health from pollutants. CCE strongly believes that a healthy environment translates to healthier communities.

CCE top four budget priorities for fiscal year 2011 include: Great Lakes Restoration Initiative, Long Island Sound Funding, Clean Water and Drinking Water SRF programs, and the Science to Achieve Results (STAR) program.

The Great Lakes Restoration Initiative and the Long Island Sound Study should be fully funded at $475 million and $20 million respectively. These programs support on the ground restoration projects that are creating jobs and revitalizing our communities. The health of the Great Lakes and the Long Island Sound is imperative to the sustainability of communities throughout New York.

The Clean Water and Drinking Water State Revolving Funds received a much-needed boost last year. For too long the importance of repairing and maintaining our water infrastructure has been ignored. The EPA has proposed to cut the SRF

programs by $400 million. CCE urges SRF funding levels do not drop below fiscal year 2010 levels. The state of much of our Nation's water infrastructure and requires sustained Federal investment. CCE encourages you to increase funding for SRF programs. Waiting lists are long, and Congress must ensure that people have access to clean and safe drinking water and properly working sewage infrastructure systems.

The Science to Achieve Results (STAR) Program is currently funding a critically important study on the effects to drinking water from hydraulic fracturing. CCE believes the previous study, conducted in 2004, was flawed and it only addressed coalbed methane. It is imperative that the STAR program is fully funded and the EPA directs the promised resources—$4.3 million—to the study. EPA must engage communities, stakeholders, and citizens to ensure an open and transparent process. CCE encourages Congress to fully fund the STAR program at $87.2 million with instructions to the EPA that it use $4.3 million to conduct a robust study with ample opportunities for public participation and engagement.

EPA has proposed to reduce Superfund cleanup due to a lack of funds in the Trust Fund. EPA recommends reinstating the Superfund tax in order to replenish the Trust Fund. CCE supports reinstating the Superfund tax, which ensures that those responsible for contaminating our air, land, and water fund the clean up of those areas.

In addition to our specific budget requests, CCE supports the following budget requests:

—The EPA has requested budget increases in the following areas which CCE supports:
  —$20.8 million for Greenhouse Gas Reporting Rule;
  —$55.5 million for Energy Efficiency/ENERGY STAR;
  —$30 million for Greenhouse Gas Permitting;
  —$6 million for Greenhouse Gas standards for Transportation Sources;
  —$7.5 million for Greenhouse Gas New Source Performance Standards;
  —$215 million for Brownfield Remediation;
  —$6.3 million for Clean, Green and Healthy Schools;
  —$10.9 million for Sustainable Communities;
  —$6 million for Air Toxics;
  —$9.5 million for Community Water Priorities Program;
  —$241.1 million for State and Local Air Quality Grants;
  —$274.3 million for Water Pollution Control Grants; and
  —$21.9 million for Computational Toxicology Research.

Thank you for reviewing our comments.

PREPARED STATEMENT OF THE CHILDREN'S ENVIRONMENTAL HEALTH NETWORK

Thank you for the opportunity to submit testimony on the fiscal year 2011 appropriations to the Environmental Protection Agency (EPA). The Children's Environmental Health Network (CEHN) urges the subcommittee to support the EPA's Office of Children's Health Protection (OCHP), the Children's Environmental Health Research Centers of Excellence, the Office of Research & Development (ORD), EPA's school environmental health programs, the Pediatric Environmental Health Specialty Units (PESHU), and the National Children's Study (NCS). We urge full funding of all activities that advance healthy school and child care environments for all children, such as the relevant components of the Healthy Communities Initiative, including but not limited to the Clean, Green and Healthy Schools Initiative. We urge the subcommittee to support chemical policy reform by providing adequate resources for EPA oversight and regulation of these chemicals

In brief, CEHN appreciates the wide range of priorities that you must consider for funding at the EPA. We urge you to give priority to those EPA programs that directly protect and promote children's health. In so doing, you will protect all populations as well as our environment.

I am a pediatric deontologists and I currently serve as the Mary Gray Cobey Professor and Division Chief of Neonatology at the University of Maryland. I am submitting this statement as Chair of the Board of the CEHN. CEHN is a national organization whose mission is to promote a healthy environment and to protect the fetus and the child from environmental health hazards. CEHN was created to promote the incorporation of basic facts of pediatric environmental health into policy and practice. In general, children have unique vulnerabilities and susceptibilities to toxic chemicals. In some cases, an exposure which may cause little or no harm to an adult may lead to irreparable damage to a child.

The world in which today's children live has changed tremendously from that of previous generations, including a phenomenal increase in the substances to which children are exposed. Every day, children are exposed to a mix of chemicals, most of them untested for their effects on developing systems. Many of these chemicals are readily passed across the placenta to the fetus, to the infant via breast milk or through skin, or via food, toys and other children's products. Many of these chemicals are also ingested in food and water or through the lungs.

In addition to providing the necessary resources for the Federal programs and activities that help to protect children from environmental hazards, CEHN urges the subcommittee to also direct the EPA to assure that all of its activities and programs—including regulations, guidelines, assessments, and research—specifically consider children. Our traditional approaches have been to use a one-size-fits-all template, and that template is usually the healthy adult male. The EPA's work must always assure that children and other vulnerable subpopulations are protected, especially poor children, minority children, farmworker children, and others at risk.

We ask the subcommittee to direct the EPA to report on their activities to protect children from environmental hazards in child care settings as well as to assess the EPA's needs for assuring that children in these settings are protected from such hazards.

OCHP

Since 1997, EPA's efforts to protect children from environmental hazards have been led by the OCHP, which was highly effective and well-regarded. However, funding for OCHP has been level, at approximately $6 million since its creation, and its resources were further diluted by the addition of new and unrelated missions, without any concurrent increase in resources.

CEHN strongly supports additional resources dedicated to children's health for the office, and to restore the office's strong focus on children. We are especially supportive of the Clean, Green, and Healthy Schools Initiative, especially the interagency effort to integrate existing school programs including asthma, IAQ, chemical cleanout, green practices, and enhanced use of integrated pest management. We urge the subcommittee to provide funds above the proposed $6.3 million to OCHP for this Initiative. The program addressing the issue of PCB-laden caulk in schools is also a priority.

CHILDREN'S ENVIRONMENTAL HEALTH RESEARCH CENTERS OF EXCELLENCE

The Children's Environmental Health Research Centers, jointly funded by the EPA and the National Institute of Environmental Health Sciences, play a key role in providing the scientific basis for protecting children from environmental hazards. With their modest budgets (unchanged over more than 10 years), these centers generate valuable research. A unique aspect of these centers is the requirement that each center actively involves its local community in a collaborative partnership, leading both to community-based participatory research projects and to the translation of research findings into child-protective programs and policies. Researchers have chosen to participate in this funding mechanism because of the ability to do interdisciplinary research, to break ground in a relatively new field and to be involved in the community—all things that are not easy to do using other grant mechanisms. The scientific output of these centers has been outstanding.

The Congress recognized this last year, when it supported increased funding, resulting in the upcoming addition of a child care component and additional research. These goals call for a continued effort, yet the administration's fiscal year 2011 budget proposal did not continue this funding. We strongly urge that the subcommittee reinstate these funds and direct EPA to sustain this effort.

SCHOOL AND CHILD CARE ENVIRONMENTAL HEALTH: CONNECTED TO HEALTHY COMMUNITIES

Millions of preschoolers enter care as early as 6 weeks of age and can be in care for more than 40 hours per week. Yet little is known about the environmental health status of our child care centers nor how to assure that they are protecting this important group of children. Environmental health is rarely if ever considered in licensing centers or training child care professionals.

Each school day, about 54 million children and nearly 7 million adults—20 percent of the total U.S. population—spend a full week inside schools. Unfortunately, many of the Nation's 121,000 public and private K–12 school facilities are shoddy or even "sick" buildings whose environmental conditions harm children's health and undermine attendance, achievement, and productivity.

No agency is authorized to intervene to protect children from environmental hazards in schools. The Occupational Safety and Health Administration does not protect schoolchildren. Thus, every day we require our children to spend hours in an environment where they and their parents have no options, alternatives or recourse if the environment is not healthy.

Thus, CEHN urges full funding for the proposed Clean, Green and Healthy Schools Initiative in the EPA's fiscal year 2011 budget. Under this Initiative, EPA will co-lead an interagency effort in integrating existing school programs including asthma, indoor air quality, and enhanced use of integrated pest management. We urge the subcommittee to provide additional resources and direction to assure that the child care environment is also included in this Initiative.

CEHN also supports other aspects of the Healthy Communities Initiative, particularly:

—an additional $1.1 million for the Indoor Air Program for efforts to improve children's health;

—increased funding for the Pesticides Program to expand its work with schools;

—increased funding to address air toxics pollution focused on children's environments, including $2.3 million for community pilot programs

CEHN urges the subcommittee to continue its support for EPA's existing healthy schools activities, such as the Indoor Air Quality Tools for Schools Program.

We also urge the subcommittee to appropriate the $10 million authorized for EPA under the healthy schools provisions of the High Performance Green Buildings Act. This statute authorizes EPA to create Federal guidelines on school siting and (advised by the Centers for Disease Control and Prevention) school environmental health programs. This statute also authorizes an important study of the impacts of green schools on the health of children and communities.

EPA ORD

The Clean, Green, and Healthy Schools Initiative is envisioned as an interagency as well as intra-agency effort, yet resources were not proposed for ORD involvement. We urge the subcommittee to strengthen Clean, Green, and Healthy schools by providing additional resources of $1.5 to $2 million to ORD so that the office can fund additional research to fulfill its role in this Initiative.

CEHN urges funding for research to better understand how the school and child care environment (both physical factors and potential exposures) impacts the performance of children.

NCS

The NCS is examining the effects of environmental influences on the health and development of more than 100,000 children across the United States, following them from before birth until age 21. This landmark longitudinal cohort study—involving a consortium of agencies including the EPA—will be one of the richest research efforts ever geared toward studying children's health and development and will form the basis of child health guidance, interventions, and policy for generations to come.

This study may be the only means that we will have to find answers to some key questions regarding links between exposures and health effects on children.

A study of this scope is calls for the participation of multiple agencies. EPA's involvement has been limited by the lack of dedicated resources. We urge the subcommittee to provide dedicated funds of $1 million or more in fiscal year 2011 to ensure that EPA has sustained funding for the necessary infrastructure for data access and the ability to collaborate with its partners on the NCS. EPA has specific expertise to offer and the NCS will benefit if the EPA has the ability to contribute.

PEHSUS

Funded by the EPA and the Agency for Toxic Substances and Disease Registry, the PEHSUs form a valuable resource network, with a center in each of the U.S. Federal regions. PEHSU professionals provide medical consultation to healthcare professionals on a wide range of environmental health issues, from individual cases of exposure to advice regarding large-scale community issues. PEHSUs also provide information and resources to school, child care, health and medical, and community groups to help increase the public's understanding of children's environmental health. PEHSUs assist policymakers by providing data and background on local or regional environmental health issues and implications for specific populations or areas. These centers, all based in universities, have done tremendous work, covering large geographic areas, on very limited budgets. We urge the Committee to fully fund EPA's portion of this program's fiscal year 2011 budget of $1.8 million.

In conclusion, investments in programs that protect and promote children's health will be repaid by healthier children with brighter futures, an outcome we can all support. That is why CEHN asks you to give priority to these programs.

Thank you for the opportunity to comment on these critical issues.

PREPARED STATEMENT OF THE AMERICAN HIKING SOCIETY, AMERICAN RIVERS, CENTER FOR BIOLOGICAL DIVERSITY, CHESAPEAKE BAY FOUNDATION, DEFENDERS OF WILDLIFE, EARTHJUSTICE, ENVIRONMENT AMERICA, ENVIRONMENTAL DEFENSE FUND, INTERNATIONAL CENTER FOR TECHNOLOGY ASSESSMENT, LANDS COUNCIL, LEAGUE OF CONSERVATION VOTERS, MARINE CONSERVATION BIOLOGY INSTITUTE, MARINE FISH CONSERVATION NETWORK, NATIONAL AUDUBON SOCIETY, NATIONAL ESTUARINE RESEARCH RESERVE ASSOCIATION, NATIONAL WILDLIFE FEDERATION, NATURAL RESOURCES DEFENSE COUNCIL, OCEANA, OCEAN CONSERVANCY, PEW ENVIRONMENT GROUP, RAILS-TO-TRAILS CONSERVANCY, RIVERKEEPER, SOUTHERN ENVIRONMENTAL LAW CENTER, SIERRA CLUB, SOUTHERN UTAH WILDERNESS ALLIANCE, AND THE WILDERNESS SOCIETY

Mr. Chairman and members of the subcommittee, we appreciate the opportunity to submit to you written testimony regarding fiscal year 2011 appropriations for the Council on Environmental Quality (CEQ). The administration has requested $3,448,000 for fiscal year 2011. To increase CEQ's effectiveness and help to fulfill Congress' original intent in establishing the Council, we believe that an increase in that amount to $4,694,093 is warranted.

CEQ was created by Congress in 1969 as part of the National Environmental Policy Act (NEPA), this country's "environmental magna carta." Congress placed CEQ in the Executive Office of the President because it recognized that environmental issues warranted the same degree of attention at the highest levels of the executive branch as trade, economics, national security and other cross-cutting issues of top tier importance to the Nation. In the words of Senator Henry "Scoop" Jackson, "the Council will provide an institution and an organizational focus at the highest level for the concerns of environmental management. It will provide the President with objective advice and a continuing and comprehensive overview of the fragmented and bewildering Federal jurisdiction involved in some way with the environment." Congressional Record, Senate 40416, December 20, 1969.

In NEPA, Congress gave CEQ the responsibility for, among other things:

—advising the President on environmental issues;

—developing and recommending to the President national policies to improve environmental quality so that the nation can meet its conservation, social, economic, health and other goals;

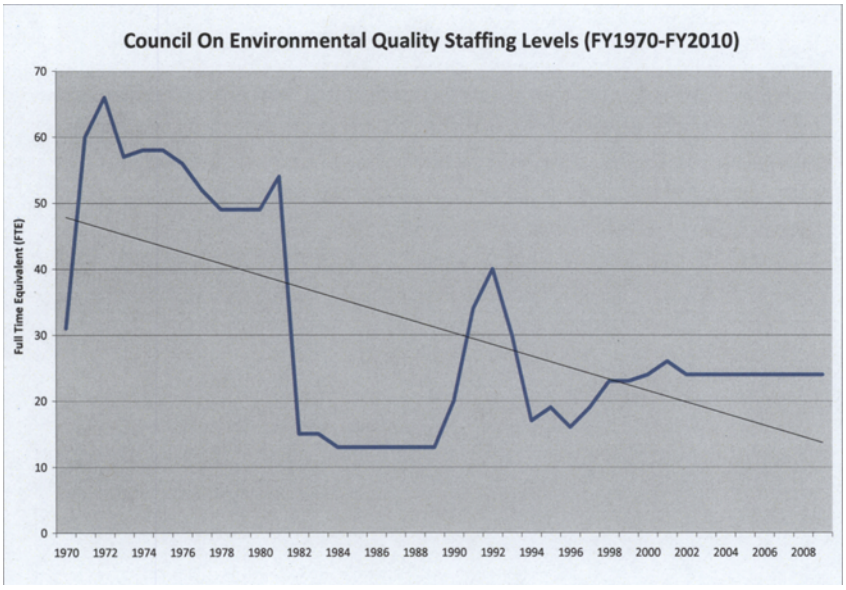
—assisting in interagency coordination of the many departments and agencies within the executive branch that implement or affect environmental policies;

—overseeing the implementation of the environmental impact assessment process within the executive branch; and

—identifying and interpreting environmental trends.

In December 1970, the Environmental Protection Agency (EPA) was established as the result of President Nixon's use of Presidential reorganization authority. CEQ recommended that EPA be established to begin addressing responsibilities under the newly passed pollution control laws. The two agencies have distinctively different roles. CEQ's role involves directly advising the President on environmental issues, developing environmental and natural resources policy and ensuring interagency coordination, and interpreting Federal agencies' responsibilities under NEPA. As an office in the Executive Office of the President, it is positioned to resolve interagency disputes in a way that no line agency can do. It does not regulate the private sector, provide grants, run laboratories or undertake many of the important—but different responsibilities—carried out by EPA. CEQ's functions are distinct from EPA's just as the role of the National Security Council's is distinct from that of the Departments of Defense and State.

Over the past 40 years, as shown in the chart below, CEQ's budget and staffing has fluctuated wildly. Between 1970 and 1981, staff levels were between 49 and 70 people. Since 1981, staff levels have ranged from 3 full-time employees to 32 employees. Clearly, the trend has been going the wrong way.



The understanding of the complexity of environmental and natural resource problems and their relationship to the social, economic and security needs of Americans has improved since the 1970's, but the challenges in developing effective and feasible policies to address the issue are much more daunting. We now know with greater certainty what we were beginning to understand when NEPA was passed—i.e., that our relationship with the environment is a synergistic one, and that how we affect the air, water, soil and wildlife around us in turn significantly affects us. The interrelationships between our economic and social activity and our well being and that of the other inhabitants of the planet challenge our ability to balance competing short and long term interests.

In our view, an increased staff level is necessary to fulfill CEQ's responsibilities. Currently, the agency's budget allows for 24 staff, and the administration's request would allow for 26 staff. The increase over the administration's request that we are proposing would be the first step in ramping up CEQ's capacity and would allow for approximately 30 staff. This may seem like a large leap, but not when put in the context of either the nature or the number of environmental challenges. Nor is it out of line in an administrative context. Indeed, from fiscal year 2000 to fiscal year 2008, the U.S. Trade Representative Office's budget increased by 72.1 percent, the Office of Management and Budget by 22.8 percent and the Office of National Drug Control Policy grew by 15 percent. In contrast, CEQ's budget shrank by 4.4 percent.

Our understanding is that CEQ has indicated that the increased funding proposed in the 2011 President's budget would be used for positions relating to oversight of NEPA and to ocean policy issues. These are good and much needed choices, which we fully support. In addition, while the ultimate choice of how any additional positions would be used should be made by the Chair of CEQ with any applicable guidance from Congress, here are our thoughts on how additional positions might be used:

Oversight of NEPA.—CEQ has unique responsibilities for oversight of the implementation of NEPA in the executive branch. It is the ultimate interpreter of the statute, a role the Supreme Court has acknowledged in several decisions, holding that the lower courts should give "substantial deference" to CEQ's interpretations. CEQ's most comprehensive interpretation of NEPA comes through its promulgation of regulations that implement the procedural requirements of NEPA. 40 C.F.R. sections 1500–1508. Those regulations proscribe the process by which all departments and agencies implement the environmental impact assessment to their particular mission activities. From time to time, CEQ issues guidance interpreting various requirements of NEPA; indeed, there are three draft guidance documents out for public review and comment at present. Each department and agency publishes its own

NEPA procedures adapted to its mission and those procedures are reviewed and approved by CEQ. CEQ grants alternative arrangements for compliance with its regulations in certain extraordinary circumstances and also has the authority to resolve certain procedural disputes between agencies in the context of NEPA compliance. There is also a formal dispute resolution process that can be invoked by the head of a department or agency. 40 C.F.R. section 1504 et seq.

Further, from time to time, Congress passes particular requirements in respect to NEPA. A current example is section 1609(c) of the American Recovery and Reinvestment Act of 2009 that requires CEQ to report to Congress on the status and progress of NEPA reviews for Recovery Act funded projects. CEQ so far has submitted five reports to Congress, demonstrating that to date; NEPA has not been an impediment to implementation of these projects. The February 1, 2010 and May 3, 2010 reports include information on how NEPA helped improve decisionmaking for particular actions.

Finally, beyond the immediate drumbeat of the in-box, there is much that CEQ can and should do to improve the understanding of and implementation of NEPA among the public and agencies. The purpose of the NEPA process is not to produce paperwork, but to improve decisionmaking. There are real gains that could be made in effectiveness, both from an environmental and efficiency perspective, were CEQ to have the ability to provide additional oversight and guidance to the Federal agencies, and work with the state, tribal and local agencies that are often partners with Federal agencies in this context.

For the past 10 years, there has been only one full time person devoted to NEPA oversight. Despite the incredibly hard work, long hours and admirable dedication and diligence demonstrated by that individual, no one person can meet all of these goals. There are over 85 Federal agencies that comply with NEPA and that turn to CEQ for assistance. The assistance requested may range from meeting analytical challenges in the face of new scientific or technological developments such as climate change or nanotechnology, addressing complex interrelationships of environmental, economic and public health issues, responding to emergency situations, consulting with agencies on legal issues that arise from time to time, and many other types of requests. CEQ very much needs additional staff in this area.

Public Lands and Wildlife.—This country enjoys a wide variety of public lands and waters administered for a variety of purposes: national parks, national wildlife refuges, national forests, marine sanctuaries, national recreation areas, wild and scenic rivers, and national preserves, to name a few. Responsibility for administration of these public lands and waters is spread out through multiple agencies, including the National Park Service, the Forest Service, the Bureau of Land Management, the U.S. Fish and Wildlife Service and the Bureau of Reclamation. Further, two agencies, the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration, share responsibilities for protecting endangered species. It is no surprise then that from time to time there are different interpretations of responsibilities and conflicts arise between agencies. Agencies frequently call on CEQ to consider and resolve these issues. Agencies often welcome this role of CEQ so that progress can be made on long-standing issues. CEQ's current level of staffing in this area is, in our view, inadequate to meet these challenges.

Global Environmental Issues.—When Congress passed NEPA in 1969, it recognized "the worldwide and long-range character of environmental problems" and directed agencies to lend support to initiatives and programs "to maximize international cooperation in anticipating and preventing a decline" in the world's environment. Today, we recognize a wide range of problems that are best addressed through treaties, international agreements and bilateral and multilateral initiatives. The issues include climate change, of course, but also include deforestation, desertification, acidification of the oceans, decline of species and many other challenges. Environmental expertise is needed within CEQ to assist in the development and coordination of policy in this complex area.

Thank you for the opportunity to offer this testimony. We hope that the Subcommittee will recognize the needs as outlined above and act accordingly. We would be pleased to address any issue in further detail.

PREPARED STATEMENT OF THE CHIPPEWA FLOWAGE AREA PROPERTY OWNERS ASSOCIATION

Madam Chairman and honorable members of the subcommittee: The Chippewa Flowage Area Property Owners Association (CFAPOA) was incorporated in early 1983 by a small group of citizens who had grown increasingly concerned about proposed alterations in the way that the lands and waters of Wisconsin's largest semi-

wilderness area would be managed. The Articles of Incorporation propose "to promote . . . and protect." The Bylaws Preamble identifies major goals as being "to keep the Chippewa Flowage area clean and safe for all peoples; to protect the environment; . . . to pursue . . . objectives that . . . benefit this . . . reservoir." While the name is still "Property Owners", membership is open to anyone who resides within 2 miles of the Flowage for 30 days anytime during the year. The CFAPOA has engaged in a number of efforts pursuant to its stated mission. Habitat improvement, community cleanups, water-quality monitoring, invasive species research and control, and the $1.1 million Chippewa Islands Project are just some of the accomplishments achieved in the past few years. The multi-jurisdictional co-operation of the U.S. Forest Service, the Lac Courte Oreilles Ojibwe, the Wisconsin Department of Natural Resources, and the local citizens have provided a model in partnership that has been acclaimed by prestigious institutions.

I appreciate the opportunity to present this testimony in support of the Chippewa Flowage project in Wisconsin. I am advised that an appropriation of $4.5 million from the Forest Legacy Program (FLP) is needed in order to complete the protection of this 18,259-acre forestland property. I am thankful that the project was included in the President's budget request for fiscal year 2011 at a funding level of $2.5 million. That is so greatly appreciated. But, I am told the project can be completed this year with an appropriation of $4.5 million.

The diversity of wood/species types within Wisconsin's northern forest is rarely matched anywhere in the United States. The Northwoods remains blessed with stands of aspen, balsam, spruce, and a variety of pine, hardwoods such as red oak, maples, hemlock, and birch, and swamp forests containing black spruce, tamarack, black ash, and white cedar. The combination of forestland with an abundance of lakes, rivers, and streams offers some of the best recreational opportunities in the country, especially fishing and canoeing. Recognizing the unique attributes of its forests, the State of Wisconsin is focused on forest protection and easement acquisitions that benefit recreational and natural resources. The great attraction of easements is that several times as much acreage can be effectively protected for the same amount of money. The Wisconsin Department of Natural Resources has proposed FLP projects over the last several years to implement this critical protection effort.

I believe that in fiscal year 2010, Congress appropriated $1.5 million to the FLP and the State of Wisconsin committed $2.5 million in matching funds toward the protection of this more than 18,000 acres of outstanding conservation easement lands. An additional $4.5 million from the FLP is needed in fiscal year 2011 to finish the project. The easement is an important opportunity to create a unified block of more than 1 million acres of protected forest and natural lands in the Chippewa Flowage watershed, which is an ecological gem. The Chippewa Flowage is one of the wildest lakes in Wisconsin, drawing recreationists from around the world for its fishing. More than 30,000 acres within the flowage area are managed jointly by the Wisconsin Department of Natural Resources, the U.S. Forest Service, and the Lac Courte Oreilles Band of Lake Superior Chippewa (LCO). The western boundary of the easement property adjoins nearly 24,000 acres of primarily natural LCO tribal land. The property extends the critical migratory corridor surrounding the Chequamegon portion of the Chequamegon-Nicolet National Forest, which covers 858,400 acres in six northwestern Wisconsin counties.

Many natural resources used by the Lac Courte Oreilles band traditionally, and currently, are found on the property and adjoining tribal lands, including birch and pole oak for wigwam poles, morel mushrooms, and abundant wildlife for trapping and hunting. Pipestone rock, used to craft peace pipes, holds traditional significance for the LCO band and is present in the northwest corner of the property. Benefits for surrounding communities include water supply and watershed protection. The Village of Radisson's municipal water flows from parts of this property. The Federal listed endangered Gray Wolf is known to frequent the property, which also contains State Species of Concern, State Threatened, and State Endangered species.

The Chippewa Flowage is a major tourist destination, helping to generate $8 million annually in Wisconsin from fishing, hunting, and wildlife viewing. The Chippewa Flowage is considered a world-class fishery for muskellunge and walleye. Public access on this property will continue to support the local economy. Forest-based recreation accounts for about $5.5 billion of the $14 billion spent on recreation in the State. The Wisconsin Northwoods is also a common destination for migratory and forest interior birdwatchers. Wisconsin ranks third in the Nation for bird watching, which adds $1 billion annually to the State's economy. This property delivers wood to 66 different customers; products include coated paper, corrugated packaging, cabinets, lumber, moldings, paneling, and more. If this property is not protected by a FLP easement, it will be divided and sold like other nearby

timberlands, thereby eliminating one of the sources of fiber that makes jobs in the mills in Radisson, Birchwood, Hayward, and Drummond, viable.

The property will also offer unique values for addressing climate change, as it holds important forestlands and wetlands containing large carbon stores that will help mitigate climate change. Carbon sequestration on the lands will be further enhanced by the sustainable forestry guidelines of the FLP easement. The project lands also offer significant benefits for climate adaptation: public-private partnership efforts are underway in the region to protect key habitat refugia and habitat connectivity in response to anticipated climate shifts. The project lands will be essential to maintain connectivity among the large, conserved habitat blocks in the region. The property also extends and protects a critical migratory corridor surrounding the national forest, which will help wildlife important to the State's economy adapt to a changing climate.

Supporting parties include Chippewa Flowage Area Property Owners Association, Couderay Waters Regional Land Trust, Gathering Waters Conservancy, Lac Courte Oreilles Tribal Governing Board, Ruffed Grouse Society, Sawyer County Board of Supervisors, Town of Hunter, Town of Ojibwa, Chequamegon-Nicolet National Forest, Wisconsin Conservation Congress, Wisconsin Representative Gary E. Sherman, and Wisconsin State Senator Bob Jauch.

The protection of these forestlands will have significant local and regional benefits. An appropriation of $4.5 million in fiscal year 2011 from the FLP will complete the effort to conserve 18,259 acres of high-quality Wisconsin forest. Protecting this large block of land within the checkerboard of public and private ownership is an exciting opportunity to create a unified area of 1 million protected acres that can support the local economy by preserving vast wildlife habitat, helping climate mitigation and adaptation, ensuring public access for recreation, and maintaining sustainable forestry practices, while at the same time protecting the watershed and semi-wilderness esthetic in the historically and culturally significant southeastern quadrant of Wisconsin's third largest inland water resource.

I ask you to do all you can to ensure that this worthwhile program is funded adequately in fiscal year 2011 and that the Chippewa Flowage project receives $4.5 million in fiscal year 2011.

I want to thank the chairman and all the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Wisconsin, and I truly do appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE COALITION FOR HEALTHIER SCHOOLS

Dear Chairman Feinstein and Ranking Member Senator Alexander: On behalf of the Coalition's thousands of members and supporters across the country and tens of millions of children whose health, learning and behavior are daily impacted by dank, dark, dirty, and polluted conditions of our PreK–12 public schools, we urge you to fund the EPA's "Clean Green Healthy Schools Initiative" at $8.2 million, $2 million above the President's $6.2 million request in the fiscal year 2011 EPA request.

The national SICK SCHOOLS 2009 collaborative report assembled by more than 30 contributing public interest nonprofits, analyzed Federal data from EPA, Education, and CDC, as well as peer reviewed published sciences in healthy school environments. Result: at least 60 percent of all 55 million school children endure lower test scores and poor attendance due solely to the environmental conditions of their schools. See www.healthyschools.org/sickschools.

The President's fiscal year 2011 EPA budget supports EPA's critical Office of Children's Health Protection and the agency's voluntary schools-focused programs that help local schools and districts to create healthier school environments for all children. EPA will co-lead a Federal interagency effort to integrate existing voluntary schools programs across the agencies, including asthma, indoor air quality, chemical clean outs, green practices (highly cost-effective as New York State has learned) and enhanced use of integrated pest management; promote safe handling and management of PCB-containing caulk in schools and build regional technical support and outreach; assesses the impacts of noncompliance with existing environmental laws on health risks in schools; and increase technical assistance on voluntary EPA guidelines under the Energy Independence Security Act (EISA of 2007) regarding school siting and other school environmental concerns.

We also urge you to support increases for EPA's Healthier Indoor Air and for school and community air toxics monitoring, and for expanding EPA's asthma programs and pesticide-use reductions with schools. Children are 100 percent of our fu-

ture and promoting healthy learning environments is a task that EPA is uniquely poised to tackle, in collaboration with Education and CDC.

A copy of the national Coalition for Healthier Schools Position Statement is attached, along with a list of its national supporters.

POSITION STATEMENT AND RECOMMENDATIONS . . . PROVIDING THE PLATFORM AND THE FORUM FOR SCHOOL ENVIRONMENTAL HEALTH . . . SINCE

Each school day, 55 million children and 7 million adults—that's 20 percent of the total U.S. population and 98 percent of all children—spend their workdays inside school buildings. Unfortunately, too many of our Nation's 125,000 public and private K–12 schools are "unhealthy" buildings that can harm their health and hinder learning. Today, clear and convincing research shows that improving specific factors such as school indoor environmental quality improves attendance, academic performance, and productivity.

About children

Children are more vulnerable than adults to environmental hazards because they're smaller, have developing organs, and breathe more air per pound of body weight. They cannot identify hazards. Adverse exposures and injuries during childhood may have a lifetime impact. See www.epa.gov/children.

School factors affecting health

Many school environmental factors can affect the health of children and employees. Too many schools are sited near industrial plants or toxic waste sites; some are sited on abandoned landfills. Many school facilities are poorly maintained. Schools are more densely occupied and more intensively used than office buildings, magnifying problems. Thousands of schools are severely overcrowded, which compromises ventilation systems, acoustics, food service, recess, and sanitation and lavatories. Children also spend extra hours in vehicles or buses when their schools are beyond safe walking and biking distances.

The U.S. EPA has estimated that up to half of all schools have problems with indoor environmental quality. Children and staff are a affected by: polluted indoor air and outdoor air, including toxic chemical and pesticide use; chemical spills; mold infestations; asbestos, radon, lead in paint and drinking water; inadequate chemical management; poor siting, design; hazardous materials purchased and stored onsite; and heavy metals and other toxics, such as mercury, CCA, PCBs.

Results of unhealthy schools:

—60 percent of all children endure health and learning problems due SOLELY to the conditions of their schools:
—poor health and absenteeism;
—asthma, allergies, headaches, fatigue, nausea, rashes and chronic illnesses;
—more medication use by children and staff;
—learning and behavior difficulties;
—liability for school districts;
—lower achievement, and reduced revenues due to poor attendance.

Coalition Position

When the Nation is committed to raising academic performance and honoring each child's potential, and to improving the environment of every neighborhood, we have a moral obligation to protect all children and to accommodate children who already have impairments, and personnel.

For children, for health, for environment, for education, and for communities, we support:

—The President's fiscal year 2011 budget for EPA's Healthy Schools Initiative, plus $2 million
—Full staffing and resources for U.S. EPA children's health protection and schools programs (at greater than fiscal year 2006 levels)
—Full funding and staffing for Federal agencies to coordinate Federal strategy to address healthy school environments (CDC, EPA, Education, Energy, Labor, Homeland Security), including high performance school design, siting, construction, and the greening of schools with preventive maintenance (IAQ, IPM, green cleaning, and more)
  —Fund the Healthy High Performance Schools (Subtitle E) of the Energy Independence and Security Act of 2007
  —Fund the Healthy and High Performance Schools Act in No Child Left Behind
—Fund school construction/renovation and urgent repairs, consistent with enacted laws promoting healthy school environments.

This message sponsored by: American Association on Intellectual and Developmental Disabilities; American Federation of State, County, and Municipal Employees; Alliance for Healthy Homes; American Lung Association; American Public Health Association; Apollo Alliance; Beyond Pesticides; Children's Environmental Health Network; Healthy Children-Healthy World; Connecticut Foundation for Environmentally Safe Schools; Environmental Defense; Funders Forum on Environment and Education; Healthy Kids: The Key to Basics (MA); Green Schools Initiative/CA; Healthy Schools Network; Improving Kids Environment (IN); Initiative for Children's Environmental, Health; Learning Disabilities Association of America; Marin Golden Gate Learning Disabilities Association (CA); Massachusetts Healthy Schools Network; National Center for Environmental Health Strategies; National Education Association; National Education Association Health Information Network; National PTA; Natural Resources Defense Council; New Jersey Work Environment Council; New Jersey Environmental Federation; Oregon Environmental Council; Physicians for Social Responsibility; Preventing Harm Minnesota; Public Education Network; Twenty-first Century Schools Fund (DC); West Harlem Environmental Action; and League of Conservation Voters, Washington, DC; National Clearinghouse for Educational Facilities; National Association of Pediatric Nurse Practitioners; and over 200 more organizations nationwide.

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, Environment, and Related Agencies appropriations bill for fiscal year 2011.

First, the Coalition supports the President's budget request for the Department of the Interior's Cooperative Endangered Species Conservation Fund, especially funding for Habitat Conservation Plan 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 more than $550,000 to the development of this program. In 1997, the U.S. Fish and Wildlife Service (FWS) 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 2011 and $500,000 for fiscal year 2012.

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 FWS, 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.

KCVFHCP is one of the largest and most diverse endangered species conservation programs under development in the Nation encompassing more than 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 2011.

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 2011, 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 Habitat Conservation Plan (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 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 in the program to address covered species protection due to the construction of new facilities and the operation and maintenance of existing water management and conveyance facilities. The covered species will benefit from 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 2011 appropriation to support implementation of this significant program.

UNDERSIGNED ORGANIZATION

Kern County Valley Floor Habitat Conservation Plan; Western States Petroleum Association; Independent Oil Producers Association; Occidental of Elk Hills, Inc.; and Buena Vista Water Storage District

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PREPARED STATEMENT OF THE CHOCTAW NATION OF OKLAHOMA

On behalf of Chief Gregory E. Pyle, of the Great Choctaw Nation of Oklahoma, I extend to you the support of the people of the Choctaw Nation to work with you in addressing the priority issues of Contract Support Costs (CSC), Contract Health Services, (CHS) and Sanitation Facilities Construction (SFC). Thank you Chairwoman Feinstein for allowing the Choctaw Nation of Oklahoma to submit written testimony on these needs.

ISSUE

CSC Funding.—$99.3 million in fiscal year 2010 and $100 million in fiscal year 2011.

The fiscal year 2010 final appropriation provides a $116 million increase for CSC and signals an end to a sad chapter of neglect for Indian Self-Determination (ISD) and Self-Governance (SG). The growth of SG compacting was seriously undermined from 2002 through 2009, by the failure to pass adequate funding increases, to not only support existing contractors, but those who wanted to participate in SG opportunities. SG tribes appreciate the fiscal year 2010 and fiscal year 2011 support of the administration and Congress to address the CSC funding shortfall and acknowledge the commitment to sustain and expand ISD. The well-documented achievements of ISD and SG policies have consistently improved service delivery, increased service levels, and strengthened tribal governments, institutions, and services for Indian people.

It is estimated that the CSC shortfall will be $99.3 million in fiscal year 2010 and $100 million in fiscal year 2011. The chronic underfunding of CSC represents the single greatest impediment to the expansion of tribal SG. CSC funding is vital to support the infrastructure needed to operate IHS programs. The present shortfall creates a disincentive for tribes to pursue SG compacts, and diminishes available healthcare funding as tribal budgets must absorb the shortfall amounts. Adequate CSC funding assures that tribes, under the authority of their IHS contracts and compacts, have the ability to deliver the highest-quality healthcare services to their members. Tribal programs have significantly increased the quality and level of services in their health systems compared to direct service programs. Failing to adequately fund CSC defeats the very program that has most improved health conditions for American Indians and Alaska Natives. Finally, underfunding CSC disproportionately hurts SG/ISD tribes because it protects direct service operations from sharing in overall funding reductions and limitations. And again, underfunding CSCs costs jobs in Indian country.

Recommended Action.—We strongly urge consideration of this line item, and recommend an increase of $99.3 million in fiscal year 2010 (by supplemental appropriations) and $100 million in fiscal year 2011 to alleviate the shortfall for current contracting and compacting with IHS. To the extent fully funding CSC in fiscal year 2011 is deemed infeasible, the Choctaw Nation recommends that a plan be developed by the administration and implemented immediately to sustain CSC funding in the appropriations process by eliminating the IHS CSC shortfall over a defined period of time. The objective would be to (1) annually provide sufficient CSC increases to adequately cover expanded CSCs associated with program increases and inflation ($45.8 million in fiscal year 2011 and a similar sum in fiscal year 2012,

and (2) include an additional CSC increase to phase-out the overall shortfall in 3 years (by adding $35 million to the $45.8 million).

Pacing increases in this manner would permit the administration to fulfill its commitment to support ISD and SG in a responsible manner that reflects the current difficult fiscal environment. It will allow tribal governments to support the administration and congressional efforts currently underway to create jobs in the most severely impoverished parts of the country. If these increases begin in fiscal year 2012, it will eliminate the shortfall entirely in the fiscal year 2014 budget (after which annual increases would drop back to cover future inflationary, program increase, and ISD requirements).

Finally, the administration should budget for CSC requirements associated with future IHS budget increases. For instance, today any new program dollar requires a matching increase of 13.5 cents in contract support costs, because the CSC requirement is an average 25 percent of each direct service dollar that is under contract, and 54 percent of all IHS service dollars are presently under contract. Developing appropriations increases in the future along these lines will prevent any future expansion of the historic CSC shortfall. Once that shortfall is eliminated (as proposed above) this approach will guard against any recurrence of shortfalls in the future.[1]

CHS

CHS is the most complex service delivered by the Indian Health Service (IHS), Tribally Operated Health Program (TOHP) healthcare delivery system. CHS is designed to refer patents and reimburse providers outside the IT system for medical services provided to American Indian/Alaska Natives (AI/AN) patients. CHS services consist of those services not provided by the TOHP hospitals and clinics.

IHS and TOHP are taking positive steps to improve the way we deliver care in the CHS program. Dr. Yvette Roubideaux, Director of the IHS, will soon form a new workgroup to review the CHS program and initiate a "best practices" process that will allow the sharing of successful programs. We are heading down a positive road and we applaud the director for listening to our concerns and seeking a process to address the needs of Tribal health providers.

The fiscal year 2010 appropriation from Congress for CHS was a good faith beginning. The $117 million increase is very much appreciated. The large problem with CHS is that no one is sure what the dollar figure is to fully fund this program. It is not just the total of dollars spent, plus denied referrals, plus deferred referrals. We know of providers who do not submit referrals because they know they will never meet the criteria for payment. So IHS and tribes must come up with a formula to provide Congress with a true number.

Until this amount can be provided to Congress, all we know is that the program is woefully underfunded. The Choctaw Nation of Oklahoma requests that Congress support the $83 million increase in the President's budget request for CHS in fiscal year 2011. Also, we strongly recommend that the funding methodology used in fiscal year 2010 be used to distribute the funds.

SFC

In mainstream America it is difficult to imagine citizens living without access to clean water or waste disposal facilities; after all it is 2010. Yet in many areas where AI/ANs reside, this is the rule rather than the exception. We know this is a fact in many of the reservation areas, but it is also a fact in rural Oklahoma. The southeast corner of Oklahoma is the homeland for the Choctaw Nation. It is the size of Vermont. Some Choctaw members and other Indians live in small towns and communities served by rural water districts or city systems, but most live in homes far from major highways and communities. The terrain is rough, distances are significant, landscape is mountainous with many large trees. Many of our citizens do not have access to the most basic of services. Then we question, why are our people sicker than the non-Indian population?

Speaking specifically for the Oklahoma City area, IHS, SFC (and this is typical for all areas of IHS) we are unnoticed and underfunded. SFC is preventive in nature and is not prioritized as a health delivery need by many tribal leaders and tribal health directors. it is hard to compete with cancer, diabetes, and heart disease. It is a major need in our system.

The Oklahoma City area, IHS covers Oklahoma, NE Kansas, SE Nebraska, and one tribe in Texas. The Area Sanitation Deficiency System (SDS) is a prioritized list

[1] Taken from the Tribal Self Governance Strategic Plan and National Priorities for the Obama Administration and the 111th Congress, 2nd Session, 2010–2011, updated February 2010.

of needed water, sewer, and solid waste projects. In November 2009 the SDS indicated a need of $77 million; the SFC funding was $7,113,000. The priority list grows at a much higher rate than the appropriations. Within the Oklahoma City Area, the IHS and tribal programs will begin a canvassing process throughout Indian country to identify a true unmet need. We anticipate the unmet need will actually triple once this process is completed.

The President's 2011 budget request for SFC is $97,710,000, an increase of only $1,853,000 more than 2010 which was equal to the 2009 level. We are requesting that Congress increase the SFC budget line item $7,000,000 more than the President's mark so that we can begin to close the gap in this important service.

Mandatories.—Provide $474 million for IHS mandatory, inflation and population growth increase to maintain existing health care services.

Mandatory costs increases are necessary to maintain the current level of services. These "mandatories" are unavoidable and include medical and general inflation, pay costs and population growth. Maintaining current services is a fundamental budget principle. Failure to do so would result in cuts in healthcare and delivery. We estimate the current services need in fiscal year 2011 is $474 million.

Office of Tribal Self-governance.—Increase $5 million to the IHS Office of Tribal Self-Governance

In 2003, Congress reduced funding for this office by $4.5 million, a loss of 43 percent from the previous year. In each subsequent year, this budget was further reduced due to the applied congressional rescissions. As of 2010, there are 330 SG tribes managing approximately $1.2 billion in funding. This represents 57 percent of all federally recognized tribes and 33 percent of the overall IHS funding. The SG office supports tribes operating programs under the Tribal Self-Governance Amendments of 2000. The SG process serves as a model program for Federal Government outsourcing, which builds tribal infrastructures and provides quality services to Indian people.

The Choctaw Nation supports the fiscal year 2011 budget requests included in the National Tribal Self-Governance Strategic Plan and Priorities, by the National Indian Health Board and by the National Congress of American Indians.

PREPARED STATEMENT OF THE COLORADO RIVER BOARD OF CALIFORNIA

Support for fiscal year 2011 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 2011 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's budget justification document has stated 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 Federal Salinity Control Program in the Colorado River Basin. The BLM budget, as proposed in the BLM budget justification document, calls for five principal program priorities within the Soil, Water, and Air Management Program. One of the priorities is reducing saline runoff in the Colorado River Basin 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 erosion 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 USBR through its Basin-wide Program and by the USDA 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 Advisory Council at its meeting in October 2009 in Phoenix, Arizona, recommended that Congress appropriate $5,900,000 to BLM in fiscal year 2010 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 2011 could use $1.5 million. The Colorado River Board requests that Congress appropriate $5,900,000 to BLM in fiscal year 2011. The Colorado River Board supports the Advisory Council's recommendation and 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 more than 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 $376 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; 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 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 2011, 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.

Sincerely,

GERALD R. ZIMMERMAN,
Executive Director.

PREPARED STATEMENT OF THE COLORADO RIVER BASIN SALINITY CONTROL FORUM

In support of $5,200,000 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 budget justification documents have stated 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 2011 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 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 $5,200,000 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 has recognized that the BLM has now identified projects that in fiscal year 2010 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 (EPA). 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 prac-

ticable (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 $353 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; and
—increased use of imported water for leaching and the cost of desalination and brine disposal for recycled water.

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 EPA 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 2008 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.

LETTER FROM BY COLORADO RIVER COMMISSION OF NEVADA

MARCH 5, 2010.

Hon. DIANNE FEINSTEIN,
Chairman, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

Hon. LAMAR ALEXANDER,
Ranking Member, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

Re: Support for fiscal year 2011 appropriations for the Bureau of Land Management

DEAR CHAIRMAN FEINSTEIN AND SENATOR ALEXANDER: As a Nevada representative of the Colorado River Basin Salinity Control Forum and Advisory Council, the Colorado River Commission of Nevada (CRCN) submits this written testimony in support of funding for the Bureau of Land Management (BLM) for the subactivity that assists the Colorado River Basin Salinity Control Program. The CRCN believes the BLM needs to specifically target $5,200,000 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 Management 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 has recognized that the BLM has now identified projects that in fiscal year 2011 could use $1.5 million. For years, Congress has dedicated $800,000 on the effort; the CRCN believes $1.5 million should be so designated for fiscal year 2011.

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.

Sincerely,

GEORGE M. CAAN,
Executive Director.

PREPARED STATEMENT OF THE COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

Mr. Chairman and members of the subcommittee, the Columbia River Inter-Tribal Fish Commission is pleased to share its view on the Department of the Interior, Bureau of Indian Affairs' (BIA) fiscal year 2011 budget and has specifically identified two funding needs:

—$7,712,000 (an increase of $3,232,000 more than fiscal year 2010 enacted) for Columbia River Fisheries Management under the other recurring programs, wildlife and parks, rights protection implementation areas to restore base program funding to the Commission and the fisheries programs of its member tribes to meet management obligations, including efforts for species listed under the Endangered Species Act, and;

—$4,800,000 (an increase of $680,000 more than fiscal year 2010 enacted) for U.S./Canada Pacific Salmon Treaty under the Other Recurring Programs, Wildlife and Parks, Rights Protection Implementation areas to achieve base program funding adequacy and to implement new obligations under the recent agreement adopted by the United States and Canada under the Treaty.

The Columbia River Inter-Tribal Fish Commission (CRITFC) was founded in 1977 by the four Columbia River treaty tribes: Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, Confederated Tribes and Bands of the Yakama Nation, and Nez Perce Tribe. CRITFC provides coordination and technical assistance to these tribes in regional, national, and international efforts to protect and restore our shared salmon resource and the habitat upon which it depends. The collective ancestral homeland of the four tribes covers nearly one-third of the entire Columbia River Basin in the United States.

In 1855, the United States entered into treaties with the four tribes[1] whereupon we ceded millions of acres of our homelands to the United States. In return, the United States pledged to honor our ancestral rights, including the right to fish. Unfortunately, a perilous history brought the salmon resource to the edge of extinction with 12 salmon and steelhead populations in the Columbia Basin listed under the Endangered Species Act (ESA).

Today, the CRITFC tribes' are leaders in fish restoration efforts and work with State, Federal, and private entities. CRITFC's member tribes are principals in the region's efforts to halt the decline of salmon, lamprey and sturgeon populations and rebuild them to levels that support ceremonial, subsistence and commercial harvests. To achieve these objectives, the tribes' actions emphasize supplementation of natural stocks, healthy watersheds, and collaborative efforts.

The programs in this testimony are carried out pursuant to the Indian Self-Determination and Assistance Act. We have successfully secured other funds to support our efforts, including funds from the Bonneville Power Administration, the Pacific Coastal Salmon Recovery Fund, and the Southern Fund of the Pacific Salmon Treaty, to name a few. Our programs are integrated as much as possible with State and Federal salmon management and restoration efforts. Following several years of court supervised collaboration our member tribes have successfully forged three key 10-year agreements including a coordinated plan for salmon restoration to meet the objectives for the Biological Opinion on the Federal Columbia River Power System, while ensuring protection of our treaty reserved rights.

Columbia River Fisheries Management Program Needs Under the Other Recurring Programs, Wildlife and Parks, Rights Protection Implementation.—Tribal natural resource management issues continue to increase in complexity, requiring greater data collection and more sophisticated analyses and funding has not kept pace with inflation. Funding shortfalls are undermining efforts to fulfill tribal self-determination goals for fisheries management, ESA recovery efforts, protecting nonlisted species, conservation enforcement and treaty fishing access site maintenance. Since fiscal year 2003, our funding has decreased under the weight of inflation and rising operation costs. We are seeking an increase of $3,232,000 more than fiscal year 2010 for a new program base of $7,712,000 for Columbia River Fisheries Management as explained below:

Restore Base Program and Meet Unfunded Program Needs.—The BIA's Columbia River Fisheries Management line item is the base funding that supports the fishery program efforts of CRITFC and the four member tribes. Unlike State fish and game agencies, the tribes do not have access to Dingell-Johnson/Pittman-Robertson or Wallop-Breaux funding. The increase will be directed to support the core functions of the fisheries management programs of the Commission's member tribes.

In 2008 CRITFC and its member tribes successfully concluded lengthy negotiations resulting in three landmark agreements: (1) a Columbia Basin Fish Accords with Federal action agencies overseeing the Federal hydro system in the Columbia Basin; (2) a Ten-Year Fisheries Management Plan with Federal, tribal, and State parties under *U.S.* v *OR*, and (3) a new Chinook Chapter of the Pacific Salmon Treaty.[2] These agreements establish regional and international commitments on harvest and fish production efforts, commitments to critical investments in habitat restoration, and resolving contentious issues by seeking balance of the many demands within the Columbia River basin. While through these agreements the tribes have committed to substantial on-the-ground projects with some additional resources from the Bonneville Power Administration, the overall management responsibilities of the tribal programs have grown exponentially without commensurate increases in BIA base funding capacity. For example, the tribes' leadership in addressing Pacific Lamprey declines is this species' best hope for survival and recovery. The tribes are taking the lead in developing needed lamprey management plans. The tribes are also addressing unmet mitigation obligations, such as fish losses associated with the construction of John Day and The Dalles dams.

Public safety continues to be a high priority for CRITFC and the four tribes. Tribal law enforcement infrastructure is a necessary component of fisheries management. Tribal infrastructure needs include additional conservation officers, tribal code improvements, courts and prosecutorial capacity increases, and modern detention facilities. CRITFC conservation officers are also the cornerstone of the search and rescue, and subsequently recovery efforts. In the popular and heavily used Columbia Gorge they provide the most continuous on-river presence for both the tribal

[1] Treaty with the Yakama Tribe, June 9, 1855, 12 Stat. 951; Treaty with the Tribes of Middle Oregon, June 25, 1855, 12 Stat. 963; Treaty with the Umatilla Tribe, June 9, 1855, 12 Stat. 945; Treaty with the Nez Perce Tribe, June 11, 1855, 12 Stat. 957.

[2] See "Salmon Win A Triple Crown" at http://www.critfc.org/text/wana__w09.pdf.

and nontribal community who depend on the river for commercial, cultural, and recreational opportunities.

The Columbia River in lieu and treaty fishing access sites were authorized by Congress to fulfill the promises beginning in 1939 when the U.S. Government built the first of four Federal dams that flooded traditional fishing sites and villages on the lower Columbia River. After nearly 70 years, 29 sites are in place with two more sites slated for completion in 2011 thereby fulfilling the Government's pledge. Eighteen of the sites are along the Washington shores of the Columbia River between Bonneville and McNary Dams. Tribal fishers from the four tribes use the sites to support their harvest for ceremonial, subsistence and commercial purposes. The sites vary with improvements including boat launches, fish drying sheds, fish cleaning stations, and camping facilities.

Compounding the challenges in implementing tribal fish management agreements are the impacts that climate change will have on the interior Columbia Basin and the tribe's treaty resources. The University of Washington Climate Impact Group predicts new challenges to salmon management due primarily to thermal effects and runoff timing changes. The CRITFC is being asked to develop mitigation and adaptation strategies on behalf of our member tribes. CRITFC and its member tribes currently have insufficient funds to do the technical work and allow policy-level participation in the co-management arena.

The funding provided through the BIA to support tribal fishery programs is crucial to the tribes' and CRITFC's ability to successfully carry out tribal rights protection, including these agreements, by providing sound technical, scientific and policy products to diverse public and private forums. Lost buying power through rising costs, inflation and lack of pay-cost adjustments to tribal funding has further challenged us to deliver these essential services.

U.S./Canada Pacific Salmon Treaty under the Other Recurring Programs, Wildlife and Parks, Rights Protection Implementation.—For tribal participants in the Pacific Salmon Treaty, the U.S. Section has identified a program need of $4,800,000 for BIA.

The United States and Canada entered into the Pacific Salmon Treaty in 1985 to conserve and rebuild salmon stocks, provide for optimum production, and control salmon interceptions. The treaty established the Pacific Salmon Commission (PSC) as a forum to collaborate on intermingled salmon stocks. The U.S. section of the PSC annually develops a coordinated budget for tribal, State and Federal programs to ensure cost and program efficiencies. Congress increased funding in 2000 in order to implement the 1999 Agreement but funding has significantly eroded since then. In 2008, the United States and Canada adopted a new long-term Treaty agreement after nearly 3 years of negotiations. Both parties agreed to significant new management research and monitoring activities to ensure the conservation and rebuilding of the shared salmon resource

The $4,800,000 provides for direct tribal participation with the Commission, panels and technical committees. The funding enables the tribes to assist in Treaty implementation and facilitates management protecting trust resources. This funding maintains tribal resource assessment and research programs structured to fulfill required Treaty implementation activities. We are seeking to restore this capacity through reprogramming existing BIA funds in a manner consistent with policy and law. The fiscal year 2011 recommended level for this program is an increase of $680,000 more than the fiscal year 2010 enacted level. The recommendation follows the U.S. section's recommendation, includes pay cost adjustments and brings the program back in line with previous levels of participation.

Pacific Salmon Treaty obligations add significantly to the tribes' administrative management, and research responsibilities. To effectively implement the treaty, tribal representatives must meet frequently to review technical information and develop informed policy input for use by the tribes' Pacific Salmon Commission representatives. These treaty-mandated responsibilities result in additional expenses for the tribes. Because each of the 25 tribes covered by this funding source is a separate government and manages its own fisheries, these obligations require direct tribal involvement.

The tribal management programs provide needed and beneficial and technical support to the U.S. section. The Pacific Salmon Commission relies heavily on the various technical committees established by the Treaty. The work of these committees is integral to the task of implementing fishing regimes consistent with the Treaty and the goals of the Parties. Numerous tribal staff appointed to these committees and all of the tribal programs generate data and research to support their efforts. For example, indicator stock tagging and escapement monitoring provides key information for estimating the parties' annual harvest rates on individual

stocks, evaluating impacts of management regimes established under the Treaty, and monitoring progress toward the Chinook rebuilding program started in 1984.

In summary, through combined efforts of the four tribes supported by a staff of experts, we are proven natural resource managers. Our activities benefit the region while also essential to the U.S. obligation under treaties, Federal trust responsibility, Federal statutes, and court orders. We ask for your continued support of our efforts. We are prepared to provide additional information you may require on the Department of the Interior's BIA budget.

PREPARED STATEMENT OF THE CHUGACH REGIONAL RESOURCES COMMISSION

As Executive Director of the Chugach Regional Resources Commission (CRRC), located in Alaska, I am pleased to submit this testimony, which reflects the needs, concerns and requests of CRRC regarding the proposed fiscal year 2011 budget. CRRC respectfully requests that the subcommittee restore $500,000 in recurring base funding in the Bureau of Indian Affairs' (BIA) Trust-Natural Resources Budget. Of this amount, CRRC requests $350,000 for its core administrative operations, and $150,000 to restart and continue operations at the Alutiiq Pride Shellfish Hatchery in Seward, Alaska.

I request that this funding be returned to the base budget due to the difficulties CRRC has had receiving its legally and contractually bound funding from the BIA over the last few years. Despite entering into a legally binding Self-Determination contract with CRRC in 1993, a contract that was subsequently renewed, the BIA has, in recent years, failed to request funding for CRRC in its budget. Recently, we brought suit against the BIA, which resulted in a legally binding agreement that the BIA would continue to honor its contract with CRRC and continue to fund it. Unfortunately, once again, the BIA failed to request funds in its budget. Because we do not want funding for other BIA programs to suffer, we request that Congress restore CRRC's funding to the base budget to assist the BIA in meeting its legal obligation to provide funding to CRRC.

Commission History.—CRRC is a nonprofit coalition of Alaska Native Villages. CRRC was organized in 1987 by the seven Native Villages of the Chugach region of Alaska: Tatitlek Village IRA Council, Chenega IRA Council, Port Graham Village Council, Nanwalek IRA Council, Native Village of Eyak, Qutekcak Native Tribe, and Valdez Native Tribe.

CRRC was created by these Villages to address environmental and natural resource issues and to develop culturally-sensitive economic projects at the community level to support the sustainable development of the region's natural resources. The Native Villages choice to create a separate entity demonstrates the level of their concern for environmental and natural resource management and protection—the creation of CRRC ensured that natural resource and environmental issues received sufficient attention and focused funding.

In recognition of the level of concern the Chugach region Villages had, and the importance of CRRC's work, the BIA awarded CRRC a self-determination contract ("self-determination contract") with the Department of the Interior through the Indian Self-Determination and Education Assistance Act ("ISDEAA"), Public Law No. 93–368, in 1993, and received $350,000 as part of the BIA's base budget from fiscal year 1994 through fiscal year 2002. CRRC was able to leverage this funding into almost $2 million annually to support its several community-based programs. While the base funding of $350,000 allowed CRRC to maintain core administrative operations, specific projects have received funding from sources such as ANA Grants, the EVOS Trustee Council, the State of Alaska, the BIA and the Forest Service. With these funds, CRRC has managed to develop and operate several important programs that provide vital services, valuable products, and necessary employment opportunities. These programs include:

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 Alutiiq Pride houses shellfish seed, brood stock and algae production facilities. The Hatchery is operated by CRRC and, when funded, has employed four individuals. Alutiiq Pride is undertaking hatchery nursery and grow out operations research to adapt mariculture techniques for the Alaskan Shellfish industry, as well as conducting scientific research on blue and red king crab as part of a larger federally sponsored program. As the only shellfish hatchery in the State, CRRC is the only organization in Alaska that can carry out this research. While CRRC planned to expand the production of the Hatchery so that it can support some of CRRC's base operating costs once it becomes self-sustaining, reduction and delays

in funding since 2001 has led to the hatchery slowing down its operations and laying off most of its employees.

Alutiiq Pride has been successful in culturing geoduck, oyster, littleneck clam, and razor clam species, and is currently working to develop culture, nursery, and grow-out techniques for red king crab and blue king crab. This important research cannot continue without base operational funding.

The production and sale of geoducks and razor clam seed—two projects the hatchery is currently working on—has the potential to raise substantial revenue. For example, the production potential from only 2 million seed sales can approach $400,000, which is a tenfold revenue increase. The shellfish industry in Alaska has not yet grown to the point where seed sales cover the cost of operations, but we expect geoduck seed sales will coincide with the expected growth of the oyster sales industry. Until the Hatchery is self-sufficient in 2–5 years, however, it requires operations and research and development funds if it is to meet the State's growing demand for shellfish seed.

To be able to re-hire hatchery employees and restart and continue to develop these important programs, CRRC is seeking annual funding of $150,000 for hatchery operating expenses and research and development until the Hatchery is able to become self-sustaining.

Natural Resource Curriculum Development.—Partnering with the University of Alaska, Fairbanks, and the National Oceanic and Atmospheric Administration, CRRC is developing and implementing a model curriculum in natural resource management for Alaska Native students. This curriculum integrates traditional knowledge with Western science. The goal of the program is to encourage more Native students to pursue careers in the sciences. So far, there 15 students have completed the program, earning a total of 15 credits each towards a 30-credit certificate in tribal management. In addition, we are working with the Native American Fish & Wildlife Society and tribes across the country (including Alaska) to develop a university level textbook to accompany these courses.

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.

Statewide Subsistence Halibut Working Group.—CRRC participates in this working group, ensuring the halibut resources are secured for subsistence purposes, and to conduct harvest surveys in the Chugach region.

Employment.—CRRC has provided employment for 35 Native people in the Chugach region—an area where Native people face high levels of unemployment. As a result of reduction and elimination of funding in the past few years, CRRC had to lay off 20 employees, including most of our Village employees. This amounts to six families per Village losing this income. In Villages with an average population of 100, this loss of income is a devastating blow to the local community economies. If funding is not restored, we will be unable to rehire our employees, and these 20 families will create a much larger burden on State and Federal financial resources. Several of our projects, each of which serve important and innovative goals and provide valuable products and services, have also been put on hold until we have the funding to resume operations and rehire the necessary employees.

Funding History.—As mentioned above, CRRC receives its core administrative funding through a self-determination contract with the Department of the Interior. CRRC entered into its original 3-year contract in 1993. Under the contract, the BIA agreed to provide annual funding to CRRC to protect the region's natural resources and engage in economic development for the Villages. This contract has subsequently been renewed each time it has come up for renewal.

The ISDEAA requires the Interior to provide at least the amount of funding the "Secretary would have otherwise provided for the operation of the programs" the contract supports (the so-called "Secretarial Amount") plus additional contract support costs. 25 U.S.C. § 450j–1(a)(1)–(2). This means that Interior is required to provide CRRC with the same amount that the Secretary of the Interior would have to run the program. The ISDEAA further specifies that the Interior generally cannot reduce the contract funding from one year to the next. Despite this legislative and contractual obligation to provide consistent annual funding to CRRC, the BIA, since fiscal year 2003 has avoided its funding obligation by failing to request funding for CRRC in its budget.

Even though Congress has been helpful in restoring funding for CRRC in the BIA's budget, the BIA has continued to avoid using those funds for CRRC. In fiscal year 2006, the BIA unilaterally reduced CRRC's funding to $300,000—a significant cut from our previous level of funding. In fiscal year 2007, Congress again provided $300,000 for CRRC, but the BIA used the absence of associated targeted spending language to redirect CRRC's funding elsewhere in its budget. Despite repeated ap-

peals to the agency, and despite its contractual obligation to pay, the BIA did not provide CRRC with any funding in fiscal year 2007. As a result, CRRC was forced to take out a bank loan of $100,000 just to avoid closing its operations entirely. We were forced to lay off many employees, and several of our projects were put on hold because of the lack of funding and the resulting lack of employees.

In fiscal year 2008, the BIA again sought to withhold all funding, and even tried to cut off CRRC's contract, which is illegal under the ISDEAA. CRRC was forced to spend several thousand dollars in legal fees to file suit to obtain its rightful funding for fiscal year 2008. The BIA resolved this lawsuit and agreed that it would continue to provide funding to CRRC, but once again, in fiscal year 2009 and fiscal year 2010, the BIA did not provide for CRRC funding in its budget. We fear that without Congressional assistance in the form of a targeted spending request, we will be forced to sue the BIA every year to obtain the funding that CRRC should rightfully receive pursuant to its contract.

If the BIA does not request funding for CRRC, it must take the funds from its other programs to fulfill its legally obligated duty to CRRC. Because we do not want to take funds from other BIA programs, we are asking that Congress restore this funding the base budget to assist the BIA in meeting this legal and contractual obligation.

Our base budget is as follows:

	Projected cost
Chugach Region Shellfish Mariculture Development	$75,000
Oyster grow-out operations in Tatitlek	
Oyster marketing	
Nanwalek Sockeye Salmon Development Project	$25,000
Seek funds for disease free water engineering study	
Operate smolt out-migration weir	
Program Development/Regional Office Operations	$250,000
Two staff persons/supplies/quarterly board meetings	
Biological Professional Assistance	
Project Development and Planning	
Harvest Surveys	
Resource Evaluation and Management	
Total Direct Costs	$350,000
Indirect Cost (27.7 percent)	$96,950
Total projected base budget	$446,950
Alutiiq Pride Shellfish Hatchery Operations	$150,000
Total	[1] $596,950

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Operate smolt out-migration weir	
Program Development/Regional Office Operations	$250,000

	Projected cost
Two staff persons/supplies/quarterly board meetings Biological Professional Assistance Project Development and Planning Harvest Surveys Resource Evaluation and Management	
Total Direct Costs	$350,000
Indirect Cost (27.7 percent)	$96,950
Total projected base budget	$446,950
Alutiiq Pride Shellfish Hatchery Operations	$150,000
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PREPARED STATEMENT OF THE CUYAHOGA VALLEY NATIONAL PARK ASSOCIATION

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of acquiring land at Cuyahoga Valley National Park in Ohio. An appropriation of $5.275 million is needed in fiscal year 2011 from the Land and Water Conservation Fund in order for the National Park Service to acquire the remaining phase of the 580-acre Blossom property. The administration's budget for this year, recognizing the national significance of this land protection effort at Cuyahoga Valley National Park, includes an LWCF recommendation for the Park of $6.82 million. This will permit the protection of the Blossom acquisition as well as several other Cuyahoga Valley National Park inholdings.

Located between Cleveland and Akron, the Cuyahoga Valley National Park conserves the Cuyahoga River valley and the associated historic canal and railroad corridors in Summit and Cuyahoga counties. The park is a major year-round outdoor recreation attraction in northeastern Ohio. More than 2.8 million people visited Cuyahoga Valley in 2008, making it the sixth most visited National Park in America and the single most visited NPS site in the Midwest. Native Americans named the river Cuyahoga, or "crooked river," aptly describing the river's serpentine meanderings as it flows northwards beneath bluffs towards Lake Erie. The conserved forests, farmlands, and wetlands within the national park offer visitors a remarkable array of outdoor recreation, wildlife-viewing opportunities, and spectacular scenery including peaceful creeks, waterfalls, open prairie, and dense hardwood forests, all within easy access of a major metropolitan area.

In fiscal year 2011, the National Park Service has the opportunity to complete the acquisition (begun in fiscal year 2010) of the 580-acre Blossom property, the top-priority inholding at Cuyahoga Valley National Park. The acquisition is crucial due to its location, natural and scenic resources, and likelihood of significant development if not protected. The Blossom tract is currently owned by the Cleveland Orchestra/Musical Arts Association (MAA) as part of the renowned 780-acre Blossom Music Center, a vital and exceedingly popular performing arts destination for residents of the Cleveland area and beyond. MAA is an important cultural presence in the area; in order to sustain the many public-benefit programs MAA and the Orchestra provide to the community in the face of significant financial challenges, it now must monetize the bulk of this key asset. MAA agreed last year to make 580 park-quality acres surrounding its facilities available for acquisition by the National Park Service, and Congress responded by providing $4 million to begin the purchase in fiscal year 2010. Requested funding in fiscal year 2011 will allow the completion of the project so that MAA can set aside all other plans regarding these highly developable lands.

As a large inholding, the acquisition of the Blossom tract would greatly benefit efforts to protect forest and water resources in the southern section of the national park. A mature forest covers most of the property, and its addition to the park will create 1,200 acres of unfragmented and protected forestlands. This acreage, combined with other nearby blocks of protected forest, forms a 5,000-acre forest ecosystem, the largest in the national park. This network of forestlands provides unparalleled habitat for a high diversity of species and particularly for important nesting and feeding areas for bird and other species most sensitive to habitat disturbance. Along these lines, the Blossom land is one of just two sites in the entire park that host cerulean warbler, black and white warbler, veery, and other bird species

that are in decline nationally. Such rich forest communities are increasingly rare in northeastern Ohio.

The Blossom property is key to improving water quality protection in the Cuyahoga Valley. Three distinct watersheds drain the Blossom land (Robinson Run, Adam Run, and an unnamed creek). These creeks provide many high-quality coldwater stream habitats that in turn support diverse fish populations and a broad spectrum of other sensitive species. Unlike many other tributaries of the Cuyahoga, these creeks have remained healthy and intact, mostly in part because of their location at the heart of the larger forest ecosystem. The Blossom tract therefore presents what likely is the best remaining watershed protection opportunity in the park.

Recreational opportunities surround the inholding and will be enhanced by acquisition of the trails, creek corridors, and woodlands of the Blossom lands. Just across the Cuyahoga River to the west are the popular Hunt Farm Visitor Information Center, a boarding station on the Cuyahoga Valley Scenic Railroad, the Ira trailhead on the Ohio & Erie Canal Towpath Trail, and the Beaver Marsh wetland area. Just to the south of the property is the 278-acre Hampton Hills Metropark, managed by Summit County, featuring its own hiking trails, soccer fields, picnic grounds, and natural areas.

Acquisition of the Blossom property by the National Park Service would be a signature accomplishment in the history of the park and in the complement of public resources here. As noted before, Congress approved a $4 million appropriation in fiscal year 2010 to commence the project. In order to complete the protection of these lands, an appropriation of $5.275 million from the Land and Water Conservation Fund directed to the Cuyahoga Valley National Park is needed in fiscal year 2011.

The Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this subcommittee faces, I also want to thank the committee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Ohio, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE CIVIL WAR PRESERVATION TRUST

INTRODUCTION

Mr. Chairman and members of the subcommittee, thank you for the opportunity to provide written testimony. My name is James Lighthizer, and I am the president of the Civil War Preservation Trust (CWPT). I am writing to respectfully request that the Senate Appropriations Subcommittee for the Interior, Environment, and Related Agencies fully fund the Civil War Battlefield Preservation Program (CWBPP), financed through the Land and Water Conservation Fund (LWCF) in the Department of the Interior, at its authorized amount of $10 million.

I would like to start by providing a little information about our organization. CWPT is a 55,000-member nonprofit organization—the only national one of its kind—dedicated to preserving America's remaining Civil War battlefields. To date, CWPT has permanently protected more than 29,000 acres of hallowed ground in 20 States, most of it outside National Park Service boundaries.

I am here today to discuss with you the small but highly effective Federal land conservation program that has made much of our success possible: the CWBPP. This matching grants program encourages cooperative partnerships between State and local governments and the private sector to preserve targeted, high-priority Civil War battlegrounds. Since it was first funded in fiscal year 1999, the program has been used to protect more than 15,500 acres of hallowed ground nationwide.

Time is running out for our remaining Civil War battlefields. We estimate that even in this depressed economy, 30 acres of battlefield land are lost every day. If

we are to save these sites so that future generations may visit them and learn from them, the time to act is now. We estimate that in the next 5 to 10 years the fate of many of these battlefields will be determined.

ORIGINS OF THE PROGRAM

In 1990, Congress created the Civil War Sites Advisory Commission (CWSAC), a blue-ribbon panel composed of lawmakers, historians, and preservationists. Its goal: determine how to protect America's remaining Civil War battlefields. In 1993, the Commission released a study entitled "Report on the Nation's Civil War Battlefields." The report identified the 384 most historically important Civil War battlegrounds and further prioritized them according to preservation status and historic significance. Sixteen years later, this landmark report and a recent update conducted by NPS remain our guide for determining which battlefields should be preserved.

In addition to creating a prioritized list of battlefield preservation targets, the Commission also recommended that Congress establish an "emergency" $10 million-a-year Federal matching grant program for acquisition of battlefield land outside NPS boundaries. The intent of the matching grants formula was to encourage private sector and State and local government involvement in battlefield acquisition. The Commission's proposal for an emergency Federal matching grant program was the genesis of the Civil War Battlefield Preservation Program.

CONGRESSIONAL FUNDING AND FIRST SUCCESSES

Five years after the "Report on the Nation's Civil War Battlefields" was released, Congress acted upon the Commission's recommendation by setting aside $8 million from the LWCF for Civil War preservation matching grants. This first appropriation for the program was made available over 3 years, and required a 2 to 1 non-Federal/Federal match. Grants were competitively awarded through the American Battlefield Protection Program (ABPP), an arm of NPS. Funding was solely for acquisition of properties outside NPS boundaries at battlefields identified in the 1993 report. Land could be purchased from willing sellers only; there was—and there remains—no eminent domain authority.

Thanks to the new program, there began an unprecedented and almost-immediate surge in Civil War battlefield preservation. The $8 million appropriation generated $24 million for land acquisition by encouraging State and private investment in battlefield land protection. The program inspired the Virginia and Mississippi legislatures to appropriate $3.4 million and $2.8 million, respectively, to meet the Federal match. The Civil War Preservation Trust alone contributed $4 million in private sector funds to meet the match.

As a result of the non-Federal funds generated by the program, battlefields like Virginia's Brandy Station and Manassas received a new lease on life. In addition, other sites such as Prairie Grove in Arkansas, Champion Hill in Mississippi, and Bentonville in North Carolina—just to name a few—were substantially enhanced. Largely because of the success of those first 3 years, Congress appropriated an additional $11 million for the program in fiscal year 2002, this time with a more attractive 1 to 1 non-Federal/Federal match requirement.

AUTHORIZATION OF THE PROGRAM

After approval of the fiscal year 2002 appropriation, authorization of the CWBPP seemed the next logical step. Supporters on Capitol Hill felt that authorization of the program would convey to the Department of the Interior congressional intent regarding the program's goals and objectives. Further, authorization would provide funding predictability for the program's non-Federal partners, encouraging them to continue their involvement in battlefield preservation.

The authorization bill, entitled the Civil War Battlefield Preservation Act of 2002, was introduced in the House and Senate in the summer of 2002. The bipartisan bill formally tied the program to the 1993 CWSAC report, creating a Federal conservation program with a highly focused, prioritized list of acquisition targets. It also provided for an annual appropriation of up to $10 million per year—the level originally recommended by the Commission in 1993. The Civil War Battlefield Preservation Act was passed with the unanimous consent of both the House and Senate in the fall of 2002, and was signed into law on December 17, 2002 (Public Law 107–359).

ADDITIONAL SUCCESSES AND REAUTHORIZATION LEGISLATION

Since the program was first funded in fiscal year 1999, Civil War Battlefield Preservation Program grants have been used to protect 15,500 acres of hallowed ground

in 14 States. Among the many battlefields that have benefited from this program are: Antietam, Maryland; Averasboro, North Carolina; Chancellorsville, Virginia; Chattanooga, Tennessee; Corinth, Mississippi; Harpers Ferry, West Virginia; and Perryville, Kentucky.

One of the program's most notable successes occurred in 2006, when the Department of the Interior awarded a $2 million grant to help save the Slaughter Pen Farm on the Fredericksburg Battlefield in Virginia. This property, soaked with the blood of 5,000 men in blue and gray, was nearly lost to industrial development. Five Medals of Honor were earned by Union soldiers for heroism on that field.

The Civil War Battlefield Preservation Program was reauthorized as part of the Omnibus Public Land Management Act of 2009 (H.R. 146), which President Obama signed into law on March 30, 2009 (Public Law 111–11).

FISCAL YEAR 2010 AND FISCAL YEAR 2011 APPROPRIATIONS REQUEST

We would like to thank the Senate Appropriations Subcommittee on the Interior, Environment, and Related Agencies for providing $9 million for the CWBPP in fiscal year 2010. This appropriation has allowed for the preservation of many historically significant lands at battlefields such as: Bentonville, North Carolina; Champion Hill, Mississippi; Davis Bridge, Tennessee; Perryville, Kentucky; Resaca, Georgia; and the Wilderness, Virginia. The ABPP, which administers the grant program, received the Treasury warrant on February 12, 2010, allowing the agency to begin obligating its fiscal year 2010 allocation. The agency has already completed an apportionment memo to obligate $1.7 million and more apportionment memos are sure to follow in the coming months as pending applications quickly consume the entire $9 million appropriation. CWPT and our nonprofit partners are certain the entire $9 million allocation will be obligated by the end of this fiscal year. Since the entire fiscal year 2010 allocation will be consumed by current deals, in order for the program to continue it will need additional funding in fiscal year 2011.

We respectfully ask the Senate Appropriations Subcommittee on the Interior, Environment, and Related Agencies to fully fund the Civil War Battlefield Preservation Program at its authorized amount of $10 million. Please note that a letter signed by nine Senators was delivered to both the subcommittee and full committee in March. The Member letter requested that the program be fully funded at its authorized amount of $10 million in fiscal year 2011. President Obama included a $6 million request for the program as part of his fiscal year 2011 budget.

We recognize that these are difficult economic times and appreciate the constraints on this subcommittee as you work to draft an appropriation bill that meets the needs of the agencies and programs under your jurisdiction. However, we believe that now is the opportune time to provide full funding for the CWBPP, especially with the Civil War sesquicentennial commemorations beginning next year. Funding at this level will allow for the continued success of the program and the preservation of key battlefield lands that will serve as lasting, tangible legacies for the sesquicentennial. In addition, with time rapidly running out to forever protect these hallowed grounds, funding for this program will soon no longer be necessary. We estimate that in the next 5 to 10 years the remaining Civil War battlefield lands will be either paved over or protected. That is why we must act now in order to preserve as much key battlefield land as possible before time runs out.

CONCLUSION

There is no question that the Civil War was a defining moment in our country's history. For 4 long years, North and South clashed in hundreds of battles that reunited our Nation and sounded the death knell for slavery. More than 625,000 soldiers and 50,000 civilians perished as a result of the war.

Preserved battlefields not only honor the memory of our Civil War ancestors, but all of our Nation's brave men and women in uniform. Further, preserved battlefields serve as outdoor classrooms to teach new generations of Americans about the significance of the Civil War—and remind them that the freedoms we enjoy today came at a terrific price.

I sincerely hope this subcommittee will consider our request to provide full funding of the CWBPP at its authorized level of $10 million. As noted, this is especially important as the nation begins to prepare for the upcoming sesquicentennial commemoration of the Civil War, beginning in 2011. The commemoration is expected to stimulate renewed interest in the conflict and generate unprecedented visitation to preserved Civil War battlegrounds. The preserved battlefield lands will create a legacy that long outlasts the sesquicentennial anniversary. We look forward to working with this subcommittee on battlefield protection and other historic preservation issues. Thank you for the opportunity to provide testimony.

PREPARED STATEMENT OF THE DESCHUTES CHAPTER OF TROUT UNLIMITED

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of acquiring land along the Crooked National Wild and Scenic River in Oregon. An appropriation of $1.2 million is needed in fiscal year 2011 from the Land and Water Conservation Fund in order for the Bureau of Land Management to acquire the 101-acre Crooked River Canyon inholding. In a demonstration of the importance of this acquisition, the $1.2 million amount was included in the President's budget request for fiscal year 2011.

On behalf of the Upper Deschutes Home Rivers Initiative and the Deschutes Chapter of Trout Unlimited, thank you for your time and interest in protecting our unique rivers and canyons here in Central Oregon. We are a national organization with more than 400 local members who support conservation and restoration of native fish habitat in the Upper Deschutes river basin. Trout Unlimited supports projects for our community and watershed which combine volunteers, staff support, and outside grant funds to care for our local and shared natural resources. We couldn't imagine living and working in a better place, and we hope congress can help preserve our natural heritage.

The Wild and Scenic Rivers Act celebrated its 40th Anniversary in 2008. The act, championed by Senator Frank Church and signed into law by President Lyndon Johnson on October 2, 1968, protects the free-flowing waters of many of our Nation's most spectacular rivers. The act is notable for safeguarding the special character of these rivers, while also recognizing the potential for appropriate use and development. These living landscapes are uniquely managed to protect the public's enjoyment of these heritage resources for present and future generations. The managing agencies also try to accommodate and reflect community and landowner interests. Every designation preserves a sliver of traditional American experiences that are important to local communities, such as fishing and boating in waters our Nation's forefathers would have recognized and enjoyed. Oregon enjoys a reputation for some of the greatest river ecosystems and river recreation in the country. Many of these rivers are currently protected under the Wild and Scenic Rivers Act.

Located in Jefferson County near the city of Terrebonne, Oregon, and available for acquisition by the Bureau of Land Management (BLM) in fiscal year 2011, is the 101-acre Crooked River Canyon property. The Crooked River is a nationally designated wild and scenic river which runs through the high desert in central Oregon and provides remote recreational opportunities including fishing, whitewater boating, wildlife viewing, and stunning scenic views. Because of the influx of cold ground spring water through the canyon walls, the river is home to unique ecosystems of lush gardens of plants rare to central Oregon's arid climate. Near one of the fastest growing areas in the United States, the Crooked River is a major tributary of the Deschutes River and in years of high water has attracted whitewater boaters from Oregon, Idaho, and Washington. Juniper trees and big sagebrush are part of the spectacular scenery along the narrow, meandering, dry canyon riddled with rock outcrops and lined by cliffs. Shaded ledges on rock cliffs provide spring nesting sites for prairie falcon, bald eagle, golden eagle, red-tailed hawk, and other raptors along with the ash-throated flycatcher, gray flycatcher, and Western kingbird.

Despite the fact that this river is nationally designated, there is very limited public access. All points where the river is easily accessible are privately owned, making it very difficult for the public to enjoy this resource. The Crooked River Canyon property is one of the few areas where public access is available, but it is currently for sale and threatened with development. The Crooked River Canyon parcel contains the "outstandingly remarkable" scenic and recreational values that led Congress to designate the Lower Crooked River as a part of the national wild and scenic river system in 1988. Approximately a mile and a half of the river flows through this property, which encompasses steep walls of the gorge and unique high desert scenery. Among supporters of public ownership of the Crooked River Canyon property are American Whitewater, representing approximately 80,000 whitewater paddlers across the Nation, American Rivers, the Wilderness Society, and the Oregon Natural Desert Association.

An fiscal year 2011 BLM appropriation of $1.2 million from the Land and Water Conservation Fund for acquisition of this property would preserve the scenic qualities of the gorge and permanently protect public access to this section of the Crooked River.

The Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds,

improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this committee faces, I also want to thank the subcommittee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Oregon, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE DEFENDERS OF WILDLIFE

Mr. Chairman, Ranking Member, and members of the subcommittee, thank you for the opportunity to submit testimony for the record. Founded in 1947, Defenders has more than 1 million members and supporters and is dedicated to the conservation of wild animals and plants in their natural communities.

Defenders understands the sober fiscal realities, and, in general, we are very pleased with several of the high-priority initiatives in the President's budget, including: (1) the continued emphasis on assisting wildlife and ecosystems in surviving the impacts of climate change and providing the necessary science; (2) the recognition of the importance of landscape level conservation; and (3) the commitment to reach full funding for the Land and Water Conservation Fund (LWCF). However, while the Department of the Interior (DOI) is moving ahead with praiseworthy initiatives to coordinate their work in addressing the impacts of climate change, it still is unclear how different efforts underway within the Department, individual agencies, and the Council on Environmental Quality will result in a comprehensive national strategy across all Federal departments and agencies in coordination with States, tribes, and other stakeholders to assist fish, wildlife, plants and natural systems in adapting to climate change, as directed in both the final fiscal year 2009 and fiscal year 2010 Interior, Environment, and Related Agencies appropriations conference reports. We continue to be deeply grateful for the subcommittee's leadership on climate change, and we ask that you maintain your excellent efforts on this critically important issue, including working with the administration to ensure progress in developing the national strategy.

However, we also are troubled by certain aspects of the request. In particular, we have deep concerns about the agency operating accounts, as they are the critical foundation on which rests the agencies' abilities to meet their missions and implement the administration's highest-priority initiatives. The unfortunate failure to, at minimum, meet fixed costs for the agencies will further erode base programs, even more dramatically compromising their status about which Congress has previously expressed concern. We also are concerned about specific aspects of the allocation of LWCF dollars, and, potentially, with some of the policy implications of the "New Energy Frontier Initiative" and with the reorganization of the Forest Service (USFS) budget.

We urge the subcommittee to continue to rebuild the Fish and Wildlife Service (FWS), our Nation's premier wildlife conservation agency. We strongly support the following increases:

—To continue progress in addressing the impacts of climate change on wildlife and ecosystems, a total of $40 million for Climate Change Adaptive Science Capacity, an increase of $20 million more than fiscal year 2010 that will allow needed progress in the effort to build more than 20 Landscape Conservation Cooperatives across the country. In developing the Cooperatives, it is important that the agency communicate in a timely and comprehensive manner with their own staff and with the many external partners about what these new partnerships are, how partners can participate, and how these are additive to existing partnerships.

—To address the needs of our Nation's most vulnerable plants and animals, a total of $217 million for the endangered species operating accounts, an increase of $37.7 million more than fiscal year 2010, allocated as follows: $15 million for candidate conservation, an increase of $2.4 million; $32 million for listing, an increase of $9.9 million; $95 million for recovery, an increase of $9.7 million; and $75 million for consultation, an increase of $15.7 million. We are deeply concerned that the request was essentially flat and even reduced in for listing. Increases are needed for addressing the backlog of 249 domestic and 20 foreign

candidate species awaiting protection under the Endangered Species Act, for restoring a 16 percent staffing shortfall in the recovery program, for addressing concerns about tracking species under the consultation program and for updating Habitat Conservation Plans to incorporate climate change into existing long-term permits. We also are concerned about the decreases for the Wolf Livestock Loss Demonstration program and for White Nose Syndrome and ask that funding be restored.

—To continue efforts to restore the integrity of the National Wildlife Refuge System, a total of $578.3 million, an increase of $75 million more than fiscal year 2010 as recommended by the diverse coalition of 23 organizations in the Cooperative Alliance for Refuge Enhancement. Defenders is concerned about the $3.3 million decrease, an effective $18.3 million cut, since an increase of at least $15 million each year is needed to keep pace with fixed costs and to have adequate management capability. We appreciate the $8 million requested increase for inventory and monitoring needed to manage for climate change, however, the amount is not a net increase. FWS also must ensure that new inventory and monitoring efforts are integrated with existing programs of other Federal agencies and non Federal entities to avoid duplication and to allow for easy information sharing.

—To restore the mission critical Office of Law Enforcement, a total of $77 million, an increase of $11.2 million, to support hiring, training and equipping 24 special agents, 10 additional port inspectors, and 4 of 12 critically needed forensics scientists. The special agent force is still 23 percent below the authorized number of 261 and Defenders is extremely disappointed that the request included a decrease of $2.5 million, including $2 million that was specifically added in fiscal year 2010 for special agents. We also recommend report language directing the agency develop a plan to increase the special agent force to, and maintain it at, the authorized level.

—To build the international affairs program, a total of $22 million, an increase of $7.6 million more than the fiscal year 2010 level. The request included a 9 percent decrease in this very modest program. Even at current funding, international affairs lacks resources to implement most international treaties and agreements the United States is involved in; to address emerging problems at the global level such as human-wildlife conflict, wildlife disease, and invasive species; to address the growing permitting, research, and monitoring workload, including the effort FWS is undertaking on species native to the United States; and other crucial needs.

—To support the Migratory Bird Management program, a total of $68.5 million, an increase of $14 million more than fiscal year 2010. The request cut Migratory Bird Management by $1.7 million, yet increases are needed to continue development and implementation of plans for 139 focal species of highest conservation need, to cover critical gaps in inventory and monitoring, and for the innovative Urban Conservation Treaties for Migratory Birds.

—For critical grant programs, $115 million for State and Tribal Wildlife Grants, an increase of $25 million; $100 million for the Cooperative Endangered Species Fund, an increase of $15 million; $6.5 million for the Neotropical Migratory Bird Conservation Fund, an increase of $1.5 million; and $18 million for the Multinational Species Conservation Fund, an increase of $6.5 million.

The multiple-use lands of the Bureau of Land Management (BLM) and the USFS are becoming increasingly crucial to the conservation of wildlife and habitat in the United States, yet their resources are not adequate to meet significant challenges. While Defenders supports the administration's efforts to move toward a clean energy economy, it must proceed in a balanced way that ensures the ability to maintain sustainable wildlife populations. We were extremely pleased that the fiscal year 2010 conference report directed the Department of the Interior and the USFS to submit a comprehensive review on siting and coordination of renewable energy projects. We urge continued strong oversight to ensure that any energy development is done in an environmentally sensitive fashion. And given the overriding challenge posed by climate change, it is imperative that both agencies have clear climate change adaptation and restoration policies and incorporate these considerations into any energy development plans.

Defenders supports the stated goals of the Integrated Resource Restoration (IRR) initiative to move to a restoration and resiliency based approach to forest management. However, the success of any such effort—and beneficial rather than harmful outcomes—will depend on establishment of science-based management objectives and dedicated support for planning, assessment, and monitoring. It is not clear from the budget that such requirements have been taken into consideration. In particular, given the merging of Wildlife and Fisheries Habitat Management into IRR

and elimination of its output measures, we are concerned about the adequacy of wildlife diversity objectives in this new proposal. Moreover, the agency currently is developing new National Forest Management Act (NFMA) planning regulations—an effective planning rule is necessary to ensure proper implementation of any integrated program. We urge the subcommittee to work with the administration to ensure a strong policy and regulatory framework before IRR is allowed to move forward. We will be following up with more detailed recommendations.

We recommend the following funding for BLM and FS programs:

—For BLM climate change adaptation, we support the request of $17.5 million, an increase of $2.5 million more than fiscal year 2010. However, as was the case in fiscal year 2010, it is again proposed for funding under the soil, water, and air subactivity. Since the stated focus of this funding primarily is to assist native plant and animal communities in adapting to climate change, consideration should be given to funding this initiative through the wildlife and fish budget activities.

—For BLM wildlife and fisheries management, a total of $65.4 million, an increase of $15 million more than fiscal year 2010 and for BLM threatened and endangered species management, a total of $32.6 million, an increase of $10 million. Defenders is extremely disappointed that these two activities were cut by a combined total of more than $2 million, especially given the dire status of the sage grouse and the need for proactive conservation actions in the face of expanded renewable energy development. Moreover, reports are that the practice continues of inappropriately diverting at least 30 percent of funding to compliance activities of energy and other nonrelated programs. Consideration should be given to directing the Government Accounting Office or a reputable outside entity knowledgeable in natural resource management to review this problem and make recommendations to resolve it.

—For the BLM Challenge Cost Share (CCS) program, a total of $19.5 million, an increase of $10 million directed to wildlife. Defenders is extremely disappointed in the decision to eliminate this program, that, given the diversion of resources from wildlife programs accomplishes much of the agency's proactive wildlife and habitat conservation work.

—For BLM resource management planning, a total of $55 million, an increase of $5 million more than fiscal year 2010. We are quite concerned about the $8.2 million decrease in the request. As is the case with the wildlife activities, failure to invest in planning sets the BLM up for less than optimal results in energy development and adaptation policy implementation.

—For BLM's land and realty management subactivity, we support the requested $3 million increase to support site specific National Environmental Policy Assessments for renewable energy projects.

—For USFS land management planning, $80 million, an increase of $34.1 million more than fiscal year 2010 and for USFS inventory and monitoring, $180.5 million, an increase of $10 million. Defenders was concerned that these requests were flat. Given the new IRR proposal, parallel commitments are required to move toward a restoration and sustainability agenda. Moreover, robust Land Management Planning funding, which has declined by more than 40 percent since 2001, is needed to support the ongoing NFMA rulemaking process.

—Given the IRR proposal, it is not clear if the separate Wildlife and Fisheries Habitat Management line item will still exist, however regardless of whether there is a separate or combined line item, Defenders supports a total of at least $163 million for wildlife and fish output measures, a $20 million increase more than the fiscal year 2010 level that was still nearly $15 million below the 2001 inflation adjusted level. The program has lost 15 percent of its scientists since 2003 and Defenders is greatly concerned about the loss of biological capability in the agency.

—For USFS forest and rangeland research R&D programs, $265.1 million, an increase of $20 million more than fiscal year 2010 that includes a total of $41.9 million for climate change research and $37.1 million for fish and wildlife R&D. Defenders is concerned about the $5 million reduction for climate change research in the request.

The U.S. Geological Survey through its Biological Research Discipline (BRD) and National Climate Change and Wildlife Science Center supports the basic science necessary for conservation of fish, wildlife and habitat. To provide adequate science support, we urge the following increases:

—For the National Climate Change and Wildlife Science Center, $27 million, an increase of $12 million more than fiscal year 2010. We thank the subcommittee for its past strong support, including the strong direction to the administration in the fiscal year 2010 conference report that the future identity and activities

of the center remain distinct and accountable in the overarching DOI climate change adaptation effort and urge that strong support and oversight continue. We appreciate the administration's requested increase of $8 million; however we believe that a larger increase is needed to move more quickly in establishing planned regional centers across the country.

—For the BRD Research and Monitoring Program, a total of $170 million, an increase of $9.3 million above fiscal year 2010, which includes a $5 million increase to support Landscape Conservation Cooperatives, and for BRD Cooperative Research Units, $22.5 million, an increase of $3.2 million. We have concerns about the $3.6 million net decrease for BRD in the request, but we appreciate the increases for FWS/NPS/BLM science support ($4 million), in particular the $1 million for BLM, the first time specific science support funding has been requested for BLM.

We urge the subcommittee to continue restoration of the Land and Water Conservation Fund (LWCF) at a total of $600 million, $425 million for Federal LWCF and $175 million for stateside. We are pleased at the significant increases in the request, but are concerned that a substantial portion is being directed to two other programs.

Finally, we deeply appreciate the subcommittee's continued attention to the impacts of illegal immigration and related enforcement on sensitive land and wildlife resources along the Southwest border, and we urge continued oversight, funding and opposition to related riders hindering land management agency operations. In addition, we urge the subcommittee to work with the Department of Homeland Security (DHS) appropriations subcommittee to ensure that DHS provides funding to mitigate for any impacts from border security infrastructure, including the as yet unfulfilled commitment of $50 million in fiscal year 2009 funds and $40 million in fiscal year 2010 funds.

PREPARED STATEMENT OF DANCE/USA

Madame Chairman and distinguished members of the subcommittee, Dance/USA is grateful for this opportunity to submit testimony on behalf of our members across the United States. We urge the Committee to designate a total of $180 million to the National Endowment for the Arts (NEA) for fiscal year 2011. This testimony is intended to highlight the importance of the Federal investment in the arts to sustaining a vibrant cultural community and to our national character.

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 more than 500 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 more $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 continues to award grants 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 $8 from other sources. Government cultural funding plays a catalytic leadership role that is essential in generating private support for the arts.

The 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 nonprofit arts industry generates $166.2 billion annually in economic activity, supports 5.7 million full-time equivalent jobs, and returns $12.6 billion to the Federal Government in 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 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 are some examples of the impact of NEA funding on dance programs the NEA's 2010 Access to Artistic Excellence Program:

American Dance Festival, Inc., Durham, North Carolina, $70,000

To support What is Dance Theater?, a series that will include works that blur the line between dance and theater. American Dance Festival will present a variety of American and international companies as well as commissioned new works.

American Tap Dance Foundation, Inc., New York, New York, $15,000

To support Tap City, an annual summer tap festival. The festival offers training, education, special events, and performances.

Ballet Concierto de Puerto Rico, San Juan, Puerto Rico, $10,000

To support an island tour as part of the company's 30th anniversary. The company will offer performances and outreach activities in rural communities across Puerto Rico.

Dance Saint Louis, St. Louis, Missouri, $25,000

To support presentation of the River North Chicago Dance Company, Aszure Barton & Artists, and Giordano Jazz Dance Chicago. Performances will be presented at the Touhill Performing Arts Center on the University of Missouri-St. Louis campus.

Houston Ballet Foundation, Houston, Texas, $50,000

To support the presentation of George Balanchine's *Ballo della Regina* and the world premiere of a new work by Houston Ballet associate choreographer Christopher Bruce. The ballets will be performed at the Wortham Theater Center.

Jacob's Pillow Dance Festival, Inc., Becket, Massachussets, $90,000

To support residencies and performances of dance companies. The project will include a Creative Development Residency, presentation of national and international dance companies, and audience engagement and educational programs.

Spectrum Dance Theater, Seattle, Washington, $15,000

To support the development and presentation of FAREWELL: A Fantastical Contemplation on America's Relationship with China. Through text, music, and movement, the project will explore critical human rights and social justice issues involving the United States and China.

THE 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.

There are now more than 600 professional dance companies in America as well as more than 1,000 pre-professional and semi-professional groups. Based on recent surveys, Dance/USA estimates that the 81 largest and most visible nonprofit dance companies in the United States do the following:

—Employed more than 6,000 people in a mix of full-time and part-time positions;
—Performed for total home audiences of nearly 2.9 million people;
—Paid approximately $237.5 million in wages and benefits;
—Had operating expense budgets totaling $452.2 million;
—Earned $156.7 million, or 38 percent of their income, from performances;
—Earned $76.2 million from sales, tuitions, and activities other than performances;
—Received $16.7 million from State, local, and government contributions;
—Received $21.6 million from corporate contributions;
—Received $46.2 million from private foundations;
—Received $98.7 million from individual contributions through donations, benefit events, guilds, and United Arts drives; and
—Had over 24,300 volunteers, including more than 2,700 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. Therefore, we urge you to increase the fiscal year 2011 NEA funding allocation to $180 million.

On behalf of Dance/USA, thank you for considering this request.

PREPARED STATEMENT OF THE ENVIRONMENTAL COUNCIL OF THE STATES

SUMMARY

The States' environmental agencies collectively support the President's 2011 State and Tribal Assistance Grants (STAG) budget request, and specifically support the Categorical Grants potion of that request, with the exception that we believe the Public Water System Supervision (PWSS) grant should be provided the same increase as the Clean Water Act 106 grant.

TESTIMONY

The States are integral partners and co-regulators with the U.S. Environmental Protection Agency (EPA) in the implementation of the Nation's environmental laws. States conduct on EPA's behalf most of the permitting, enforcement, inspections, monitoring, and data collection required by those Federal environmental laws. In this document, the States' environmental agencies respectfully submit their collective comments on the 2011 budget proposal for the categorical grants portion of the EPA's budget that supports States, tribes, and local governments, known as the State and Tribal Assistance Grants (STAG).

In the period 2004–2009, Federal support for State environmental protection declined. With the passage of the American Recovery and Reinvestment Act (ARRA) and the 2010 budget, this trend reversed for the infrastructure portions of the EPA budget. States committed 100 percent of the safe drinking water and clean water ARRA funds within the time allotted, and exceeded the minimum requirements for expenditures on green infrastructure projects. We are grateful to Congress for the funding and proud of the States' achievements in quickly committing the infrastructure funds to important projects. We expect an excellent return in terms of both jobs and environmental compliance as a result of this investment.

However, another portion of the Federal support for States has not been so fortunate. States rely on the "categorical grants" portion of the EPA STAG budget for support for the delegated and assumed programs. There are 20 categorical grants that cover the many environmental protection programs that States conduct in partnership with EPA. During the 3-year period 2007–2009, EPA promulgated 305 new or modified rules, for which essentially no additional funding was provided to the

States. In addition, EPA continues to plan about 100 more new rules under development that will affect States.[1] Many of these affect States because EPA expects States to implement them and, therefore, they carry an additional workload. Some of these may carry an especially heavy cost burden as well. For example, EPA listed five of these rules as having "Federalism implications" in 2009:

—*2020–AA47*.—NPDES Program Management Information Rulemaking;

—*2040–AD39*.—Uniform National Discharge Standards for Vessels of the Armed Forces—Phase II;

—*2040–AA94*.—National Primary Drinking Water Regulations: Radon;

—*2050–AE81*.—Standards for the Management of Coal Combustion Residuals Generated by Commercial Electric Power Producers; and

—*2070–AC64*.—Lead-Based Paint Activities;

These rules are in various stages of development, and there are others that have not yet been so designated that will no doubt be listed by the time the 2011 budget goes into effect. There are also other rules and policies that are not listed above that States believe will have equal or greater impact on their environmental agency budgets because they are new, are major modifications, or because they regulate previously unregulated industries.

The primary concern of the States is that the number and complexity of new rules is arriving at a time when State resources are at their lowest in years. States are not opposing these rules, and may often be eager to implement them, but there is great concern among State environmental agency leaders about the resources being provided to accomplish these tasks.

EPA has reported that "for every dollar EPA Obligates, states contribute approximately 22 cents, which results in states, contributing 18 percent of the project cost."[2] This conclusion is based on the minimum match requirements for categorical and infrastructure grants. However, for the largest categorical grants (e.g., 106, clean air, etc.), States greatly "overmatch" the Federal grant, which EPA's report does not take into account. Therefore, we find that in a typical State, 20–30 percent of the total categorical funding comes from EPA. The rest comes mostly from permit fees and State general funds.[3] State environmental agencies have lost a substantial amount of their funding from non-Federal sources over the past year, with many States reducing staff and/or holding positions vacant.[4] ECOS is currently documenting the cuts (or anticipated cuts) to State environmental agencies for fiscal years 2009, 2010, and 2011. This document is expected to be ready in June 2010.

The combination of new and modified rules, declines in Federal funding, and loss of State funding sources means the State-Federal environmental partnership is under great strain. States are making hard decisions about which parts of Federal programs they can continue to implement, and which parts they may have to ask EPA to undertake for a while.

Fortunately, States and EPA have worked to improve our communications on these matters. Part of that communication has been State input into EPA's annual budget process. In 2009, as EPA began to develop its 2011 budget, ECOS was again asked to present its STAG budget needs. Focusing on the categorical grants (largely because ARRA had just passed and had addressed the infrastructure needs), ECOS presented the "statement of needs," which outlined our assessment of the workload and the resources needed to accomplish it, with an emphasis on the largest categorical grants such as those previously listed. The resulting total for categorical grants was about double the current amount provided. However, we recognized that such a request would be very hard indeed to honor. So, we stated that "Our base request is a 2 percent increase above 2010 appropriations to address inflation" that would be applied to every categorical grant. We also explained that new rules would need new resources, especially this year.

We were therefore pleased to see that EPA had listened to this request, and included an overall 14.3 percent increase for the categorical grants programs, with most receiving the 2 percent request and some (such as the air program and the clean water program which have new expansions) receiving larger amounts. This approach addresses some of the State needs, and is especially welcome during the current difficulties that States are facing in obtaining funding from State sources.

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[1] See Fall 2009 EPA *Semiannual Regulatory Agenda*, Index D and E, and previous editions.

[2] "EPA Grants—State Cost Share" via email from David Bloom to Steve Brown, February 25, 2010.

[3] *State Environmental Expenditures, 2005–2008*, Environmental Council of the States, March 2008.

[4] *Impacts of Reductions in fiscal year 2010 on State Environmental Agency Budgets*, in publication, Environmental Council of the States, March 2010. See www.ecos.org.

The primary shortcoming in the agency's budget approach is that the drinking water program was not provided any increase. Our understanding from the agency is that it believed that previous budgets had addressed these needs. However, ECOS' examination of recent categorical grants budgets does not match the agency's assessment. For example:

[Dollars in millions]

	Categorical Grant: Public Water System Supervision (PWSS)	PWSS annual percentage increase	PWSS net percentage increase	Comparative net increase for CWA 106	Comparative net increase for Air Quality Management
2007 CR (base year)	$98,274,000	Base year	Base year	Base year	Base year
2008 actual	97,554,000	−0.738	−0.738	0.937	−1.580
2009 actual	99,440,100	1.897	1.187	0.312	1.494
2010 actual	105,700,000	5.922	7.556	6.061	2.874
2011 proposed	105,700,000		7.556	26.879	40.331

This shows that the Categorical Grant for the drinking water programs is not keeping pace with the air and water point-source programs, and did not have a "head start" over the other programs in previous years that would carry it forward into the present, as the agency seems to assert. Furthermore, the PWSS grant had been supplemented by a Homeland Security grant of nearly $6 million per year that was eliminated in the 2010 budget. These duties must still be conducted, but the Homeland Security subcommittee seems unlikely to fund these activities, which means there is no funding source for them. In consideration of these facts and trends, we respectfully suggest that the PWSS categorical grant should be increased in an amount commensurate with the CWA 106 grant.

OTHER CONSIDERATIONS

ECOS notes that the proposed EPA budget has eliminated several programs added by Congress in last year's or previous years' appropriations. Our endorsement of the President's budget should not necessarily be interpreted as opposition to these programs.

ECOS understands that there is interest from some parties, including the General Accountability Office and the EPA Inspector General, in having EPA conduct a "workforce analysis" for at least the Clean Water program. ECOS agrees that this is overdue, but suggests that the analysis will be more accurate and complete if the States' role in implementing the act on behalf of the EPAis included as part of the workforce analysis. Should the subcommittee consider requiring EPA to conduct this analysis, the States' environmental agencies encourage you to include our role as part of the analysis.

PREPARED STATEMENT OF THE EMISSIONS CONTROL TECHNOLOGY ASSOCIATION

Madam Chairman and members of the subcommittee, my name is Tim Regan and I'm the President of the Emissions Control Technology Association (ECTA) and an executive with Corning Incorporated. ECTA is a trade association that promotes public policies to improve air quality by reducing mobile source emissions through the use of advanced technologies. ECTA represents the companies that have been at the cutting edge of mobile source emissions control technology for three and a half decades. Our members invented and developed the core, specifically the substrate and the catalyst, of the catalytic converter.

Thank you for the providing me with the opportunity to submit written testimony in support of the Diesel Emission Reduction Act (DERA). This subcommittee has repeatedly recognized the importance of funding diesel emission reduction programs, and on behalf of ECTA I both thank you and encourage you to continue that commitment. Specifically, we respectfully request that the Committee fund the grant program authorized by the Diesel Emission Reduction Act of 2005 at $100 million for fiscal year 2011.

We are incredibly grateful for the $300 million in funding that you included in the American Recovery and Reinvestment Act of 2009 (ARRA) as well as the $80 million that you included in the fiscal year 2010 budget for diesel emission reductions. This funding will not only assist in cleaning the air and protecting public health, but it also presents a unique opportunity to stimulate the economy in a timely and targeted manner.

The Challenge

Thirty years ago, when the catalytic converter was first introduced, our industry was faced with the challenge of reducing nitrogen oxides from the transportation sector. Today, the challenge is to reduce the black smoke and smell from diesel exhaust. Once again, our industry has risen to the challenge by developing a full range of devices, commonly known as "after-treatment" technology that remove fine particulate matter and other pollutants in diesel exhaust.

Our technology is required equipment on all new on-road heavy duty vehicles entered into service after January 1, 2007. This will make a significant contribution toward cleaner air and better health. In fact, EPA estimated at the time the so-called 2007 Highway Rule was promulgated that the technology would generate $66 billion in economic and health benefits annually when the new vehicles significantly penetrated the fleet after the year 2020.[1]

The challenge that we continue to face is how to retrofit this new technology onto existing vehicles and engines that are being used today. These vehicles and engines do not have the emissions control technology that is required for new vehicles. Consequently, they are the "dirtiest" diesel devices in use, and there are a lot of them.

EPA estimates there are currently 20 million heavy duty diesel engines in use today, the so-called "legacy fleet."[2] Because diesel engines are so durable, the existing equipment in the fleet will not be fully replaced until the year 2030. The best way to clean up the legacy fleet is to retrofit it with the same kind of technology that is being installed on new vehicles. This retrofit equipment could include after-treatment devices, such as a diesel particulate filter or a diesel oxidization catalyst. It also could include vehicle replacement, engine replacement, engine rebuilds, and engine repair.

Unfortunately, the cost of purchasing and installing diesel retrofits oftentimes does not introduce enough operational efficiency to generate a return on the investment. So, equipment owners are understandably reluctant to invest in a retrofit unless they are given some form of financial assistance to help defray the cost. And, it makes sense for the public to help finance retrofits because they generate benefits in the form of cleaner air and improved public health for all of society.

Congressional Action

To the credit of Congress, it has acted to provide the necessary financial assistance to promote the deployment of diesel retrofits. This subcommittee started addressing this problem as far back as fiscal year 2003. At that time, the subcommittee took the lead in appropriating $5 million to provide the original funding for the Clean School Bus USA program.

Based on the positive experience with the Clean School Bus USA program, Congress took another big step in 2005 to advance the deployment of diesel retrofits. Specifically, as part of the Energy Policy Act, Congress proposed and passed DERA. This provision of law authorized the expenditure of $1 billion over 5 years to finance diesel retrofits through grants and revolving loans. The authorization calls for the appropriation of $200 million per year for fiscal year 2007 through fiscal year 2011.

Madame Chairman, your subcommittee has done a valiant job in trying to find the resources to fund DERA. These are difficult financial times. All Federal accounts are under stress, especially those under the jurisdiction of this subcommittee. But under your leadership, your subcommittee has continued to approve funding for this extremely important and cost-effective program. We appreciate the subcommittee's efforts.

The Problem

Unfortunately, the resources available to fund diesel retrofits far exceeds the demand, even with the $300 million of funding included in the American Reinvestment and Recovery Act (Recovery Act). Despite increased funding in recent years, the DERA program continues to be oversubscribed. In fiscal year 2008, EPA received approximately $5 in requests for every available dollar.

This trend continued with the Recovery Act funding. The national grant component of the DERA program under the Recovery Act contained funding for $155.8 million worth of clean diesel projects. However, EPA received 598 applications requesting a total of $1.7 billion and providing $2.2 billion in matching funds. This translates into a request of $10 for every $1 available.

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[1] See Environmental Protection Agency (July 7, 2005), "2007 Heavy-Duty Highway Final Rule," http://www.epa.gov/OMSWWW/diesel.htm.

[2] Environmental Protection Agency, "Report to Congress: Highlights of the Diesel Emission Reduction Program." http://www.epa.gov/otaq/diesel/documents/420r09006.pdf p. 3.

Our Request and Rationale

In light of this strong demand for funding, we respectfully request $100 million for the Diesel Emissions Reduction Act (DERA) in fiscal year 2011. We believe that this proposed increased level of funding is reasonable and appropriate for several reasons.

First, the money will be well spent because diesel retrofits have been proven to be one of the cost-effective emission reduction strategies. Studies have shown that emission reduction strategies which involve the use of diesel retrofit technology can, in almost every case analyzed, achieve lowest cost per ton of emissions reduced compared a long list to other strategies for reducing emissions from the transportation sector.[3] For example, installing a diesel particulate filter on a Class 7 heavy duty truck is 15 times more cost-effective than replacing a conventional bus and 46 times more cost-effective than building an HOV lane.[4]

Second, DERA represents a unique opportunity to simultaneously stimulate the economy and save jobs while improving national environmental and health outcomes. DERA funding is targeted at industries undergoing significant dislocation and layoffs. In particular, as a study by Keybridge Research notes "the economic impact [of DERA funding] is likely to be the greatest in auto parts manufacturing and heavy-duty truck (e.g., school bus) manufacturing sectors, which have sustained job losses at nearly 9-times and 7-times the national rate." Employing a methodology based on the use of standard economic multipliers provided by the Bureau of Economic Analysis's RIMS II model, Keybridge Research concluded that DERA is likely to generate approximately $6 of increased economic output for every $1 of Federal expenditures.[5]

Third, spending on diesel retrofits generates a substantial return on an investment. When DERA was enacted, EPA estimated that, if fully implemented, the program would generate $20 billion of economic and health benefit for $1.5 billion of cost. In a recent Report to Congress on the first year of the DERA program (fiscal year 2008), the EPA estimates that for every $1 spent on the DERA program, an average of more than $20 in health benefits are generated.[6]

Fourth, because DERA sets aside 30 percent of its funds for a State Grant Program, it can be used to help States reach attainment of the National Ambient Air Quality Standards (NAAQS) for particulate matter. Every State in the Nation now has a diesel retrofit program and would benefit from DERA funding.

Fifth, increasing the installation of clean diesel retrofits through significant funding for DERA can generate global warming benefits. While U.S. EPA and others continue to study the issue, recent studies show that black carbon from diesel exhaust has global warming potential. Clean diesel retrofits can reduce this black carbon by more than 90 percent.

Finally, there is a very broad base of support for the DERA program. From the beginning, DERA enjoyed strong support from both sides of the aisle in Congress and from the entire range of private interests and nonprofit public interest groups. Few environmental programs enjoy such widespread support.

State and Local Air Quality Grants

We would also like to endorse the request for increased funding to support State and local air quality grants that is being requested by the National Association of Clean Air Agencies (NACAA) in their written testimony submitted to the Subcommittee. State and local governments hold primary responsibility for preventing and controlling air pollution. They rely on grants to carry out their core obligations under the Clean Air Act, including monitoring air quality, assessing emissions impacts, permitting and inspecting sources, and enforcing environmental regulations.

For fiscal year 2011, 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 funded at $309.1 million, an $82.5 million above the fiscal year 2010 appropriation. We support NACAA in this request.

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[3] See ECTA comments (February 20, 2007) in Federal Highway Administration Docket No. FHWA–2006–26383, http://dmses.dot.gov/docimages/p89/454896.pdf, http://dmses.dot.gov/docimages/p89/454899.pdf.

[4] Ibid, Table 4, p. 10, http://dmses.dot.gov/docimages/p89/454896.pdf.

[5] Keybridge Research, LLC, "Green Stimulus: The Economic Impacts of Funding the Diesel Emission Reduction Act." http://www.ectausa.com/documents/DERAEconomicImpactStudy.pdf p. 16.

[6] Environmental Protection Agency, "Report to Congress: Highlights of the Diesel Emission Reduction Program." http://www.epa.gov/otaq/diesel/documents/420r09006.pdf p. 11.

Conclusion

Thank you again Madam Chairman for the opportunity to appear before the subcommittee. In closing, we urge you to fund DERA at $100 million for fiscal year 2011 because it will result in the most cost-effective use of Federal funds to achieve emission reductions from the transportation sector.

PREPARED STATEMENT OF THE ENERGY MINERALS RECLAMATION COMMITTEE

Dear Chairman Feinstein and Senator Alexander: On behalf of the coal mine reclamation agencies in the States of Colorado, Montana, New Mexico, Utah, and Wyoming, we are writing to convey our concerns with the administration's proposed 15 percent ($11 million) reduction in State regulatory grants in fiscal year 2011 authorized under the Surface Mining Control and Reclamation Act (issued by the Office of Surface Mining Reclamation and Enforcement). More than one-half of the Nation's coal is mined in our States.

In fiscal year 2010, Congress approved an additional $5.8 million increase for State title V grants over the fiscal year 2009 enacted level, for a total of $71.3 million. Congressional action helped avert serious problems in the funding of Western State regulatory programs as outlined in a report we prepared in November 2006, "An Impending Crisis for Coal Supplies" (http://www.westgov.org/wieb/reclamation/2006/12-01-06finalrpt.pdf). Congressional action was essential to restoring the Federal share of State regulatory programs and reversing a 12-year period during which OSM costs were adjusted for inflation but State regulatory grants were not.

The administration's proposed fiscal year 2011 budget threatens to undo the progress made by Congress. The administration's proposal to cut State regulatory grants—a proposal that is based on the unsupported assumption that State permit fees can be quickly raised to fill the budget hole—is completely unrealistic. The most likely outcome of the administration's proposal is serious erosion of State program capabilities as positions go unfilled, personnel are laid off, and needed equipment purchases are deferred. As State program capabilities erode, so do our abilities to orderly review and enforce coal mine permits and to protect the public from any potential health and environmental impacts of coal mining.

We appreciate the support Congress has provided state regulatory programs through title V grants and the funding of critical OSM training and technical assistance programs. We urge you to block the administration's proposals that would undercut effective regulatory of coal mining by the States and maintain the constructive course Congress has been on in the last several years.

PREPARED STATEMENT OF THE ENEWETAK/UJELANG LOCAL GOVERNMENT

Madam chairman and distinguished members of this subcommittee: Thank you for providing us this opportunity to the people of Enewetak to describe issues that relate to our ability to live on our homeland of Enewetak Atoll, which was used as a nuclear test site by the United States from 1947 to 1958.

As the only people ever resettled on a nuclear test site, we face many challenges. Life on Enewetak Atoll is made possible through support provided by the congressionally funded Enewetak Food and Agriculture Program. That program provides funding for imported food, an agriculture rehabilitation program, and the operation of a vessel. We request that funding for that program for fiscal year 2010 be increased by the amount of $500,000, the same amount of increase as provided by Congress in fiscal year 2010. Also, we hope that this committee will support continued funding of the health program for the four nuclear affected atolls of which we are one, and funding for the environmental monitoring by the Department of Energy of the Runit Island nuclear waste site which is on our atoll.

Before we discuss the particulars of this request, we would first like to thank you, Madam Chairman, and members of this committee, on behalf of the Enewetak people, for your support in funding the food and agriculture program for my people in the Compact of Free Association. We also thank you for your past support in assuring that the Enewetak Food and Agriculture Program is adequately funded, particularly your support for the $500,000 increase for fiscal year 2010 and your approval of our request to purchase a replacement vessel during fiscal year 2008 from previously appropriated program funds.

As you know, Enewetak Atoll was the site of 43 of the 67 nuclear tests the United States conducted in the Marshall Islands. We were removed from our land by the U.S. Government to make that testing possible. We were exiled from our land for

a period of more than 33 years—a period in which we suffered near starvation, poor health, and lack of education.

In 1980, after a significant cleanup, soil rehabilitation, and resettlement effort undertaken by the United States, we were able to return and live on only a part of our land. A large part of our land and environment remain contaminated making it impossible for us to rely on our natural food resources and preventing us from developing a fishing or tourist economy.

We now live on a former nuclear test site. In fact, we are the only people ever resettled on a nuclear test site. The Enewetak Food and Agriculture Program makes life on Enewetak possible. And that is why we are so thankful to you for assuring funding in the minimum amount of $1.3 million for the program in the Compact.

However, the program was funded at a level of approximately $1.9 million in fiscal year 2010 and close to that amount for the past several years. That funding level needs to continue to maintain the minimum components of the program which include a soil and agriculture rehabilitation program, the importation of food, and the operation of a vessel. Therefore, we request your support for the additional $500,000 for the program for fiscal year 2011 so that the components of the program will be funded in the total amount of $1.9 million, as has been the case these past several years.

In 2008 we faced a challenge with regard to the transportation of food, material, equipment, supplies, and transport of people to and from our atoll. Our atoll is the most distant atoll from Majuro Atoll, the capital of the Marshall Islands. In fact, the distance between Majuro and Enewetak is 600 miles one way. All of our food, material, supplies, and equipment are sent to Majuro for further transshipment to Enewetak. Consequently, a reliable vessel is a lifeline for us. The vessel available to us up to fiscal year 2009 was so old that parts were difficult if not impossible to find. Therefore, we were in the market for a replacement vessel that would be even more suitable for voyages between Enewetak and Majuro than the vessel we had. We found a suitable vessel and greatly appreciate the approval provided by this committee to purchase the replacement vessel from previously appropriated program funds. That vessel was in service as of 2008 and provides the necessary sea transport to support each of the components of the program.

A final comment on the Enewetak Food and Agriculture Program: This program is a true success story. It allows us to live on our homeland while providing the resources which allow us to attempt to accomplish some of the rehabilitation required to transform part of the atoll from a severely damaged nuclear test site to a place that more resembles home. The additional $500,000 to maintain current funding levels will ensure the continued success of this program.

Now we would like to briefly address the four atoll healthcare program. Funding for fiscal year 2011 is necessary to continue the program. We appreciate the funding for such program provided by the Congress in the amount of $1 million for fiscal year 2010. However, continued funding is required to maintain the key elements of the program which provide for an on-site physician for each of the four atolls, necessary medicines and supplies, funding for a health aide for each atoll, and funding for care of the people of the four atolls at the hospitals in the Marshall Islands when required.

Lastly, we need to mention the nuclear waste site on Runit Island. That site was built by the United States and contains more than 110,000 cubic yards of material including plutonium and other radioactive debris. This site needs to be monitored to assure the integrity of the structure and to assure that no health risks from the radioactive waste site are suffered by us. To effect the foregoing, a long-term stewardship program of Runit Island needs to be implemented by the United States.

Again, Madam Chairman, we thank you and members of this subcommittee for your support which makes life possible for us on our home atoll of Enewetak.

PREPARED STATEMENT OF THE FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

I am Karen R. Diver, Chairwoman of the Fond du Lac Band of Lake Superior Chippewa. We appreciate having the opportunity to provide you with testimony on fiscal year 2011 appropriations for the Indian programs funded through the Department of the Interior and Indian Health Service (IHS). The Fond du Lac Band provides health, education, social and other governmental services to 6,500 Indian people living on or near our reservation in northeastern Minnesota. These programs are essential to our ability to educate our children, care for our elderly and infirm, prevent crime, and protect and manage natural resources.

Bureau of Indian Education (BIE): Education.—We urge Congress to substantially increase funding for BIE elementary/secondary school programs. The Fond du Lac

Band relies on BIE funding for the operation of the Band's pre-K through grade 12 Ojibwe School. The Ojibwe School serves approximately 320 students most of whom are tribal members or descendants of tribal members. Most of our students come from very-low-income households, illustrated by the fact that more than 90 percent of our students qualify for free or reduced rate lunch. But although American Indian students are the most at-risk group of students in our Nation, the BIE elementary/secondary school programs have been historically underfunded. The necessary increases in education program funding can and should be offset in part by reductions in BIE's administrative costs so that more funds go directly to the schools where they can most effectively be used. We ask that BIE elementary/secondary school program funding be adjusted as follows:

Increase Indian School Equalization Program (ISEP) Formula Funding by 29 Percent From Fiscal Year 2010 Enacted Levels.—We urge Congress to increase by 29 percent ($112 million) the ISEP formula funds. ISEP formula funds are the primary means by which we pay the costs of school operations and education programs but these funds have consistently fallen very far short of our need. As described in the President's budget, 75 percent of the tribal and Bureau of Indian Affairs (BIA) schools are struggling and at risk of failing to meet the adequate yearly progress goals required by the No Child Left Behind Act. The Fond du Lac Ojibwe School is among those at risk. Far too many tribal and BIA schools are in need of intervention, restructuring or corrective action under that act, but existing funding levels are not, and have never been, sufficient to help us meet the act's requirements. Instead, funding shortfalls have forced us over the years to cut back programs, layoff teachers and school aids, and reduce working hours for others. For our students to succeed, our schools need a commitment of high-priority support so that we can pay competitive salaries to attract and retain skilled teachers; invest in research-based reading and math curricula; keep pace with costs of student transportation; and provide early childhood development programs.

Increase School Facility Operations by $30 Million and School Facility Maintenance by $3 Million From Fiscal Year 2010 Enacted Levels.—We urge Congress to increase funding for school facility operations and school facility maintenance as past funding has failed to keep pace with the cost of school operations or the growing backlog of Indian schools and facilities needing repair.

Increase Tribal Grant Support Costs (TGSC) by $21 Million.—We appreciate the President's proposal to increase funding for TGSC. However, because these funds have seen no increase for many years even though costs have risen, we urge that these funds be increased by $21 million from the fiscal year 2010 enacted level.

Increase Student Transportation by $6.2 Million.—We also urge Congress to increase funding for student transportation by $6.2 million. Rising fuel costs and the need to replace vehicles forces us to reallocate money needed for education programs to pay for transportation so we can ensure that our children are able to get to school safely. We should not have to choose between funding education programs and providing safe and reliable transportation services to our students.

Proposed Decreases in BIE Administrative Costs.—In our view, these increases in funding for the school programs can and should be offset in part by decreasing funds for BIE's administrative functions. Over the past 6 years, funding for BIE education management has more than tripled while funding for all of the school-based programs have remained essentially the same, with only some modest increases for some programs in very recent years. The funds allocated for BIE management are not needed. BIE has failed to provide any meaningful assistance to schools in corrective action or in restructuring under the No Child Left Behind Act. It has not provided information to schools regarding funding opportunities. Indeed, even when BIE has funds for grants, BIE fails to timely award them—as has occurred with the technology grants that should have been awarded in October 2009 and which we desperately need to update our technology structure for our students. For these reasons we recommend that funds allocated for BIE administrative functions be decreased. This includes: decreasing BIE education management by $10,000,000; decreasing BIE program enhancements by $12,067,000; and eliminating the proposed BIE ISEP program adjustments of $7,238,000. This shift in funding will better ensure that the money is targeted to our schools where it can be most effectively used for teacher salaries, education programs, school maintenance, and student transportation.

BIA: Public Safety and Justice.—We urge Congress to increase BIA funding for law enforcement above the level proposed in the President's budget. While we support the President's proposal to increase law enforcement funding to enhance the number of FBI agents working in Indian country, this should not be at the expense of increased funding for tribal law enforcement. In our experience, the FBI's work will be limited to targeting specific major crimes. The FBI will not address the very

substantial day-to-day law enforcement needs that arise on most Indian reservations which must be addressed by tribal law enforcement departments like the Fond du Lac Band's law enforcement department. We also ask that Congress increase the Band's base funding by $2 million for court operations and law enforcement, and provide a one-time appropriation of $8 million to allow us to expand the facility that houses our law enforcement department, but which is completely inadequate for that purpose.

We continue to face massive unmet needs for law enforcement on matters that are not addressed by the FBI. We had to assume responsibility for law enforcement after the 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). We have done this using a combination of tribal and Federal funds (made available through the Community Oriented Policing Services (COPS) program and the BIA), and by cooperative agreements with local law enforcement agencies. But because of the insurgence of methamphetamine, alcohol, illegal prescription drug use, and gang-related activities on our reservation our law enforcement responsibilities continue to grow. Prescription drug abuse is an epidemic. Increasing numbers of our elders and others are the victims of more frequent assaults and robberies that are prescription drug related. Our officers are responding to a growing number of drug-related overdoses and deaths, as well as juvenile offenses involving drugs, alcohol, thefts, assaults, and burglaries. In 2009 alone, we responded to more than 1,000 reported incidents and requests for assistance. These include, for example, reports and requests involving domestic disputes, disturbances, disorderly conduct, property damage, drug incidents, theft, medical emergencies, fire, neglected children, runaways, suicide threats, not to mention hundreds of traffic-related matters.

To address these problems, we need to increase our law enforcement staff so that we can station police officers in specific locations, such as near elderly housing, and ensure effective law enforcement coverage 24/7. But we do not have sufficient funds to attract and retain the number of officers that we need. We currently employ 12 patrolmen, 1 investigator, 1 school resource officer (assigned to the Ojibwe School to try and stem the tide of juvenile crime), a Chief of Police, and 3 administrative staff. Our goal is to schedule three officers per shift, but we do not have sufficient funds to do this around the clock. Fewer officers on duty means serious safety issues for both officers and the people we need to protect. Our limited staff also means that we cannot 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 effectively address law enforcement, we need approximately 20 officers, but do not have the funding for this.

Federal funding is also vital for law enforcement equipment. We appreciate the help that we have received on this through the COPS program, but to effectively address crime, we still need to periodically upgrade or replace patrol cars, radar equipment, and in-squad computers. We need e-ticket (ticket writers), and in-squad cameras for patrol cars. We need to replace our existing radio system to narrowband. In addition, the nearby counties have enhanced their 9–1–1 system. As a result, we need additional funds to effectively integrate the Band's system with that used by those counties as well as a T–1 communications line to establish a more secure connection to that system.

Finally, we need a new facility for our law enforcement department. The department is now housed in a 6-room building which we share with the Band's housing program, and which has no room for investigative interviews, nor office space for specialty positions such as investigators. The evidence room and reception area are all completely inadequate for law enforcement purposes. A new building with a garage, along with a larger evidence room and storage room for record keeping, and a training room for officers, is essential.

BIA: Natural Resources.—We very much appreciate the increase in funding for BIA natural resource programs that Congress provided for fiscal year 2010 and urge Congress to at least maintain if not increase those funding levels. Natural resources are vitally important to our tribal members as they provide the foundation for our culture, meet subsistence needs, and provide employment. The Fond du Lac Band's right to access natural resources within and outside our reservation was reserved by Treaties with the United States in 1837 and 1854 and reaffirmed by the courts. In connection with these Treaty rights, the Band is responsible for managing natural resources and for enforcing Band conservation laws that protect those natural resources by regulating tribal members who hunt, fish, and gather those resources both within and outside the reservation. Funding is essential for that work. We request that $2 million be added to our base budget for resource management programs, as funds for this program have not been increased since 1991.

BIA: Human Services.—We support the President's proposed increase in funding for human services programs including those funded through TPA, such as the Indian Child Welfare Act program but urge Congress to increase funding by more than the $2 million proposed. A larger increase is needed to address the impact that the methamphetamine epidemic has on not only public health and safety, but also on child protection, child welfare and foster care services. Increased funding for social services and ICWA programs are essential if tribes are to have any realistic hope of protecting Indian children, preventing domestic violence, and fostering Indian families.

IHS.—We fully support the President's proposed increase in funding for IHS and appreciate the commitment that the administration and Congress have made to address the funding needs for healthcare in Indian country. The President's proposed increase is essential to address the high rates of medical inflation and the substantial unmet need for healthcare among Indian people. Indians at Fond du Lac, like Indians throughout the Nation, continue to 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 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. All Indian tribes should receive 100 percent of the level of need formula, which is absolutely critical for tribes to address the serious and persistent health issues that confront our communities. The Band serves approximately 6,707 Indian people at our clinics, but the current funding level meets only 38 percent of our healthcare funding needs.

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 improve the delivery of services to Band members. Miigwech. Thank you.

PREPARED STATEMENT OF THE FRIENDS OF THE BOSQUE DEL APACHE NATIONAL WILDLIFE REFUGE

Madam Chairman and members of the subcommittee: The Friends of the Bosque del Apache National Wildlife Refuge wish to express their sincere thanks for your efforts to increase funding for the National Wildlife Refuge System (NWRS). We also thank you for again holding a public witness hearing, allowing us to describe our individual refuges and the challenges we face. As the Executive Director of the Friends of the Bosque del Apache National Wildlife Refuge, I submit this written public testimony to offer comments on the fiscal year 2011 Interior, Environment, and Related Agencies appropriations bill. Specifically, we request a funding level of $578 million for the U.S. Fish and Wildlife Service, NWRS in fiscal year 2011, and continuation and funding of the Department of the Interior's Challenge Cost Share Program.

Since fiscal year 2008, Congress has provided critical funding support for the NWRS's operations and maintenance, allowing for the temporary suspension of workforce downsizing plans and for urgent projects to be completed. However, the administration's proposal to cut NWRS funding by $3.3 million in fiscal year 2011 could stall or even reverse recent progress, threatening habitat preservation projects, invasive species eradication, law enforcement capabilities, environmental education, and visitor services for 41 million visitors each year. Such cuts could be devastating for the local communities whose economies rely on the jobs and tourism provided by local National Wildlife Refuges. The economic impact of the Bosque del Apache NWR in New Mexico is significant, as recreational visits to the Refuge generate more than $4.3 million in tax revenue for the region. For every $1 of the Refuge budget, there is a local economic effect of nearly $8.

The effectiveness and importance of the Challenge Cost Share Program (CCS) to Bosque del Apache NWR and many other Refuges is undeniable, as it leverages funding through strategic partnerships to achieve much more than through Federal funding alone. Shortfalls in the program's reporting and accountability must be corrected through more stringent and enforced guidelines, not by cutting one of the few programs that has truly enabled a broad range of collaborative projects that benefit our natural resources. At Bosque del Apache, CCS has facilitated water management and habitat improvements, graduate student research projects, youth outdoor education and hunting programs, visitor services improvements, coordination of our annual birding festival (the single greatest income-generating event for our county), and research into the efficiency of current land use and wildlife management prac-

tices. The projects totaled $160,000 in CCS funds, but generated more than $185,000 in matching contributions, accomplished projects across the spectrum of USFWS objectives, and fostered partnerships with educational institutions, nonprofit agencies, and State agencies.

Volunteer organizations such as the Friends provide laudable and needed supplements to the NWRS, but should not be looked to as substitutes for the Refuge programmatic and operational support that is a proper Federal responsibility. Our commitment to the Bosque del Apache National Wildlife Refuge has allowed us to supplement the economic and educational opportunities for our region. However, we can scarcely maintain, much less grow, the Refuge's capabilities without an adequate Federal budget and mechanisms, such as the Challenge Cost Share Program, for leveraging Friends' support. The Bosque del Apache NWR has often been described as the "Jewel of New Mexico." Yet that description applies not only to the amazing natural resource that is the Bosque, but also to the Refuge's role as an economic engine. Its role in our community, in our economy, and in the broader mission of restoring and preserving our natural heritage is why we must do what we can to help it thrive. As our cities grow and water demands increase, future generations will need the Bosque del Apache NWR and the lessons it is teaching us to help us appreciate the delicate ecological balance that exists in the Southwest and beyond. We can never underestimate the importance of National Wildlife Refuges to our children's futures, to the environment, and to our economies.

We encourage you to help us make a difference by funding the NWRS at $578 million in fiscal year 2011, and by ensuring that the Department of the Interior's Challenge Cost Share Program is funded.

Thank you for your time and consideration, and please contact me if you have any further questions.

PREPARED STATEMENT OF FRIENDS OF BACK BAY

I am Molly Brown from Virginia Beach, Virginia. I am the President of Friends of Back Bay, a group of more than 150 dedicated volunteers who are committed to the protection of the Back Bay National Wildlife Refuge. Located in southeastern Virginia Beach, Back Bay National Wildlife Refuge (Refuge) was established on February 29, 1938, as a 4,589-acre refuge and breeding ground for migratory birds. We thank Congress for their continued support of this project. The Director of the U.S. Fish and Wildlife Service approved a Refuge boundary expansion on May 7, 1990. The expansion area includes 6,340 acres of important wildlife habitat. To date the Fish and Wildlife Service has been able to acquire 4988 acres.

In order to continue the Back Bay Refuge expansion project, we respectfully request $1 million for fiscal year 2011. This money will help to fill in the mosaic pattern of small land parcels from willing sellers who have been waiting patiently to sell their land to the Refuge. This continuing project was first funded by Congress in 1990. With only a few remaining parcels to purchase, we hope Congress will want to see this Back Bay project completed.

The enclosed map gives a visual description of the Acquisitions through 2009 and the remaining parcels by priority to be purchased from willing sellers within the Back Bay National Wildlife Refuge proposed acquisition boundary. Here is a brief description of each parcel.

Fiscal Year 2010

Rice: Tract 249—$425,000—8 Acres—Closing this fiscal year (2010) with LWCF funds appropriated. This project uses most of the appropriated funds with the remainder ($120,000) to be "banked" in combination with future funds to complete acquisitions, as listed below. Project Description—valuable riparian/wetland habitat on the southern bank of Nanney's Creek. This Creek has been identified as one of Virginia Beach's "impaired waterways" by the State DEQ. Cooperative efforts by private landowners (mostly farmers), the City of Virginia Beach, the State of Virginia and Back Bay NWR are ongoing to restore the water quality of this tributary of Back Bay. This property is adjacent to existing Refuge property on its north and east boundaries.

Fiscal Year 2011

Brown: Tract 193—$216,000—18 Acres. Project Description—Mostly forested wetlands on the west side of Back Bay with existing valuable habitat for migratory birds, especially neotropical migrants. This property is within the original Refuge acquisition boundary and is adjacent to existing Refuge property on three sides (North, East, and South). Option to purchase in effect.

Johnson: Tract 173—$402,000—30 Acres. Project Description—Emergent marsh habitat adjacent to Ashville Bridge Creek with existing valuable habitat for migratory birds, especially waterbirds. This property is within the original Refuge acquisition boundary and is adjacent to existing Refuge property on three sides (North, East, and West). Option to purchase in effect.

Van Nostrand: Tract 250—$200,000—15 Acres. Project Description—This property has been cleared, and is ready for farming and/or development. Although the current habitat has little wildlife value, reforestation of this parcel, as Back Bay NWR has done with so many other parcels, will serve as quality habitat for a variety migratory birds, especially neotropical migrants. Option to purchase in effect.

Griffith: Tract 100c, d and e—$250,000—105 Acres. Project Description—Emergent marsh habitat on the east side of Back Bay. This property already supports a wide variety of nesting and wintering migratory birds, especially waterfowl. Because this parcel is located on the bay side of the highly developed Sandbridge area of Virginia Beach, failure to acquire this piece could result in increased private recreational boating facilities by individuals who own lots/houses adjacent to this property. The Refuge is currently partnering with The Conservation Fund to appraise and acquire this parcel.

Good things continue to happen at Back Bay! A new educational project to enhance the wildlife viewing opportunities of the public is the "windows on wildlife." This one-way glass will allow the public to watch migratory birds without being seen by and thus disturbing the waterfowl. This project opened this winter. On a recent January day, the pond featured a visual smorgasbord of tundra swans, Canada geese, black sucks, snow geese, mallards and pied-billed grebes. A red-tail hawk flew close to the building and landed on the branch of a near by tree. This "national treasure" received 150,000 visitors in 2009.

This March the Back Bay Restoration Foundation conducted its 9th annual Back Bay Forum 2010. There were presentations on research and data collected within the Back Bay watershed, followed by an opportunity for participants to identify future research and action needed for the health of the bay system. Scientists stated that conditions are improving since last year. The water clarity is better and vital underwater grasses are growing again. Large numbers of ducks are coming back. The local hunters had a very successful season.

I wish to extend my appreciation for the funding that you appropriated through fiscal year 2009. The $545,000 that was appropriated in fiscal year 2009 has purchased 8 acres of a key parcel along Nanney's Creek. To date we have purchased 4,988-acres of the proposed 6,340-acre expansion. This means that this project is more than 78 percent completed in seventeen years. Thank you for the opportunity to comment on this important project.

PREPARED STATEMENT OF FRIENDS OF BLACKWATER NATIONAL WILDLIFE REFUGE

Mr. Chairman and members of the subcommittee: On behalf of the Friends of Blackwater National Wildlife Refuge located near Cambridge, Maryland, I am submitting testimony for the Senate Appropriations Subcommittee on the Interior, Environment, and Related Agencies concerning the fiscal year 2011 budget for the National Wildlife Refuge System (NWRS). We respectfully request that the subcommittee support the following funding levels:

—$578 million in fiscal year 2011 for the U.S. Fish and Wildlife Service's (FWS) NWRS Operations and Maintenance (O&M) account;
—Fully fund the Land and Water Conservation Fund (LWCF) at $900 million including $300 million for the NWRS, and pass S. 2747, legislation to ensure dedicated and full funding to the LWCF;
—Increase funding to $210 million for key FWS partner-based programs including Landscape Conservation Cooperatives, Partners for Fish and Wildlife, State Wildlife Grants, the Coastal Program and the North American Wetlands Conservation Act;
—Fund the NWRS construction account at $100 million for large-scale habitat restoration projects and visitor service facilities.

An astonishing 20 percent of all work that occurs on wildlife refuges is contributed by more than 30,000 volunteers each year. Critical to facilitating this remarkable commitment is the reauthorization of the Volunteer and Community Partnership Act which encourages the use of volunteers to assist the FWS in refuge management as appropriate. We also urge Congress to fund the Department of the Interior's Challenge-Cost Share Program. This program was created to leverage funding through strategic partnerships that would not be achieved by the Federal Government on its own. We are concerned that not funding the program would have signifi-

cant adverse impacts to conservation and environmental education programs at refuges nationwide.

It is necessary that the NWRS budget by about $20 million each year in order to maintain services and programs from the previous year. This 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 $578 million would allow the NWRS to avoid further employee layoffs and reductions in services that are important at the Blackwater NWR and Chesapeake Marshlands Wildlife Complex, and to the more than 150,000 who visit the Blackwater NWR each year, while also preventing the approximately $3.5 billion NWRS O&M backlog from growing larger. While refuges received an increase for fiscal year 2010, the NWRS is still not funded at the level it was in fiscal year 2003 when adjusted for inflation. Because of this, refuges such as ours, the Blackwater NWR, struggle to meet their most basic wildlife conservation objectives.

Refuges are also vital economic engines in the local economy, fueling hotel stays, restaurant patronage and much, much more. According to Banking on Nature, a 2007 report by the FWS, recreational visits to national wildlife refuges generate substantial economic activity. Nearly 35 million people visited national wildlife refuges in 2006, generated more than $1.7 billion for local economies—including 27,000 jobs and $185 million in tax revenues. Eighty-seven percent of all economic activity generated by refuges is from nonresident visitation. These visitors contribute to the local economy through patronage of local hotels, restaurants, outfitters, and gas stations to name just a few examples. We simply cannot afford to lose these local economic engines. Supporting our refuges with adequate funding is an effective method of resisting the economic depression with which the Nation is currently struggling.

The Appropriations Subcommittee on the Interior, Environment, and Related Agencies should provide strong funding for NWRS 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 adequate funding for cooperative projects with Friends groups and volunteers on invasive species control. This funding supports worthy programs like competitive grants for Friends groups and the Volunteer Invasives Monitoring Program. Utilizing the energy and enthusiasm of Friends and volunteers is a proven, effective and economical partnership for the NWRS and FWS.

We encourage the subcommittee to allocate sufficient funding to assess and purchase high-priority water rights and high-priority lands and conservation easements through the LWCF, $900 million. Inadequate water quantity and quality represent some of the biggest obstacles for refuges to overcome and unfortunately, many refuges do not own the water rights on the refuge or they are not guaranteed an allocation of water from a river or stream. The FWS is currently compiling a needs-based priority database of where water rights need to be secured, and we urge the subcommittee to allocate sufficient funding to allow the FWS to acquire these essential rights while they are available and affordable. Also, NWRS land acquisition backlog is estimated at more than $4 billion, with more than 15 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.

We encourage the subcommittee to allocate $10 million for the National Fish and Wildlife Foundation through the FWS' resource management general administration appropriation. 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 species in, around and outside of national wildlife refuges across the country.

Again, on behalf of the Friends of Blackwater National Wildlife Refuge Association, Inc., 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 FRIENDS OF CONGAREE SWAMP

Madam Chairman and members of the subcommittee: We enthusiastically support President Obama's fiscal year 2011 budget request for $1.4 million from the Land and Water Conservation Fund for the National Park Service (NPS) to purchase land

at Congaree National Park. This funding will enable the NPS to complete acquisition of the 1,840-acre Riverstone tract for Congaree National Park.

Congaree Swamp National Monument was authorized as a NPS unit in 1976. In 2003, Public Law 108–108 elevated Congaree to a National Park—South Carolina's only National Park—and authorized a boundary expansion of 4,576 acres. Two tracts—the 1,840-acre Riverstone tract and the 2,395-acre Bates Fork tract—comprise almost 93 percent of the authorized boundary expansion.

Congaree National Park—on the floodplains of the Congaree and Wateree rivers—is recognized as an International Biosphere Reserve, a National Natural Landmark, a Wilderness Area, and an Important Bird Area. Currently, it is being nominated for recognition as a Wetland of International Importance. All waters within the park's pre-2003 boundary are designated Outstanding Resource Waters, and much of Cedar Creek within the park is designated Outstanding National Resource Waters. Congaree River Blue Trail, bordering the park for more than 25 miles, is a National Recreation Trail.

With more than 75 species of trees, Congaree harbors the Nation's largest tract of old-growth bottomland hardwood forest. Trees in this floodplain forest are some of the tallest in the Eastern United States, and form one of the tallest temperate deciduous forest canopies in the world.

More than 195 species of birds have been observed within the park. If the Ivory-billed Woodpecker has survived in the United States, Congaree National Park is considered prime habitat for recovery of this species.

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. Outdoors enthusiasts can also enjoy fishing, camping, birding, and picnicking.

As mentioned above, the 1,840-acre Riverstone tract and the 2,395-acre Bates Fork tract comprise almost 93 percent of the park boundary expansion which Congress authorized in 2003. The NPS purchased the Bates Fork tract in 2005, using a $6 million appropriation in fiscal year 2005.

Since then, the NPS has focused on acquiring the 1,840-acre Riverstone tract. This tract is forested floodplain, with frontage on the Congaree River. Riverstone acquisition will connect a conservation corridor of more than 42,000 acres of Federal and State lands along the Congaree, Wateree, and Santee rivers.

In addition to its biological resources, the Riverstone tract has significant geological and hydrological resources, including Running Lake, Running Creek, and an oxbow lake known as Bates Old River—the remnant of a 4-mile-long former channel of the Congaree River. No other oxbow lake in the Congaree floodplain can compare to Bates Old River in size, hydrological dynamics, accessibility, or as a recreational resource. This oxbow is flanked by the best-defined ridge and swale topography in the Congaree floodplain.

The Riverstone tract also has significant cultural and historical resources, including a prehistoric mound constructed by Native Americans during the Woodland Period (1000 B.C. to A.D. 1000). The history of McCord's Ferry (established before 1750 as Joyner's Ferry) is intertwined with the Riverstone tract. Patriot and British forces used McCord's Ferry during the American Revolution.

Accordingly, acquisition of the Riverstone tract for Congaree National Park will add opportunities for visitor access, education, recreation, wildlife and habitat protection, and research.

Richland County Council unanimously adopted a resolution in 2007, endorsing Federal funding to purchase the Riverstone property for Congaree National Park. The resolution identifies Congaree National Park as an attraction in the Lower Richland Heritage Corridor—to promote heritage tourism in the region.

Recognizing the Riverstone tract as a key priority for acquisition, the NPS identified $500,000 in existing funds in 2008 to purchase 156.25 acres. A $2.69 million appropriation by Congress in fiscal year 2009 enabled the NPS to purchase 837.75 acres. The $1.32 million appropriation in fiscal year 2010 enabled the NPS to purchase 412.5 acres in March 2010.

Because of its configuration, most of the Riverstone property is inaccessible to park visitors until the entire tract is acquired. A fiscal year 2011 appropriation of $1.4 million—requested by President Obama—will enable the NPS to promptly purchase the final 434 acres, thereby completing acquisition of the 1,840-acre Riverstone tract at Congaree National Park.

Thank you, Madam Chairman, for your previous support of Congaree National Park and for your consideration of President Obama's fiscal year 2011 request for $1.4 million.

PREPARED STATEMENT OF FRIENDS OF THE COLUMBIA GORGE

Introduction

Thank you for the opportunity to submit written public testimony in support of the Forest Service land acquisition program in the Columbia River Gorge National Scenic Area. Friends of the Columbia Gorge is requesting an appropriation of $1.5 million from the Land Water Conservation Fund (LWCF) to allow the United States Forest Service (USFS) to purchase land with a high conservation value in the Columbia River Gorge National Scenic Area. The requested funding will go a long way to protect a number of identified high-priority properties totaling more than 400 acres in the Columbia River Gorge National Scenic Area. This project is authorized by the Columbia River Gorge National Scenic Area Act, Public Law 99–663, section 16(a).

Friends of the Columbia Gorge (Friends) is a nonprofit organization with approximately 5,000 members who live in the Columbia River Gorge, the States of Oregon and Washington and across the country. We are dedicated to the protection and enhancement of the scenic beauty and natural and cultural heritage of the Columbia River Gorge. Friends works to promote responsible stewardship of Gorge lands and waters and encourage public ownership of sensitive areas. Throughout the year, Friends leads more than 70 hikes and stewardship events that are open to the public.

Fiscal year 2011 marks the 25th anniversary of the Columbia Gorge National Scenic Area Act. In honor of the upcoming anniversary, we hope to secure $1.5 million in Federal LWCF funding for the Forest Service to purchase and protect landscapes in the Gorge.

Background

The Columbia Gorge, shared and cherished by both Oregon and Washington, is truly one of America's most stunning natural landscapes. As the only sea-level passage through the Cascade Mountain range, the Columbia River Gorge includes five distinct ecosystems. These ecosystems support more than 800 species of flowering plants, including 16 that are found nowhere else in the world, more than 300 species of birds and provides critical habitat for threatened fish and wildlife, such as the western pond turtle, Larch Mountain salamander, western gray squirrel, steelhead, Chinook, coho, and chum salmon.

The Gorge has been inhabited by humans for at least 11,000 years. Important cultural resources are found throughout the Gorge, including a high concentration of Native American rock carvings and paintings, called petroglyphs and pictographs, in the eastern end of the Gorge. Several tribes retain treaty rights in the Gorge, including the preservation of hunting, fishing and gathering rights on the lands ceded to the United States in their respective treaties. In addition, the Gorge ranks as the most recognizable natural site along the Lewis & Clark trail.

In 1986 Congress and the states of Oregon and Washington recognized the outstanding scenic beauty and natural and cultural heritage of the Gorge by designating it as a National Scenic Area. The Columbia River Gorge National Scenic Area Act (Act) was passed "to protect and provide for the enhancement of the scenic, cultural, recreational, and natural resources of the Columbia River Gorge" and to encourage economic growth in nearby urban areas.

Last year, Congress recognized the unique geologic resources in the Gorge when they established the Ice Age Floods National Geologic Trail as part of the Omnibus Public Land Management Act of 2009.

Forest Service Land Acquisition

Although The Columbia River Gorge Scenic Area enjoys national protection, preservation of its outstanding natural and scenic resources requires proactive management. Section 9(a) of the act, created a unique regulatory plan, which allowed conservation in partnership with private landowners. The act recognized that some landowners would prefer to sell their property rather than fall under Scenic Area regulations. The desire to conserve key properties and to provide regulatory relief to landowners led Congress to create a special land acquisition program with the Forest Service.

When the Columbia River Gorge National Scenic Area was enacted in 1986, large portions of the designated Scenic Area were held in private ownership. As properties become available from willing sellers, the Forest Service is working to piece together properties in priority areas to protect and enhance resources. Since 2001, over 4,000 acres of "high-priority" private land worth an estimated $35 million have been offered for sale to the Forest Service, yet Congress has only appropriated $17.5 million to date.

Fiscal Year 2011 Request

In 2011, the Forest Service has the opportunity to purchase over 300 acres in the Major Creek Drainage, a vitally important wildlife corridor between the Columbia River and the uplands above the Gorge walls in Washington. It is a wild, undeveloped area of steep canyons, old growth trees, creeks and springs, and an abundance of wildlife. Acquisition of this parcel will conserve open space, sustain a healthy watershed, and link with other National Forest System land.

Funding would also allow the Forest Service complete a key segment of the stunning Cape Horn Trail. The USFS has now purchased more than 1,000 acres in the Cape Horn area to create a world-class loop trail with stunning views of the Gorge. This purchase would complete an essential component of the trail by creating a public trailhead adjacent to the newly built Skamania County Park and Ride.

The five properties targeted to be acquired in 2011 will: secure a wildlife corridor, conserve open space, sustain a healthy watershed, and link National Forest Systems, consolidate an 80 acres in holding, add management access to the Major Creek bed which is home to threatened steelhead, and allow termination of a trail easement held by Columbia Land Trust which will give the Forest Service control over trail management and use of the surrounding area.

The benefit of the Forest Service land acquisition program extends to all counties in the Gorge by providing the following:

Economic Benefit.—This project will create more public trails and recreation opportunities in the Columbia River Gorge and thereby attract more visitors and tourist dollars to nearby communities. Increasingly, recreation is becoming a more important pillar of the Gorge economy. This project is supported by the Skamania County Commission specifically for its potential to generate revenue from outdoor recreation.

Expands Recreation.—Public land acquired by the Forest Service will allow for more official trails and increase opportunities for outdoor recreation.

Protects Scenic Beauty.—In the National Scenic Area Act, Congress recognized the Columbia River Gorge as one of the nation's most spectacular natural treasures. The USFS acquisitions have succeeded in protecting the beauty of the Gorge.

Protects Habitat.—Habitat destruction is a main factor threatening the native flora and fauna of the Gorge. This project expands recreation, protects habitat and scenic landscapes, and bolsters the emerging recreation-based economies in the Columbia River Gorge.

This project is supported by Columbia River Gorge Commission, Hood River County Commission, Wasco County Commission, Skamania County Commission, Trust for Public Land, Columbia Riverkeeper, Hood River Valley Residents Committee, Columbia Gorge Ecology Institute and Friends of Clark County.

Conclusion

Columbia Gorge Land Acquisition is funded in the President's fiscal year 2011 budget at a level of $850,000; however an additional $650,000 is needed to allow the Forest Service to purchase all of the available land.

Please consider our request of $1.5 million to honor the 25th anniversary of the National Scenic Area Act and to ensure that the Gorge remains a place apart for future generations to enjoy. Thank you for the opportunity to provide testimony in support of the Forest Service land acquisition program in the Columbia River Gorge National Scenic Area.

PREPARED STATEMENT OF THE FRIENDS OF VIRGIN ISLANDS NATIONAL PARK

Dear Chairman Feinstein and Senator Alexander: 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 (LWCF) is requested in fiscal year 2011 to complete the acquisition of the unique Maho Bay property by the National Park Service. We are very pleased that your subcommittee has already provided a total of $4.5 million to this project in fiscal year 2009 and fiscal year 2010. Additionally we are very pleased this project was included in the President's budget in fiscal year 2011. However, we respectfully urge the subcommittee to include the full $4.5 million needed to complete the project, rather than the $3.75 million President's budget level.

I represent the Friends of VI National Park, a 501(c)(3) nonprofit organization, dedicated to the protection and preservation of the natural and cultural resources of Virgin Islands 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 20 years of work in support of Virgin Islands 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 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.

Available within the Virgin Islands National Park boundaries in fiscal year 2011 is the third phase of a 207-acre acquisition at Maho Bay. This Maho Bay property offers spectacular views of the bay and includes some beachfront. It is extremely important because of their relationship to the whole undeveloped area and its cultural resources.

Though the park boundaries cover a broad area of St. John, the National Park Service actually owns two separated blocks of land. A smaller block covers the northeastern shore of the island, and a larger, more contiguous block extends from the southern to northwestern side. The acquisition of the Maho Bay property would be the first link of these two blocks, ensuring future access, resource connectivity, and seaside protection.

Wetlands in the lower portion of the watershed provide adequate sediment retention for the undeveloped nature of this area. As a result of long-term geological processes, the topography created by these processes and the historical rise of sea level during the past 5,000 years, a large, rare and complicated freshwater dominated wetland developed throughout the basin. It represents a natural stage wetland typical of large watersheds with relatively flat basin topography. The Maho Bay wetland is the largest of this type on St. John and along with the Magens Bay wetland on St. Thomas, one of only a few of this type in the Territory. These wetlands provide habitat to numerous species of shorebirds, water fowl and other wildlife, several listed as endangered under the V.I. Endangered and Indigenous Species Act. Others are protected under various Federal laws and treaties.

The land was historically used during the plantation era for agricultural activities such as sugar cane, coconut, and cotton cultivation. The lands include portions of several historic plantation era sugar estates. The Maho Bay area contains the highest density of plantation era estates on St. John. Preservation of these sites is important in reconstructing the history and heritage of St. John. With increasing growth and investment throughout the Caribbean—including places not far from the unspoiled beauty of St. John—this vulnerable land has been the focus of intense development threats. In recent years, more than one investor envisioned private development along these shores, which would have jeopardized 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 207 acres is $18.6 million. This property is being made available to the National Park Service for a total of $9 million over 2 years, with the balance to be provided through private donations of cash and land value. As $2.25 million was provided in fiscal year 2009 and another $2.25 million in fiscal year 2010, this year, an appropriation of $4.5 million is needed from the Land and Water Conservation Fund toward the purchase of the remaining 131 acres of these valuable lands.

The LWCF is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this committee faces, I also want to thank the committee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the LWCF is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

Madam Chairwoman and distinguished subcommittee 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 one million visitors to the Park each year, I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE FRIENDS OF WALLKILL RIVER NATIONAL WILDLIFE REFUGE

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of acquiring land at Wallkill River National Wildlife Refuge in New Jersey. An appropriation of $1.75 million is needed in fiscal year 2011 from the Land and Water Conservation Fund (LWCF) in order for the U.S. Fish and Wildlife Service (FWS) to acquire the 156-acre Kenely property.

The environment and wildlife are enduring catastrophic conditions as a result of human failures. The BP oil gusher and the White Nose Bat Syndrome are two man-made catastrophes that are being addressed by the FWS. When FWS staff have to concentrate their time on these emergencies, other work falls by the wayside. The FWS needs increases, not reductions in maintenance and operation funds to manage these disasters. We are looking at the likely extinction of at least 9 species of cave dwelling bats within a few years, time cannot be wasted, the bats will be gone forever, if WNS is not addressed now.

The Wallkill River National Wildlife Refuge was established in 1990 to preserve and enhance wildlife habitat in one of the most fertile valleys and natural areas in all of New Jersey. Located within a 1-hour drive of New York City, the Wallkill River valley is a resource-rich part of the New Jersey-New York Highlands area. The extent of its forested wetlands and undisturbed grasslands makes the Wallkill River one of the largest high-quality inland waterfowl habitats in the mid-Atlantic region. The refuge provides critical habitat for migratory waterfowl on both the Atlantic Flyway and the Hudson-Delaware corridor and is a major black duck focus area of the North American Waterfowl Management Plan. Large populations of nesting black ducks, wood ducks, blue- and green-winged teal, mergansers, mallards, and pintail frequent the refuge's wetland areas. In addition, the Wallkill River and its tributaries are home to 19 State-listed threatened and endangered species.

Wallkill's many forested wetlands, also known as swamps and bogs, are highly productive and dynamic ecosystems, containing a diverse array of habitat types. They support high numbers of species by providing vital breeding, feeding, and resting grounds for waterfowl and other animal and plant species. Forested wetlands also filter nutrients, wastes, and sediments from the water flowing within them, improving water quality while also providing flood control by stabilizing sediments with their root systems and absorbing excess water. Within the past 200 years, the State of New Jersey has lost an estimated 40 percent of its forested wetlands. The

Wallkill River NWR has focused its land acquisition program on protection of the river and its major tributaries through consolidation of significant forested wetland, wetland, and associated upland properties. A recently approved land protection plan expands the refuge boundary to provide greater habitat protection for the federally listed endangered bog turtle.

Available for acquisition within this new refuge focus area in fiscal year 2011 is the 165-acre Kenely tract. This highly developable tract, which abuts refuge-protected lands, encompasses a diversity of habitats including mixed open fields, woodlands, wetlands, and brushlands. It is highly threatened by development because it has significant frontage along Route 284, which now forms the western boundary of the refuge. Along with its diversity of habitat types, the property's varied topography of high-gradient hills and deep valleys support a large number and variety of wildlife species. The emergent wetlands of the property support a number of reptile and amphibian species such as spotted turtles. The open fields support breeding of State-listed species such as Savannah and grasshopper sparrows and bobolink. This type of habitat is also vital for numerous raptor species during the winter months such as short-eared owls and northern harriers.

An allocation of $1.75 million from the LWCF to the Wallkill River NWR in fiscal year 2011 will ensure the protection of these key 156 acres as part of the refuge's effort to consolidate refuge ownership, conserve important habitat within the refuge's expansion area, increase recreational opportunities, and maintain the water quality in the Highlands region of New Jersey.

The LWCF is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this subcommittee faces, I also want to thank the subcommittee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the LWCF is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in New Jersey, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE FRIENDS OF THE TAMPA BAY NATIONAL WILDLIFE REFUGES, INC.

Mr. Chairman and members of the subcommittee: On behalf of Friends of the Tampa Bay National Wildlife Refuges, Inc. (FTBR) and its 130 members, I want to thank you for your leadership and strong support for the National Wildlife Refuge System (NWRS) and increased funding over the past few years. I further thank you for the opportunity to offer comments on the fiscal year 2011 Interior, Environment, and Related Agencies appropriations bill. Specifically, we respectfully request that the subcommittee support the following:

—An overall funding level of $578 million in fiscal year 2011 for the operations and maintenance (O&M) budget of the NWRS, managed by the U.S. Fish and Wildlife Service (FWS);

—An allocation of $900 million in the Land and Water Conservation Fund (LWCF) budget fiscal year 2011 to protect vital habitat for wildlife and establish key wildlife corridors and connections. We ask that this includes $300 million for the NWRS; and

—Funding for the Department of the Interior's Challenge-Cost Share Program to leverage funding through strategic partnerships to obtain greater conservation objectives than would be achieved by the Federal government on its own.

FTBR is a 501(c)3 nonprofit organization. We are a group of members and volunteers who support Egmont Key, Passage Key and the Pinellas National Wildlife Refuges in the Tampa Bay area of Florida. Contributing thousands of hours of support each year, we help remove invasive plants, provide support to critical bird nesting sites through "bird steward" public outreach each weekend during nesting season, provide general maintenance of equipment and buildings on the refuges, and organize island cleanups to ensure wildlife is safe from debris like monofilament line

and plastic bags. We work closely with our FWS refuge manager to help meet objectives as outlined in each refuge's Comprehensive Conservation Plan.

The Cooperative Alliance for Refuge Enhancement (CARE) has determined that the NWRS needs $900 million annually to protect and care for the more than 550 wildlife refuges and monuments and thousands of prairie wetlands totaling approximately 150 million acres. These lands and waters provide essential habitat for migratory birds and other wildlife, safe havens for endangered species, and $1.7 billion annually to local economies in compatible recreational opportunities for more than 41 million visitors each year. Our request for $578 million in O&M for fiscal year 2011 represents a $75 million increase more than fiscal year 2010 and builds on the increases in the past 3 years that have allowed the NWRS to rebound from the dramatic 20 percent staff reductions in the years prior to this. Although some positions have been refilled, 10 percent of the workforce has been eliminated. The NWRS needs at least a $15 million increase each year to prevent reductions in programs and public use. There is still an operations backlog of $1 billion and a maintenance backlog of $2.7 billion. We respectfully urge the Congress to incrementally increase funding to restore the NWRS by carefully considering our request for $578 million in the fiscal year 2011 budget.

While providing adequate funding to operate and maintain the NWRS is of vital importance, 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. FTBR encourages the subcommittee to allocate the full $900 million funding to assess and purchase high-priority lands and conservation easements through the LWCF. The NWRS is mandated to be strategically grown, but years of inadequate funding for land acquisition has resulted in the loss of many important habitats. More than 8 million acres are unprotected within existing refuge boundaries and there is an increasing need to establish key wildlife corridors and connections between protected areas. The Obama administration has made full funding for LWCF by fiscal year 14 a top priority and we request Congress to make this a priority also. We urge the subcommittee to allocate the full $900 million funding in fiscal year 2011 to allow the NWRS to acquire lands and easements while they are available and affordable.

In conclusion, FTBR believes the NWRS can meet its important conservation objectives only with strong and consistent funding leveraged by the valuable work of refuge staff and volunteers. We extend our appreciation to the subcommittee for its ongoing commitment to our NWRS and encourage you to approve $578 million for the fiscal year 2011 NWRS O&M budget managed by FWS and to approve $900 millions for fiscal year 2011 for the LWCF land acquisition budget as well as funding the Department of the Interior's Challenge-Cost Share Program.

PREPARED STATEMENT OF THE GEORGIA DEPARTMENT OF NATURAL RESOURCES

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of acquiring land at Chattahoochee River National Recreation Area in Georgia. An appropriation of $3.6 million is needed in fiscal year 2011 from the Land and Water Conservation Fund (LWCF)in order for the National Park Service (NPS) to acquire two properties totaling 36.5 acres. In a demonstration of the importance of this acquisition, the $3.62 million needed was included in the President's budget request for fiscal year 2011.

Flowing in a southwesterly direction from the Appalachian Mountains in northeastern Georgia, the Chattahoochee River is a significant recreational and ecological corridor in the Atlanta metropolitan area. Between Atlanta and Chattanooga a series of mountain ridges separated by river valleys cross the landscape. The Chattahoochee River valley is the southernmost in this chain. The river's length and breadth provides an excellent corridor for river recreation and open space for wildlife habitat. With substantial headwaters in the forested mountains of northern Georgia—largely within the Chattahoochee National Forest—the protection of the river's water quality for drinking water and recreation is an important regional and national objective.

The Chattahoochee River National Recreation Area provides much needed recreational opportunities for Georgians and visitors in the Atlanta metropolitan area. The park was created in 1978 to protect the watershed, provide opportunities for river and land recreation, and conserve important tracts in the river's floodplain. The park's current boundaries extend along the river for nearly 50 miles from Buford Dam at Lake Sidney Lanier to the entrance of Peachtree Creek tributary by

Marietta Boulevard in Atlanta. Annually the park averages about 2.75 million visitors; most are from the burgeoning Atlanta metropolitan area. In recent years, the population in the State of Georgia has grown rapidly to 9.5 million residents and more than half of these residents live in the Atlanta area. The population growth has placed tremendous pressure on lands important to the region's water quality, recreation, and historical and agricultural heritage.

Available for acquisition in fiscal year 2011 are two properties totaling 36.5 acres at the northern end of the national recreation area near Lake Lanier. The Manning and Friedman inholdings are located directly on the western bank of the Chattahoochee River just north of the Georgia Route 20 bridge in Forsyth County. The tracts would be added to the Bowman's Island Unit of the park. The unit is noted for its hiking and horseback riding trails, and also features river access for canoes, kayaks, and rafts just below Buford Dam.

The acquisition of the Manning and Friedman properties will enable the NPS to protect this important riverfront land and water resources and expand recreational opportunities at the Bowman's Island Unit. Between Buford Dam and Route 20, NPS already owns a significant amount of land on the eastern bank and several tracts north of Buford Hatchery including Bowman's Island. If the Manning and Friedman properties are acquired, NPS would own land on both sides of the river. For many years the park has sought to construct a 5-mile loop trail at the Bowman's Island Unit that would proceed along both banks of the river between Buford Dam and Route 20. The acquisition of these properties, along with a planned improvement of pedestrian and bicycle use of the Route 20 bridge, would greatly enhance this objective.

My particular interest lies in the fact that the subject parcels are immediately adjacent to the Buford Hatchery, operated by the Wildlife Resources Division of the Georgia Department of Natural Resources, my agency. The hatchery rears stocks of brown and rainbow trout for State fishing programs in lakes and streams across Georgia. The hatchery is open to visitors for fishing, education, bird watching, and hiking. We believe there is a natural synergy in connecting the State of Georgia's education and recreational facility with the envisioned NPS trails and amenity area directly to its south, and creating a larger conservation and recreation system along the banks of the Chattahoochee River at this location. We certainly would not want to ever see these properties degraded or developed.

In 1999 Congress passed Public Law 106–154, in which it stated the intention to "increase the level of protection of the open spaces along the Chattahoochee River." The acquisition of the Manning and Friedman tracts represents one of the "dwindling opportunities to protect the scenic, recreational, natural, and historic values" of the Chattahoochee River corridor. In fiscal year 2011, an appropriation of $3.6 million from the LWCF is needed to protect these critical properties.

The LWCF is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this subcommittee faces, I also want to thank the committee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the LWCF is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Georgia, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE GREAT LAKES INDIAN FISH AND WILDLIFE COMMISSION

1. *BIA Rights Protection Implementation*.—At least $30,451,000 (same as fiscal year 2010 appropriation). GLIFWC: At least $5,619,000 (proportionate allocation within RPI program).

Agency/Program Line Item.—Department of the 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. § 13; Indian Self-Determination and Education Assistance Act, (Public Law 93–638), 25 U.S.C. §§ 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 Great Lakes Restoration*.—$475,000,000 (same as fiscal year 2010 appropriation). GLIFWC: $1,200,000 (estimated annual need).

Agency/Program Line Item.—Environmental Protection Agency, Environmental Programs and Management, Geographic Programs, Great Lakes Restoration.

Funding Authorizations.—Clean Water Act, 33 U.S.C. § 1268(c); and treaties cited above.

GLIFWC'S Goal—A Secure Funding Base to Fulfill Treaty Purposes

As Congress has recognized for more than 25 years, funding for GLIFWC's conservation, natural resource protection, and law enforcement programs honors Federal treaty obligations to 11 Ojibwe Tribes and provides a wide range of associated public 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 Rights Protection Implementation: At least $30,451,000*.—In fiscal year 2010, Congress addressed chronic underfunding of the Rights Protection Implementation (RPI) program by increasing this line item by $12 million, a welcome increase but still far less than the tribes' total RPI needs. From this increase, the administration provided GLIFWC with a much-needed $1.7 million increase in its fiscal year 2010 RPI funding to the current level of $5,619,000. Unfortunately, in fiscal year 2011 GLIFWC could lose at least $450,000—more than 26 percent—of the fiscal year 2010 $1.7 million increase because of a proposed cut to its RPI funding, the absorption of fixed costs, and contract support cost shortfalls.

With the full fiscal year 2010 funding amount and full contract support costs, GLIFWC would be able to create and sustain jobs that will protect and enhance natural resources and associated habitats. Specifically, GLIFWC could: (i) fill at least six staff vacancies, (ii) restore its long-standing fish contaminant and consumption advisory program; (iii) reinstitute fall juvenile walleye recruitment surveys at previous levels; (iv) restore tribal court and registration station funding; (v) restore Lake Superior lamprey control and whitefish assessment programs; (vi) restore GLIFWC's share in cooperative wildlife and wild rice enhancement projects; (vii) replace ageing equipment; (viii) meet expanding harvest monitoring needs and increased natural resource assessment responsibilities; and (ix) meet uncontrollable increases in employee benefit costs.

2. *EPA Environmental Programs and Management: $475,000,000*.—GLIFWC supports continued funding for the EPA's Great Lakes Geographic Program (GLGP) and the Great Lakes Restoration Initiative (GLRI) at $475 million, the same as the fiscal year 2010 appropriation. It also recommends that at least $25 million be provided to the BIA for tribes, to ensure they are able to undertake projects that contribute to the protection and restoration of the Great Lakes. Funding provided through the BIA should be made available under the Indian Self-Determination and Education Assistance Act.

In fiscal year 2010, GLIFWC is proposing about $1.2 million in GLGP/GLRI funding. If funding is sustained at this level, GLIFWC will be able to create jobs that will allow it to fully participate in the decisionmaking processes that affect the treaty rights of its member tribes, ensure that decisions are based upon sound science, and implement specific habitat and human health research projects relevant to the subsistence, economic and cultural needs of tribal communities. One particular priority is to undertake projects that evaluate the potential impacts of climate change on natural resources important to GLIFWC member tribes.

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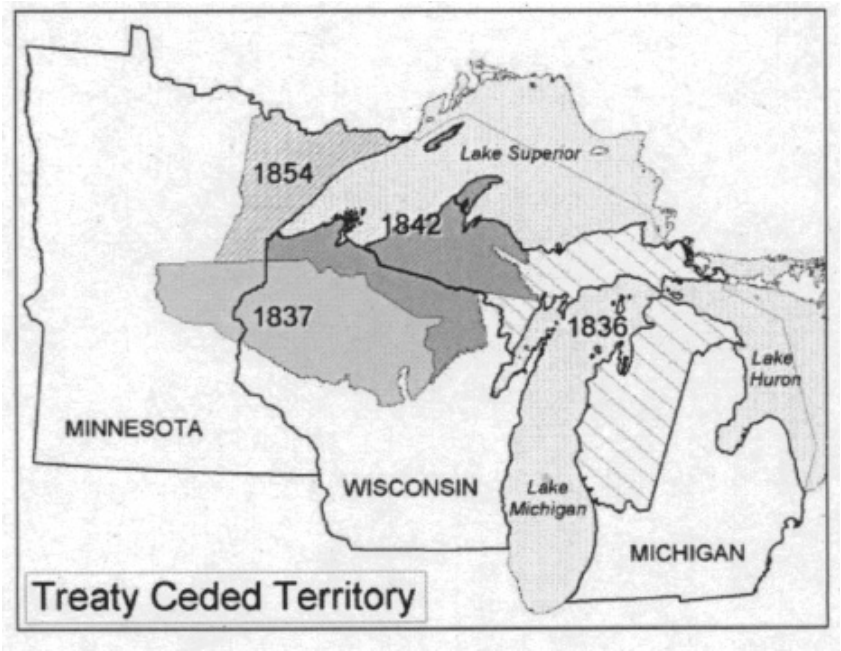
[1] The requested BIA funds reflect GLIFWC's allocation of this line item that also funds the 1854 Treaty Authority.

[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.

Ceded Territory Treaty Rights—GLIFWC's Role and Programs

Established in 1984, GLIFWC is a natural resources management agency for eleven member Ojibwe Tribes regarding their ceded territory (off-reservation) hunting, fishing and gathering treaty rights. These ceded territories extend over a 60,000 square mile area in a three State region. GLIFWC's mission is to: (i) ensure that its member tribes are able to exercise their rights for the purposes of meeting subsistence, economic, cultural, medicinal, and spiritual needs; and (ii) ensure a healthy, sustainable natural resource base that supports those rights. GLIFWC is a "tribal organization" as defined by the Indian Self-Determination and Education Assistance Act. It is governed by a Constitution ratified by its member Tribes and by a Board composed 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 and Use of the Requested Funds

For more than 25 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 nonprofit 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 re-

sources 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 the Requisite Capabilities to Meet Legal Obligations, to Conserve Natural Resources and to Regulate Treaty Harvests*.—Although it does not meet all GLIFWC's needs, sustained funding at fiscal year 2010 levels would go a long way in facilitating continued tribal compliance with various court decrees and intergovernmental agreements governing the tribes' treaty-reserved hunting, fishing and gathering rights. It also enhances GLIFWC's capability to undertake work and participate in relevant partnerships to tackle ecosystem threats, such as invasive species, habitat degradation and climate change, that harm treaty natural resources.

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 role as a trusted environmental management partner and scientific contributor in the Great Lakes Region. It would bring a tribal perspective to the interjurisdictional mix of Great Lakes managers[3] and 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.[4]

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.

For more than 25 years, GLIFWC has built and maintained numerous partnerships that: (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 and avoid duplication of effort and costs; (iii) engender cooperation rather than competition; and (iv) undertake projects and achieve public benefits that no one partner could accomplish alone.

Other Related Appropriations Concerns

Full Funding of BIA Contract Support Costs.—GLIFWC seeks full funding of its contract support costs. The administration's fiscal year 2011 proposed increase of $21.5 million for these costs is welcomed, but even that amount only achieves an estimated 94 percent of need based on fiscal year 2007 funding levels. GLIFWC anticipates its fiscal year 2010 indirect cost shortfall to be at least $287,000, and this does not even take into account the shortfall for all of its direct contract support costs. These shortfalls significantly inhibit GLIFWC's ability to restore program cuts and service capacity.

BIA Circle of Flight Tribal Wetland and Waterfowl Initiative.—GLIFWC supports BIA funding of the Circle of Flight Tribal Wetland & Waterfowl Enhancement Initiative for Michigan, Minnesota, and Wisconsin. The Circle of Flight program is a long-standing tribal contribution to the North American Waterfowl Management Plan that has leveraged matching partnership funding on a 3 to 1 ratio. In 2010, this program was awarded a Department of the Interior "Partners in Conservation" Award.

PREPARED STATEMENT OF THE GREEN MOUNTAIN CLUB

Mr. Chairman and honorable members of the subcommittee: As Director of Conservation for the Green Mountain Club, the nonprofit organization that maintains Vermont's Long Trail, the Nation's oldest long-distance hiking trail, I appreciate the

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[3] 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 Restoration Initiative, and the implementation of agreements to regulate water diversions and withdrawals under the Great Lakes Charter, Annex 2001.

[4] With the requested fiscal year 2011 funds, GLIFWC would: (i) continue a ceded territory wild rice enhancement project; (ii) facilitate tribal review and input on the re-negotiation of the Great Lakes Water Quality Agreement and any implementing activities; (iii) continue to participate in the development and implementation of the Lake Superior Lakewide Management Plan; (iv) build upon its long-standing fish contaminant analysis and consumption advisory program by testing additional species, testing in a wider geographic range, and testing for chemicals of emerging concern; and (v) enhance its invasive species and animal disease prevention, monitoring and mitigation programs, particularly given the potential impacts of climate change, the recent discovery of viral hemorrhagic septicemia (VHS) in Lake Superior and the likely migration of the Asian Carp into the Great Lakes.

opportunity to present this testimony in support of the Northern Green Mountains Linkage project in Vermont. An appropriation of $5.875 million to the U.S. Forest Service for the Forest Legacy Program is needed in order to protect an assemblage of 6,516 acres. I am thankful that this project was included in the President's budget request for fiscal year 2011 at a funding level of $2.3 million. However, the conservation of the assemblage of properties can be completed this year with an appropriation of $5.875 million.

The Forest Legacy Program in Vermont seeks to achieve significant conservation goals for the State by protecting the following types of land: large contiguous and productive forest blocks, wildlife habitat dependent on large forested tracts, threatened and endangered species habitat, State fragile areas, undeveloped shoreline, significant wetlands, and important recreation corridors.

The State's top Forest Legacy Program priority for fiscal year 2011 is the 6,516-acre Northern Green Mountains Linkage. Situated on the spine of the Northern Green Mountains in Lamoille, Orleans and Franklin Counties, the Northern Green Mountains Linkage Forest Legacy Project will conserve 6,516 acres of managed and productive timberland while protecting 25 undeveloped ponds, 25 miles of streams, several rare species and natural communities, and high-quality wildlife habitat. Using fee and easement acquisitions, the project will link 62,200 acres of conserved lands, including lands the Green Mountain Club has protected for the Long Trail, providing connectivity from the Champlain Valley to the Green Mountains, north to Quebec, and east to the Worcester Range. This project will address the problem of forest fragmentation and associated impacts on the timber economy, public access to recreation, and wildlife habitat connectivity in Vermont's northern region by permanently protecting critically located properties.

Vermont's Northern Green Mountains are one of the largest and wildest forested landscapes remaining in all of New England. The region, which follows the spine of the Green Mountains north from Mount Mansfield to the Canadian border, encompasses sweeping tracts of forest where moose, bobcat, black bear, and a myriad of rare and endangered songbirds make their home. These mountains and their slopes are remarkably diverse, containing all the major ecosystem types of the ecoregion, from boreal forests, temperate mixed hardwoods, and alpine meadows to floodplain forests and marshes. Additionally, there are State rare and threatened plant species on the properties, including cliff fern, rose pogonia, lungwort, and smooth musk flower. This area is also a magnet for hikers, skiers, backpackers, and other outdoor enthusiasts, particularly those drawn by a 65-mile portion of the Long Trail, a footpath running the length of Vermont which the Green Mountain Club built and has maintained for the past 100 years. Also snaking through the region is the increasingly popular Catamount Trail, a cross-country ski trail traversing the State.

The Northern Green Mountains have long been recognized as a top conservation priority by many of the region's small towns, such as Enosburg, Jay, and Hyde Park, which are now mobilizing to conserve the places that define and sustain their communities. Two Countries One Forest (2C1Forest), a Canadian-American coalition of 50 conservation organizations, public agencies, and researchers, sponsored scientific research to identify important wildlife corridors in the Northern Appalachian-Acadian ecoregion. In 2007, 2C1Forest chose the Northern Green Mountains-to-Sutton Mountains linkage as one of their top five conservation priorities. The area has also been identified as significant in the Vermont Department of Fish and Wildlife's soon-to-be-completed statewide assessment and ranking of large forested blocks and associated linkage habitats. The Northern Green Mountains are a crucial place for regional landscape connectivity because they help tie together the Adirondacks of New York, the central Appalachians of Massachusetts, and points south to the Northern Appalachians of Maine and Canada. In so doing they serve as an important north-south corridor for wildlife and, because of their large range in elevation, provide species with flexibility in their movement. This is an important factor in adaptation strategies aimed at averting species extinctions due to climate change.

The vast majority of the land in the Northern Greens remains in private hands, with thousands of acres available on the open market. Threats from an expanding second-home industry (even in today's uncertain economy), road construction, and changing forestry and farming practices put key blocks of forestland at risk and create barriers to wildlife movement. Such changes also threaten the vibrant rural culture and economy of the Northern Greens, with its mix of small farms, forestry, and recreation. A recent explosion of development pressure in the Northern Green Mountains resulting from expanding ski resorts and the area's proximity to greater Burlington and other population centers, has made this a "now or never" moment to conserve key landscapes in this important habitat and recreational area. Accord-

ing to census data, growth rates in Lamoille, Orleans, and Franklin counties are more than double the growth rate in Vermont as a whole. In Vermont, only 21 percent of the Northern Green Mountains is protected from development, compared to 45 percent of the central and southern Green Mountains.

In fiscal year 2011, an appropriation of $5.875 million from the Forest Legacy Program is needed to ensure the protection of critical forest resources in northern Vermont. This Federal funding will be matched by $1.98 million of non-Federal contributions and allocated to 19 separate land transactions for the acquisition of full fee and partial interests through conservation easement. One of the tracts which will be conserved that the Green Mountain Club is particularly interested in is Canada View, 1,022 acres of forestland in Jay. A 1.6 mile section of the Long Trail, one of Vermont's premier recreational resources, is located adjacent to Canada View, in some places within 100 to 500 feet of the parcel's boundary. The northern terminus of the Long Trail at the Canadian border, a starting or finish point for end-to-end hikers of the trail, is located beside Canada View.

Please do all that you can to ensure that this worthwhile program is funded adequately in fiscal year 2011 and that the Northern Green Mountains Linkage project receives $5.875 million in fiscal year 2011.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Vermont, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE GEOLOGICAL SOCIETY OF AMERICA

Summary

The Geological Society of America (GSA) urges Congress to appropriate at least $1.3 billion for the U.S. Geological Survey (USGS) in fiscal year 2011. The USGS is one of the Nation's premier science agencies. It addresses many of society's greatest challenges, including energy resources, climate change, water resources, and natural hazards. The devastating earthquake in Haiti on January 12, 2010 and the eruption of Eyjafjallajökull volcano in Iceland that began on April 14, 2010 emphatically demonstrate the value of robust natural hazards monitoring and warning systems and the need for increased Federal investments in the USGS. Nevertheless, funding for USGS has stagnated in real dollars for more than a decade (see Figure 1).

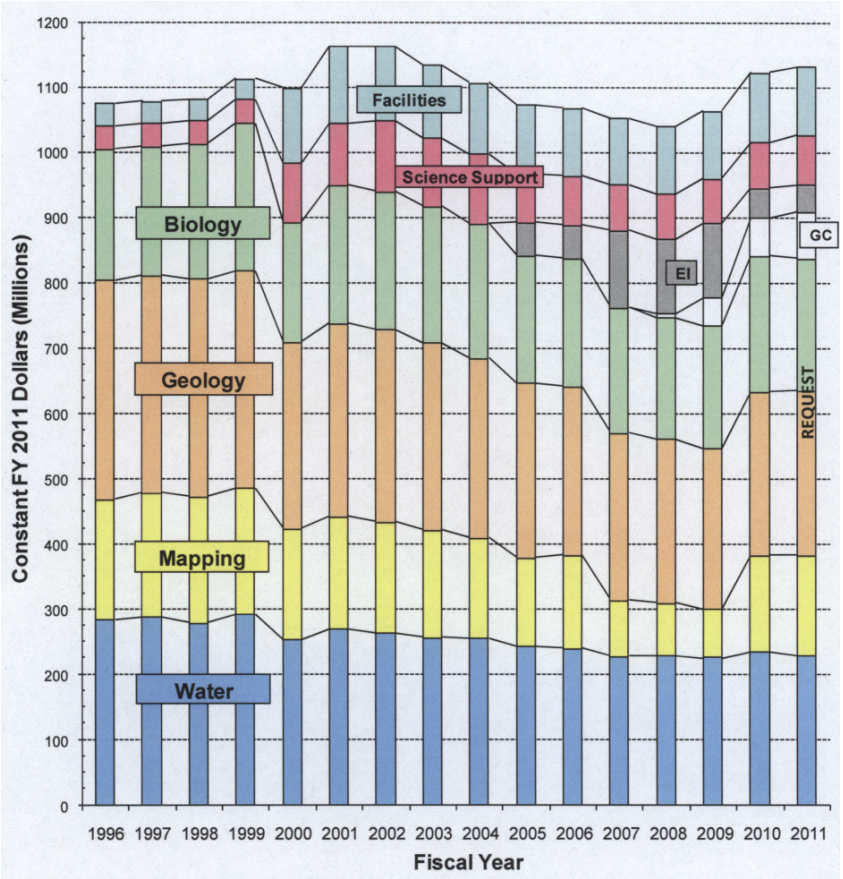


FIGURE 1.—USGS funding in constant 2011 dollars, fiscal year 1996–fiscal year 2011. EI is Enterprise Information and GC is Global Change. Data from USGS Budget Office.

The Geological Society of America supports strong and growing investments in earth science research at USGS and other Federal agencies. Substantial increases in Federal funding for earth science research are needed to ensure the health, vitality, and security of society and for stewardship of Earth. The USGS has a unique combination of biological, geographical, geological, and hydrological programs that enables it to address interdisciplinary research challenges that are beyond the capabilities of most other organizations. The USGS benefits every American every day.

The Geological Society of America, founded in 1888, is a scientific society with more than 22,000 members from academia, Government, and industry in all 50 States and more than 90 countries. Through its meetings, publications, and programs, GSA enhances the professional growth of its members and promotes the geosciences in the service of humankind. GSA encourages cooperative research among earth, life, planetary, and social scientists, fosters public dialogue on geoscience issues, and supports all levels of earth science education.

Rationale

Science and technology are engines of economic prosperity, environmental quality, and national security. Federal investments in research pay substantial dividends. According to the National Academies' report Rising Above the Gathering Storm (2007), "Economic studies conducted even before the information-technology revolu-

tion have shown that as much as 85 percent of measured growth in U.S. income per capita was due to technological change."

The earth sciences are critical components of the overall science and technology enterprise. Growing investments in earth science research are required to stimulate innovations that fuel the economy, provide security, and enhance the quality of life. Substantial increases in Federal funding for earth science research are needed to ensure the health, vitality, and security of society and for Earth stewardship. Earth science research provides knowledge and data essential for developing policies, legislation, and regulations regarding land, mineral, energy, and water resources at all levels of government.

Broader Impacts of the Earth Sciences

It is critically important for Congress to provide significant increases in funding for the USGS to meet challenges posed by human interactions with Earth's natural systems and to help sustain these natural systems and the economy. Additional investments in the USGS are necessary to address such issues as natural hazards, energy, water resources, and climate change.

—Natural hazards, such as earthquakes, tsunamis, volcanic eruptions, floods, droughts, wildfires, and hurricanes, remain a major cause of fatalities and economic losses world-wide. An improved scientific understanding of geologic hazards will reduce future losses through better forecasts of their occurrence and magnitude. The devastating earthquake in Haiti on January 12, 2010 and the eruption of Eyjafjallajökull volcano in Iceland on April 14, 2010 emphatically demonstrate the value of robust natural hazards monitoring and warning systems and the need for increased Federal investments in the USGS.

—Energy and mineral resources are critical to the functioning of society and to national security and have positive impacts on local, national, and international economies and quality of life. These resources are often costly and difficult to find, and new generations of geoscientists need the tools and expertise to discover them. In addition, management of their extraction, use, and residue disposal requires a scientific approach that will maximize the derived benefits and minimize the negative effects. Improved scientific understanding of these resources will allow for their better management and utilization, while at the same time considering economic and environmental issues. This is particularly significant because shifting resource demands often reframe our knowledge as new research-enabling technologies become available.

—The availability and quality of surface water and groundwater are vital to the well being of both society and ecosystems. Greater scientific understanding of these critical resources-and communication of new insights by geoscientists in formats useful to decision makers-—is necessary to ensure adequate and safe water resources for the future.

—Forecasting the outcomes of human interactions with Earth's natural systems, including climate change, is limited by an incomplete understanding of geologic and environmental processes. Improved understanding of these processes in Earth's history can increase confidence in the ability to predict future states and enhance the prospects for mitigating or reversing adverse impacts to the planet and its inhabitants.

—Research in earth science is also fundamental to training and educating the next generation of earth science professionals.

USGS should be a component of broader initiatives to increase overall public investments in science and technology. For example, earth science research should be included in a recommendation by the National Academies to "increase the Federal investment in long-term basic research by 10 percent each year over the next 7 years." (Rising Above the Gathering Storm, 2007). Likewise, when Congress reauthorizes the America COMPETES Act, it should broaden the act to include a new title that puts the USGS budget on the same doubling track as other key science agencies.

Budget Shortfalls

President Obama's fiscal year 2011 budget request for USGS is $1.133 billion, an increase of $21.6 million of 1.9 percent more than the fiscal year 2010 enacted level. The USGS budget request includes $52 million in program increases, $18.6 million in program decreases, and $11.7 million in additional decreases made on a Department of the Interior-wide basis. The budget request also assumes that the USGS will absorb $13.5 million in uncontrollable cost increases. Underfunding of uncontrollable cost increases over many years has compromised the scientific capacity of the USGS. We urge Congress to restore proposed cuts in the USGS budget request, to provide full funding for uncontrollable cost increases, to provide new funds to en-

able the agency to address a growing backlog of needs for USGS science and information and undertake new initiatives. Congress should support proposed USGS budget increases for initiatives including the New Energy Frontier, Climate Change Adaptation, WaterSMART Program, Treasured Landscapes (Chesapeake Bay Executive Order), Increasing Resilience to Natural Hazards, Landsat Data Continuity Mission, and Coastal and Marine Spatial Planning.

The USGS budget fell in real dollars for 7 consecutive years from fiscal year 2001 to fiscal year 2008 (see Figure 1). Despite budget increases in fiscal year 2009 and fiscal year 2010, the USGS budget request for fiscal year 2011 remains below the USGS budget for fiscal year 2001 in real dollars. The decline in funding for the USGS during this time period would have been greater if Congress had not repeatedly restored proposed budget cuts. Federal funding for non-defense R&D has increased significantly while funding for the USGS stagnated for more than a decade.

The Geological Society of America joins with the USGS Coalition and other organizations in recommending an appropriation of $1.3 billion for the USGS in fiscal year 2011. This budget would enable the USGS to address the growing backlog of science needs that has resulted from stagnant real budgets for more than a decade, accelerate the timetable for deployment of critical projects, and launch science initiatives that address new challenges.

The Geological Society of America is grateful to the Senate Appropriations Subcommittee on Interior, Environment, and Related Activities for its past leadership in increasing the budget for USGS. We remain grateful to the subcommittee for its leadership in providing $143 million in stimulus funds for the USGS under the American Recovery and Reinvestment Act of 2009. Thank you for your thoughtful consideration of our request.

PREPARED STATEMENT OF THE GREATER YELLOWSTONE COALITION

Madam Chairman and honorable members of the subcommittee: On behalf of the Greater Yellowstone Coalition, I appreciate the opportunity to present this testimony in support of acquiring land in the Shoshone National Forest in Wyoming. The Greater Yellowstone Coalition is a conservation organization dedicated to protecting and restoring the Greater Yellowstone Ecosystem (GYE) and the unique quality of life it sustains, now and in the future. Central to the Greater Yellowstone Coalition's mission is the integrity of Yellowstone and Grand Teton National Parks, which form the core of the GYE. The GYE is the most intact landscape in the lower 48 States and is internationally renowned. Formed in 1983, The Greater Yellowstone Coalition has 18,000 members and activists who regularly use and enjoy the Yellowstone area, including Yellowstone and Grand Teton National Parks.

An appropriation of $2.5 million is needed in fiscal year 2011 from the Land and Water Conservation Fund (LWCF) in order for the Forest Service (USFS) to acquire the 118-acre Russell Creek Winter Range inholding. In a demonstration of the importance of this acquisition, the $2.5 million amount was included in the President's budget request for fiscal year 2011.

Roughly the same size as West Virginia, the GYE encompasses approximately 18 million acres in Wyoming, Montana, and Idaho. The GYE includes Yellowstone and Grand Teton national parks, portions of seven different national forests, and three national wildlife refuges. The headwaters of the Yellowstone, Missouri, Snake, and Green rivers are found in its mountains. Its varied topography consists of arid high plains, verdant river valleys, high-elevation plateaus, and spectacular mountain ranges, as well as the most diverse and intact collection of geysers and hot springs in the world. Additionally, the GYE is one of the largest, relatively intact temperate zone ecosystems remaining in the world.

Remarkably diverse, the GYE provides some of the best wildlife habitat in the country, including home for one of the last viable grizzly bear populations in the lower 48 States. It hosts the largest elk and free-roaming bison herds in North America, and provides the only U.S. wintering ground for the rare trumpeter swan. Wolverines, lynx, fishers, and martens still roam the GYE's mountains, as do bighorn sheep, black bears, and mountain goats. Other flourishing species include pronghorn antelope, wolves, moose, mountain lions, mule deer, beavers, coyotes, osprey, bald eagles, and peregrine falcons. The GYE hosts a total of 316 bird, 94 mammal, 24 reptile and amphibian, and more than 1,700 vascular plant species. The rich, biological diversity of the GYE is truly exceptional—nowhere else in the lower 48 States can you find a large and relatively intact ecosystem containing nearly all the living organisms present in pre-Columbian times.

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 at-

tract 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.

Available for acquisition within the GYE in fiscal year 2011 is the 118-acre Russell Creek Winter Range property in the Shoshone National Forest in Park County, Wyoming. The tract lies about 1.5 miles off of Wyoming Route 296 in between Cody and Cooke City and the eastern and northeastern entrances to Yellowstone National Park. Bounded by Forest Service land on three sides, the tract is near Windy Mountain and is adjacent to Dead Indian Pass, where Route 296 drops dramatically into the valley of the Clarks Fork of the Yellowstone River, a national wild and scenic river.

With outstanding scenery, threatened and endangered species habitat, and riparian resources, the property is the priority acquisition for the forest and included in the region's GYE program for fiscal year 2011. The property contains prime riparian habitat and important wetlands along one-half mile of Russell Creek. Gray wolves inhabit the area, and the inholding is located within the Yellowstone Recovery Zone for grizzly bears—a federally listed threatened species. Furthermore, the tract is within a crucial rearing area for elk and crucial winter range for elk, mule deer, and bighorn sheep. Additionally, the parcel contains habitat for sensitive plant species: shoshonea, Hall's fescue, North Fork Easter daisy, and Absaroka goldenweed.

The tract is accessible via a private road, offering significant opportunities and access for the public to hunt, hike, and camp if the property is acquired—and a significant second-home subdivision and development risk if it is not. Subdivision into several smaller parcels is fully authorized under existing county land-use regulations. In addition to precluding this threat, acquisition also will allow the USFS to improve fire management, control invasive plant species, and resolve obstacles to the free movement of grizzlies and other large game and nongame wildlife.

An appropriation of $2.5 million is needed from the LWCF to secure these abundant resources, to preserve the important wildlife habitat along Russell Creek, and prevent development in a scenic section of the Shoshone National Forest.

The LWCF is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this subcommittee faces, I also want to thank the subcommittee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the LWCF is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Wyoming, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE HEALING OUR WATERS®—GREAT LAKES COALITION

Chairman Feinstein and Senator Alexander. It is an honor to provide this written testimony regarding one of our Nation's most prized natural and economic resources—the Great Lakes.

The Healing Our Waters—Great Lakes Coalition asks the subcommittee to support $475 million for the popular and effective Great Lakes Restoration Initiative in fiscal year 2011. We appreciate the strong support the subcommittee provided last year and ask you to provide the same funding in fiscal year 2011 as you did in fiscal year 2010. We feel that our request is well justified because:

—Fiscal year 2010 funds are being obligated this year;
—There is an unprecedented need;
—Through public-private partnerships we have the ability to get the work done implementing our region's restoration plan; and
—The eight State region's economic recovery hinges on a healthy, restored Great Lakes.

The Healing Our Waters—Great Lakes Coalition is comprised of more than 110 environmental, conservation, hunting, and fishing organizations; museums, zoos,

and aquariums; and businesses representing millions of people whose goal is to restore and protect the Great Lakes. We came together to fight for the Great Lakes, and we recognize the need for Federal assistance for all great waters, including San Francisco Bay, Puget Sound, the Everglades, and Chesapeake Bay.

Madam Chairman and Mr. Ranking Member, 40 million people rely on the Great Lakes for their drinking water, and millions more benefit from the commerce and business that depend on the waters of the Great Lakes. Unfortunately, the health of the Great Lakes continues to be seriously threatened by problems such as untreated sewage, toxic pollution, and invasive species. The eight States that border the Great Lakes and numerous nongovernmental organizations have invested a significant amount of resources in preserving these bodies of water. Additional funding, however, is needed. Unless the Federal Government continues to invest in the lakes these problems will get worse and the price we pay will be higher.

While restoration efforts to date have made progress, Federal funding historically has not kept pace with the enormity of the problem. More than $26 billion is needed according to the Great Lakes Regional Collaboration Strategy, yet Great Lakes programs over the last decade have received only a small fraction of that amount. We are now embarking on more significant restoration activities thanks to President Obama's Great Lakes Restoration Initiative (GLRI). Cleaning up the Great Lakes is not only critical for the health and quality of life of the region, it will also drive economic development—and jobs—in our Nation for years to come. According to the Brookings Institution, an investment of $26 billion to restore the Great Lakes will lead to at least $50 to $80 billion in economic benefit. That's why the region's chambers of commerce, industry, governors, mayors, tribes, and conservation organizations have united around the common goals of restoring the Great Lakes—the largest surface freshwater resource on the planet—and funding the GLRI at last year's level.

President Obama recognized the importance of a Federal commitment to the Great Lakes by including a new $475 million Great Lakes restoration initiative in his inaugural fiscal year 2010 budget. As already noted, under the leadership of this subcommittee and other key appropriators like Senator Durbin, Congress fulfilled the President's request. This support has energized the region like at no other time and people are responding. Now is not the time to slow down the progress being made, which is why we were disappointed by the administration's $300 million request for fiscal year 2011. Although we acknowledge that senior administration officials may believe that fiscal year 2010 funding isn't being obligated quickly enough to justify an additional $475 million for the GLRI, we disagree with their view. The Environmental Protection Agency's (EPA) Great Lakes National Program Office (GLNPO) has worked hard over the last year with their sister agencies to ensure that fiscal year 2010 GLRI funding can be put to good use this year.

GLRI Interagency Agreements Signed	Obligated Amount (millions)	
DHS-USCG	$	6.35
DOC-NOAA	$	29.72
DOD-USACE	$	34.30
DOI-BIA	$	3.00
DOI-FWS	$	26.22
DOI-FWS #2	$	38.36
DOI-NPS	$	10.51
DOI-USGS	$	22.48
DOT-MARAD	$	4.00
HHS-ATSDR	$	5.50
USDA-APHIS	$	1.84
USDA-Forest Service	$	15.46
USDA-NRCS	$	34.09
To Be Signed in May 2010		
DOT-FHWA	$	2.50
Total	**$**	**245.31**

Source: EPA

A quick snapshot of everything GLNPO has accomplished in 2009:

—GLNPO coordinated 15 different agencies in pulling together a spending plan for the new $475 million initiative; they wrote a plan on how to implement the Great Lakes Regional Collaboration's restoration strategy; they held 18 meetings last summer where they solicited public feedback on that plan; they prepared and issued a Request for Proposals to award more than $120 million in grants to non-Federal organizations; they coordinated and created 13 interagency agreements (see table above); they began developing a system to establish an accountability and reporting system for the Initiative; they began to renegotiate the bi-national Great Lakes Water Quality Agreement; all while continuing to operate the Great Lakes Legacy Act program and fulfill their other statutory responsibilities.

GLRI FUNDS ARE BEING OBLIGATED

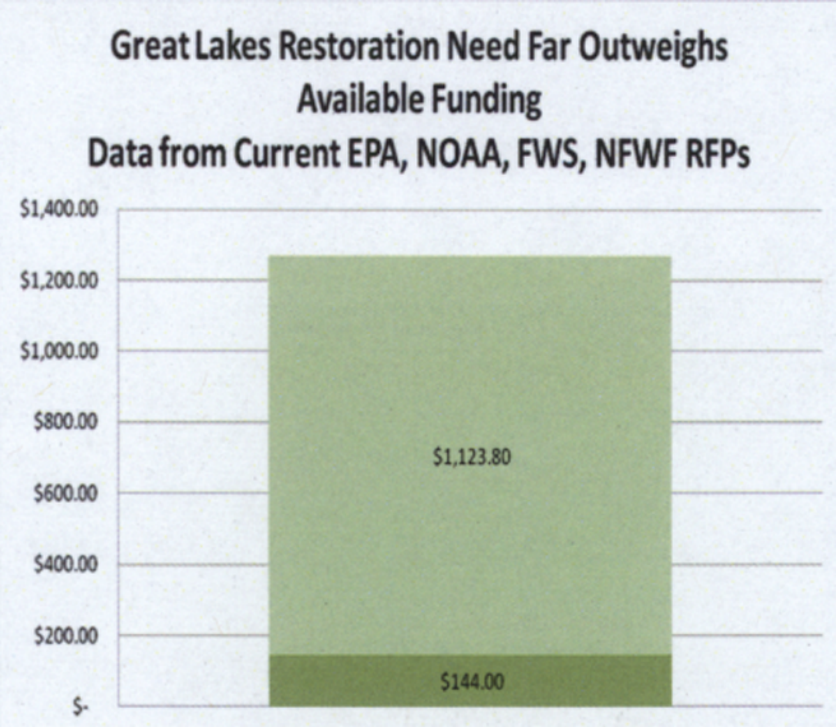
All this work has set the stage for GLRI money to flow this year to on-the-ground restoration work throughout the region. GLNPO and the other Federal agencies are obligating GLRI funds. GLNPO will have obligated more than $247 million through interagency agreements by the end of May. Other agencies will also have spent their GLRI allocations. NOAA recently awarded GLRI funds to a land acquisition project in Michigan. The U.S. Fish and Wildlife Service (FWS) will award habitat restoration funds later this year under their Great Lakes Fish and Wildlife Restoration Program. The National Fish and Wildlife Foundation, through a transfer of funds

from the FWS, obligated $6 million in GLRI funds for restoration projects in April. The Natural Resources Conservation Service just committed more than $33 million in May. EPA will begin awarding $120 million worth of grants this summer for work that will get underway later this year.

NEED FAR OUTWEIGHS AVAILABLE FUNDING

The preparation for spending the GLRI's allocation has also revealed that the amount of funding needed for Great Lakes restoration continues to far outweigh what is available, even with significant new Federal support.

EPA, NOAA, the FWS and the National Fish and Wildlife Foundation all recently closed grant solicitations on how to spend GLRI funds. Nearly 1,400 proposals were submitted totaling more than $1.1 billion.[1] Only 13 percent of proposals on average will receive funding through these solicitations since only $144 million is currently available (see chart below). We expect additional agency requests for proposals to be made available throughout the year. It's important to remember that not all GLRI funds will go to grants and even if they did, current GLRI funding would still fund less than half the projects that have been proposed through the most recent four request for proposals.



GETTING WORK DONE; ACCORDING TO PLAN

The restoration work being undertaken with GLRI funds is focused on one goal: to implement the region's restoration plan. Our region produced the comprehensive, science-based "Great Lakes Regional Collaboration Strategy to Restore and Protect the Great Lakes" in 2005, which laid out the steps needed to restore and protect the Great Lakes. After a series of meetings with the public and two public comment

[1] Current request for proposals; Source: EPA, NOAA, FWS, NFWF

Agency	*RFP amount available*	*Total amount available*	*Proposals submitted*
NOAA	$10 million	$61 million	52
FWS	$8 million	$44 million	167
EPA	$120 million	$947 million	1,057
NFWF	$6 million	$72 million	104

periods last year, GLNPO subsequently produced a Federal work plan called the "Great Lakes Restoration Initiative Action Plan"[2] to implement that strategy: "The GLRC Strategy provides a framework for the Action Plan, and the Action Plan is just that: an action driver."[3] This plan lays out measurable 5-year restoration goals for the five most significant issues facing the Great Lakes: toxic substances and areas of concern; invasive species; nearshore health and nonpoint source pollution; habitat and wildlife protection and restoration; accountability, education, monitoring, evaluation, communication, and partnerships.

In addition, with the hope of significant new funds being available this year, most Great Lakes States and many nongovernmental organizations worked together closely to develop project proposals that address both their State and the region's top restoration priorities. New York's Department of Environmental Conservation facilitated collaboration between NGOs, State agencies, and other stakeholders in pulling together a list of projects to be undertaken in the Great Lakes watershed in New York State. Wisconsin, Michigan, and Minnesota also undertook similar efforts to coordinate project submissions and build solid public-private partnerships in order to get work done. For work that could not be undertaken by State agencies because of budgets or capacity, States supported the application of funds by nongovernmental organizations that had the expertise and experience to successfully complete restoration work.

In addition to developing a plan, GLNPO also made progress in pulling together a project tracking system based on one used by the Chesapeake Bay program to track progress made in implementing this plan. These reporting requirements are also being built into the interagency agreements, which is partially why it has taken them more time to complete.

Lastly, to ensure that the regional efforts are based on sound science, GLNPO is also establishing a science advisory board, which will provide oversight and advice on the region's restoration efforts.

ASIAN CARP

One of the biggest threats facing the Great Lakes today is Asian carp, which swam up the Mississippi River after escaping fish farms in the 1970s. After years of battling to keep Asian carp out of the Great Lakes, Asian carp DNA was recently discovered in Lake Michigan. This startling finding has provoked a serious response from Federal agencies. Although we are glad that the President had the foresight to create a GLRI that could respond quickly to this threat, continued use of GLRI funds for Asian carp management would violate one of the GLRI's own criteria: support new work or "enhance (but do not replace) existing Great Lakes baseline activities."[4] We believe that over the long term keeping Asian carp out of the Great Lakes must be built into agencies baseline budgets in order to leave the GLRI free to supplement other restoration activities.

CONCLUSION

We thank you again for the opportunity to share our views with you. We recognize the tough choices you face, but we believe that restoring the Great Lakes is not only good for the environment but also is good for the national economy as well. In addition to your support for $475 million in GLRI funds, we also hope you will support the following recommendations in report language or oversight:

—Spend GLRI funds in the Great Lakes Basin.
—Ensure that all stakeholders helping to restore the Great Lakes—in particular nongovernmental organizations—have a voice in setting Great Lakes restoration priorities.
—Streamline application procedures so non-Federal stakeholders can use one application form for multiple agency requests.
—Allow EPA to bundle funding for multiple projects (either by the same sponsor or multiple sponsors) in targeted areas in order to more efficiently direct funds to high-priority areas and on multiple issues (either concurrently or consecutively) and to minimize administrative costs for smaller nongovernmental groups that have the expertise to do restoration work but may be too small to manage large Federal grants.
—Reduce the number of Federal programs receiving GLRI funding to better target these investments.

[2] Released February 21, 2010.
[3] EPA "Great Lakes Restoration Initiative Action Plan" 2010. Page 4.
[4] Ibid. Page 14.

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 11 million supporters nationwide. We urge the subcommittee to address these priority issues in the fiscal year 2011 Department of Interior appropriation.

Bureau of Land Management—Wild Horse and Burro Program

The BLM is charged with the management of approximately 33,000 wild horses in 10 Western States, but the current program is grossly underfunded. While we support a reduction in the number of annual roundups, depending on rounding up horses without implementing any active program for preventative herd growth is an unsupportable wild horse management approach because it leads to a continual cycle of roundups and removals rather than the use of long-term, cost-efficient and humane management strategies.The BLM should focus on five mechanisms for managing wild horses and burros; (1) preserving free-roaming wild horse and burro populations through the use of humane birth control; (2) recolonizing any of the more than 19 million acres of zeroed-out habitat with wild horses and burros from the short and long-term holding facilities; (3) identifying new, appropriate rangelands and establishing sanctuaries for wild horses and burros; (4) continuing long-term, humane pasturing for equines that must be removed from the range utilizing birth control on these captive animals; and (5) implementing creative and more aggressive marketing strategies to increase adoption rates for captured equines.

The BLM's current focus on roundup and adoption tools has resulted in an increasing number of wild horses being permanently warehoused in BLM sponsored holding centers, at a cost of $27 million annually (representing almost 75 percent of the BLM's $36.2 million wild horse management budget). Peer reviewed studies have shown that costs to manage the herd could decrease significantly by treating more mares with the immunocontraceptive PZP (porcine zona pellucida) and returning them to the range, rather than detaining them indefinitely in holding centers, and through the wide-scale marketing of the BLM's Adopt-a-Horse program. According to a paper published in the Journal of Wildlife Management in 2007, contraception on-the-range could reduce total wild horse and burro management costs by 14 percent, saving $6.1 million per year (Bartholow, J. 2007. Economic benefit of fertility control in wild horse populations. J. Wildl. Mgmt. 71(8):2811–2819.). This study demonstrates conclusively that the use of immunocontraception could easily result in a reduction in the continuing long-term expenses associated with the BLM's current wild horse management program.

In October 2006, The Humane Society of the United States (HSUS) and the BLM signed a Memorandum of Understanding to facilitate the use of contraceptive vaccines as a key component for managing wild horses on public lands. In 2007, the Annenberg Foundation pledged $1.8 million to a project launched by The HSUS and the BLM to promote the use and application of contraceptives to manage wild horses throughout the west. The BLM and The HSUS have an opportunity to revolutionize the course of wild horse population control from a standard that is often inefficient, costly, and cruel to one which is technologically advanced, cost effective and humane. We urge the subcommittee to take advantage of the demonstrated cost savings associated with the use of immunocontraceptives by directing BLM and EPA to take action to facilitate the implementation of The HSUS/BLM Research Project, and by increasing BLM's budget for PZP research and development programs by $1.5 million.

The subcommittee's support would encourage greater cooperation between the BLM, the EPA and The HSUS in the implementation of a program that we believe will be of great benefit not only to our Nation's beloved wild horse populations, but also to the American taxpayer. While we are pleased with the stated intent in BLM's budget justification, we hope this new direction will be implemented in fiscal year 2011.

Law Enforcement Division of the Fish and Wildlife Service

The illegal trade in wildlife and wildlife parts amounts to billions of dollars, second only to the smuggling of drugs and arms. The United States remains one of the largest markets for legal and illegal trade of wildlife and wildlife products. New technology and a full complement of special agents and wildlife inspectors are essential to enforce the Nation's endangered species and other wildlife laws. We are concerned that there are 71 special agent vacancies. We encourage the Subcommittee to fully fund the Law Enforcement Division.

Large Constrictor Snakes

The HSUS commends the U.S. Fish and Wildlife Service for proposing to list nine species of large constrictor snakes as "injurious," which will prohibit importation and interstate movement of animals as pets. A recent, comprehensive report by the U.S. Geological Survey showed these snakes all pose medium or high risk to our environment; none are low risk. While Burmese pythons and, to a lesser extent, boa constrictors have been established in Florida for some time, it appears that northern African pythons are now breeding there as well. The Service must have the resources to respond quickly to prevent the spread of these species and establishment of new ones.

Environmental Protection Agency

Toxicity Pathways

Research focused on molecular screening the potential to revolutionize toxicity testing improving both its efficiency as well as the quality of information available for human safety assessment. However, there is a need for more focus on toxicity pathways, as recommended by the National Research Council's report "Toxicity Testing in the 21st Century: A Vision and a Strategy." Such toxicity pathway research is best accomplished by EPA through contracts, grants and collaborations of EPA's National Center for Computational Toxicology with researchers in academia and other institutions. We urge the Committee to incorporate the following report language:

The subcommittee strongly supports and has increased funding for the efforts of EPA's Office of Research and Development and its National Center for Computational Toxicology to apply computational chemistry, high-throughput screening and toxicogenomic technologies to predict potential for toxicity. The Center shall focus additional activity to address the issues of metabolism and exposure science in order to overcome these limitations within the current ToxCast program. In addition to the correlative computational profiling research currently being conducted by the Center and its Federal partners, the subcommittee directs EPA, through its Science and Technology budget, to increase its allocation of resources to the National Center for Computational Toxicology to expand its collaborations with other research organizations outside the Federal government engaged with proof of concept investigations of specific toxicological pathways.

Review and Upgrading of the Test Methods Used in EPA's Endocrine Disruptor Screening Program (EDSP).—EPA's budget request for 2011 acknowledges that the additional resources appropriated for 2011 will fund "next generation tools" which will speed up EDSP and reduce animal use. "In fiscal year 2011, the Computational Toxicology Research program will play a critical role in coordinating and implementing research across the EPA. In addition, greater emphasis will be placed on using systems biology based approaches to advance health-based assessments. In fiscal year 2011, EPA is requesting $21.9 million, an increase of $1.9 million, to support application of mathematical and computer models to help assess chemical risk to human health and the environment. Funds for next-generation tools will speed and facilitate implementation of EPA's Endocrine Disruptor Screening Program (EDSP)."http://www.epa.gov/budget/2011/fy__2011__congressional__justification.pdf.

Multinational Species Conservation Fund

The HSUS joins 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 past years, the funding has been 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 2011 by appropriating $3 million each for the Asian Elephant, African Elephant, Marine Turtle, and Great Ape Conservation Funds, $6 million for the combined Rhinoceros and Tiger Conservation Fund, and $6.5 million for the Neotropical Migratory Bird Conservation Fund. We also request $10.4 million for the Wildlife Without Borders regional program.

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 ani-

mals. 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 2011 to fund the continuation of much-needed research on the Pacific walrus. Recently developed methodologies for surveying walrus populations have been used successfully and require sustained funding support to produce reliable population estimates. A comprehensive walrus survey was begun in 2005 and produced preliminary results in 2009—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.

White Nose Syndrome

The devastating impact of White Nose Syndrome (WNS) continues to spread across the country affecting bat populations in at least 11 States. A consensus statement issued by scientists and wildlife managers in May of last year calls WNS "the most precipitous decline of North American wildlife in recorded history". We are grateful that Congress provided the USFWS with additional funding to combat the problem of WNS, but the spread of disease is simply outpacing efforts to control it.

We respectfully ask Congress to: (1) Support the $4 million increase the Fish and Wildlife Service (FWS) requested for Declining Species; (2) Approve the 2 additional FTEs FWS requested, which we understand are to be the WNS coordinators for Regions 3 and 4; (3) Support the $3 million increase the U.S. Geological Survey (USGS) requested for science support for FWS and National Park Service priority research, monitoring, and technical assistance needs; (4) Support the $600,000 increase USGS requested for wildlife: terrestrial and endangered resources; and (5) Include an additional $5 million in FWS' Endangered Species: Recovery of Listed Species programming funds.

PREPARED STATEMENT OF THE HOOPA TRIBAL POLICE DEPARTMENT

On behalf of the Hoopa Valley Tribe and the Hoopa Valley Tribal Police Department, we are submitting testimony in support of an appropriations request for the Hoopa Valley Tribal Police Department. The amount of the request is $1,225,234 for base funding for the tribal police department. The agency involved is the Bureau of Indian Affairs and the program involved is Public Safety and Justice—Law Enforcement.

The Request and Justification

We are requesting $1,225,234 to provide base funding for our police department so it may continue to provide law enforcement services to the tribe and its surrounding community. Although the reservation is in a Public Law 280 State, services provided by county law enforcement are minimal. Given future budget concerns with the county, any county service provided to the Hoopa Reservation and surrounding communities may be cut significantly. The tribal police department is located on the Hoopa Reservation and it is routinely, the first and sometimes the only responders to calls for service on the reservation. The request for base funding would assist the tribal police department with further development and enhancement of services provided to the Hoopa community. The Hoopa Tribe has borne the financial burden for the police department, but can no longer afford to do so without harming other necessary services to its membership and community. However, the tribe feels a responsibility to protect the community, and its members.

The Hoopa Valley Tribal Council feels that the tribal police department is deserving of the opportunity to receive base funding from the Bureau of Indian Affairs and/or the Department of Justice, since services, and the quality of services are those of any other law enforcement agency. We do not believe that because we are a Public Law 280 State we should be hindered in carrying out our duties due to lack of funds, when the level of services and funding provided to non-Public Law 280 tribes is greater. Additionally, the Hoopa Valley Tribe is one of the first and only tribal police departments in the State of California to have a Joint Powers Agreement (JPA)/MOU and a deputization agreement with their neighboring county.

The subcommittee's support in providing base funding would be an enhancement to our department, tribe, community, and surrounding areas. These funds would be used to provide a 24-hour police force, something desperately needed on and around our reservation. The funds would also be used to increase officers' salaries in order to be competitive with State and county agencies. Historically, the department has been able to recruit officers in entry level positions; however, retainment of these officers has been problematic as we have not been able to compete by offering salaries comparable to the State and county agencies. Thus, once an officer has been trained, and attained more experience they leave for those agencies offering better salary and benefit packages. An increase in funding will alleviate this problem.

The base funding would also be used for: recruiting local tribal members and paying for sending them to the POST Certified Academy; an increase in dispatch personal and salaries once again trying to keep competitive with State and local agency's; advance officer training, uniforms and basic issue equipment; meeting the rising cost of gasoline/vehicle maintenance and repair; the Hoopa Valley Tribal Police Department building i.e., repairs and maintenance, rising utilities, and other related costs to maintain the building to keep it functional; and office equipment/supplies for efficient administrative operations of the Hoopa Valley Tribal Police Department.

Background on the Hoopa Valley Tribal Police Department and Intergovernmental Cooperation between the tribe and the County.

The Hoopa Valley Tribal Police Department was officially formed in 1984. Prior to 1984, the department operated as hoopa tribal security. As tribal security, the primary function was to patrol and check all tribal resources, buildings and property to prevent vandalism and theft. As the department became more familiar in the community they were routinely called upon to provide other services. As a result, the Hoopa Valley Tribal Council determined that is was necessary for the department to evolve. This was the beginning of the Hoopa Department of Public Safety/ Hoopa Valley Tribal Police Department. The tribe then began training their personnel as police officers.

The determination was made that personnel would be trained in compliance with California Peace Officers Standards and Training (P.O.S.T.) guidelines in order to better serve the Hoopa Valley Tribe and its community. The primary function of the police department was to enforce tribal law, i.e., fishing, wood cutting, and other natural resource protection functions. The Hoopa Valley Tribal Council funded the department from tribal funds. The tribal council funded officers training at the College of the Redwoods Police Academy, and conducted thorough background investigations, again using P.O.S.T. guidelines. Since the officers were trained at the same level as local law enforcement personnel, and since tribal police officers live on the reservation, where local county officers do not, tribal police were routinely called upon to provide other law enforcement services to the tribe and adjacent communities. In order to address jurisdictional problems with Public Law 280, the tribal council and county entered into an agreement whereby officers were individually cross-deputized by the county sheriff, provided the appropriate standards and training were met by the individual officer.

On May 30, 1995, the County of Humboldt and the Hoopa Valley Tribal Council entered into a JPA for the purpose of sharing responsibility for law enforcement services on the Hoopa Indian Reservation. That agreement, a first in California (a Public Law 280 State), specified that the Humboldt County Sheriff's Office (HCSO) and the Hoopa Valley Tribal Police (HVTP) would: (1) work together to provide law enforcement services to the community; (2) cross-deputize the other agency's law enforcement officers; (3) share information and resources; and (4) share facilities (the sharing of facilities never came to pass). On October 7, 1996, the respective areas of responsibility of the HCSO and HVTP under the JPA were more specifically defined in a memorandum prepared by Lt. Greg Busey, the Hoopa Sheriff's Substation Commander. This memorandum became essentially, a Memorandum of Understanding (MOU), under which both agencies have operated to the present day. Under this MOU, tribal police handle most noncriminal and misdemeanor criminal investigations, felony property crimes, and domestic violence cases, and the HCSO deputies handle part 1 felony crimes against persons. In actuality and in a spirit of cooperation each agency has taken responsibility for cases that were the primary responsibility of the other when it was expedient to do so.

As the department progresses so does the need for additional officers, support personnel, equipment. and technology. In essence, the tribal police department has become the primary law enforcement agency on the reservation enforcing tribal, Federal, and State law, as well as providing other service related functions. Since, California is a Public Law 280 State, the tribe has been unable to utilize State funds

even though the tribal police department is providing the primary law enforcement services on the Hoopa reservation. The tribe has funded the department since its inception using tribal, compact, and grant funds in an effort to ensure that the tribe, its members, and the Hoopa community are adequately protected.

Conclusion

The Hoopa Valley Tribe needs $1.225 million in its base budget for its police department for adequate and effective law enforcement and police protection on the Hoopa Valley Reservation to keep the residents and visitors of the reservation and surrounding communities safe.

The tribe's police officers are trained and maintain compliance with the California Commission on P.O.S.T. at the same level as local law enforcement personnel and are deputized by the Humboldt County Sheriff pursuant to a deputization agreement. This agreement along with the Joint Powers Agreement and MOU between the Tribe and the County as well as the tribe's concurrent jurisdiction and remote location has resulted in the tribe providing the primary law enforcement services on the reservation.

The tribe receives very limited Federal funding which can be used for law enforcement services and does not receive any State funds. The tribe has been covering the costs of its tribal police department, but it can no longer afford to do so, risking inadequate law enforcement and police protection in the face of significant community policing challenges, including rampant illegal drug use and trafficking in the area.

The appropriation of $1.225 million for our police department will benefit the residents and visitors of the Hoopa Reservation and surrounding communities. The Hoopa Tribal Police Department is routinely the first and only responder to calls for police on the reservation, responding to all calls on the full range of law enforcement matters. The funding will allow for 24-hour police coverage for the reservation, the ability of the tribe to retain trained officers, and use up-to-date equipment and technology for the provision of police services.

The appropriation will promote the safety of the residents and visitors on the reservation and in surrounding communities. This is extremely important given the reservation's remote area and significant police challenges arising from the rampant illegal drug use and trade in the area. The funding will also further the extraordinary intergovernmental cooperation between the Tribe and Humboldt County. Not only will the reservation and surrounding communities benefit from this funding, but Humboldt County, itself, will as well. Humboldt County would certainly benefit from the Tribe having a 24-hour police department to respond to calls on the reservation.

We ask the subcommittee to appropriate $1.225 million for the Hoopa Valley Tribal Police Department. Please do not hesitate to contact us if you need additional information.

PREPARED STATEMENT OF THE HOOPA VALLEY TRIBE

This written testimony in support of appropriations for the Hoopa Valley Tribe, K'ima:w Medical Center in the amount of $1,166,715. The agency involved is the Indian Health Services and the programs involved include Health Services and Equipment.

K'ima:w Medical Center, (KMC) is an entity of the Hoopa Valley Tribe located in far northern California. The Hoopa Valley Indian Reservation is in a rural and remote area, 55 miles from the larger populated areas of Eureka and Arcata. Hoopa is the largest land based tribe in California and is often referred to as a "12 mile square". The reservation encompasses approximately 144 square miles (98,355 acres) including the valley floor.

KMC is a Joint Commission accredited ambulatory clinic with operational hours between 8 a.m.–6 p.m. on weekdays. As an ambulatory clinic, KMC offers a comprehensive set of services that include medical, dental, community health, nutrition, social services, senior nutrition, full laboratory, and radiology services as well as specialty clinics for vision, podiatry, and telemedicine.

According to the U.S. Census Bureau (Census 2000), there are approximately 2,633 people living on the Hoopa Valley Indian Reservation. Eighty-four point seven percent of Hoopa residents are American Indian. KMC's service area encompasses the surrounding area of Willow Creek, Salyer, and Johnson's. Thirty-two percent of Hoopa residents are living in poverty (2.3 times the statewide figure of 14.2 percent and 2.6 times the nationwide figure of 12.4 percent). During the past year KMC has served 4,966 users.

Poverty, struggling and inadequate education, discrimination, high rates of unemployment, and limited access to health services are creating significant and alarming health disparities among our people. Our people are in desperate need of help to improve the quality of care, access for services, technological advancement, and job opportunities.

Three focus areas have been identified as priorities in addressing the disparities and increasing the quality of care and access for services: Emergency Medical Services, Electronic Health Record, and Radiology Digital Equipment.

Emergency Medical Services

Imagine driving in a mountainous area, on a very windy, two-lane road with very steep embankments and no shoulders to speak of, when suddenly your car hits black ice, you spin out of control and roll down the bank 300 feet. The closet Level Four hospital is an hour and a half away and the nearest trauma center is 3 hours away. Critically injured, the only thing standing between you and death is the swift and competent actions of the ambulance crew responding to the emergency. Ambulance personnel must begin medical treatment immediately, knowing that delaying treatment until you are transferred to the nearest hospital will significantly decrease the likelihood of surviving these injuries.

Residents in this area, all too often face these types of scenarios and it is vital to the Hoopa community and surrounding area to have Advanced Life Support emergency services available. The Tribe's KMC ambulance service provides the only basic and advanced life support emergency service in the area and responds to 1,100 emergency calls per year. Staffed 24 hours per day/7 days per week, paramedic level of support is necessary because of the length of time it takes to reach the nearest hospital, ranging from 50 minutes to 2.5 hours. KMC's ambulance crew not only provides emergency medical services, but also conducts white water rescue and over the bank rescue.

KMC's ambulance service, not only provides emergency medical services to the Hoopa community but also provides services to a three-county service area covering northeastern Humboldt County and portions of Trinity and Siskiyou Counties. As the only ambulance service for this whole area, services are not only provided for American Indians but for non-Indians as well. The ambulance service area covers the towns of Willow Creek, Salyer, Hoopa, Weitchpec, Orleans, Somes Bar, and Johnsons. The area is vast between towns and communities with two lane roads in a mountainous area. At times because of slides and unfavorable weather conditions (i.e., snow, ice, fog) our ambulances must drive over and through treacherous conditions to transport patients to coastal hospitals.

While this service is so vital to those who live in this area, unfortunately inadequate reimbursements from Medicare and Medi-Cal are severely impacting KMC's ability to provide this service. The Tribe can no longer subsidize the operation of the ambulance and funding is needed to continue the current level of emergency medical services provided not only in Hoopa, but in surrounding areas as well.

Funding in the amount of $362,315 is requested for our Ambulance Program to ensure that our area has continued Advanced Life Support emergency services.

Electronic Health Record

KMC is in the process of converting to an Electronic Health Record (EHR) system. To date the Tribe has provided 32 percent of the necessary funding in the amount of $250,000, but needs assistance with the remaining 68 percent, $539,000 to purchase EHR software and hardware technology along with related infrastructure.

The benefits of converting to an EHR system include reducing healthcare costs, improving efficiency, increasing patient safety and improving the overall delivery of health services to our tribe and community. Additionally, incentives offered for providers using EHR will help the Medical Center overall with increased third-party revenue.

For providers, EHR allows patient care activities and access to the records simultaneously and at multiple locations without depending on the availability of a paper chart. Data entries can be entered at point-of-service which ensures that the record is always up to date for all users.

Because KMC is a rural health clinic, specialty clinics come to our area and offer services needed by our patients. Specialty clinics offered here include obstetrics, pediatrics, ophthalmology, and podiatry. Additionally KMC offers telemedicine services for psychiatry, endocrinology, nutrition, pain management and hepatology. EHR allows easier access to patient records, referrals, medication lists, etc. for visiting providers and telemedicine providers and allows more efficient treatment for our patients while increasing safety for patients with multiple medical problems.

Funding in the amount of $539,000 is requested for implementing an EHR system.

Radiology Digital Equipment

Along with converting to an EHR system is the need to purchase radiology digital equipment and related infrastructure which will reduce healthcare costs, improve efficiency, increase patient safety, and improve the overall delivery of health services to our families.

Currently, KMC Radiology Department must send its films to Mad River Hospital (an hour drive away) using two different couriers. This creates significant delays in diagnoses and treatment. At times, x-rays may have to be repeated, causing even longer delays in diagnoses and treatment. In combination with EHR, radiology digital equipment will improve the timeliness of diagnosis for our patients, allow us to cut costs, decrease the storage space necessary to store films and improve the service that we provide to our patients.

Radiology Digital Equipment will allow information sharing between doctors who can simultaneously open the exam and compare impressions without having to send hard copy films back and forth between providers, hospitals, etc.

Funding in the amount of $265,400 requested for radiology digital equipment.

PREPARED STATEMENT OF THE ICE AGE FLOODS INSTITUTE

Because it has been determined that the President's proposed fiscal year 2011 budget does not provide enough funding for NPS to move ahead on the development of the Trail, the Senators from the region have received formal appropriation requests for this item from constituents.

At this time, of course, it is not known if this requested item will be accepted for inclusion in the Interior, Environment, and Related Agencies appropriations bill at any of the steps as the bill moves from the subcommittee, to the full Committee, and then is considered on the floor in the Senate. It is that uncertainty that prompts the submission of this testimony.

However, it is an established fact that all 25 members of the region's current congressional delegations (House and Senate, Montana, Idaho, Washington, Oregon, Republican and Democrat) are on record as supporting the authorization of the Trail, either in the form of the identical bills introduced by Representative Doc Hastings and Senator Maria Cantwell, beginning in the 108th Congress, or as a part of Public Law 111–11, the Omnibus Public Land Management Act of 2009, signed into law by the President over a year ago.

It is not my purpose here to recount the reasons for recognizing the Floods as a truly significant part of the Nation's natural heritage. The justification has been well-documented in earlier studies and hearings, and in the language of the authorizing act itself. What now must be faced are questions and objections that will be raised, with respect to actually appropriating the funds that are needed to go forward with the Trail project.

These are undeniably difficult times, and careful consideration must be given to all public expenditures and sources of revenue, and to the effect of public measures on the economic circumstances of the population. With that very much in mind, I am here recommending that this requested item would be a sound investment of public funds, and would have a positive effect on the economy.

The funding now being requested is for the start-up and operation of a small Trail office. The first tasks will be related to the collaborative development of the management and interpretive plan required by Public Law 111–11. It certainly could be remarked that the small size of the request bears no relationship to the awesome scale and power of the Floods themselves, or the dramatic effects they wrought on a huge part of the Pacific Northwest.

Distribution of $250,000 being requested: $200,000 for salary and benefits (two employees in fiscal year 2011—the Trail Superintendent and an Interpretive/Education Specialist); $20,000 for two leased vehicles; $15,000 for travel (extensive travel in the four-State area); $10,000 for office equipment (computing, copying, phones, etc.); and $5,000 for office supplies.

Objections may be raised that this item would add to the deficit and do nothing to add jobs and help with economic recovery. It is more likely that the dollars are already being recovered, without special promotion of the Trail.

This is not to suggest that the request and the Trail project can now be ignored, but to point out that this appropriation request responds to the opportunity that there is now to make significant, but not instantaneously obvious, increases in employment, small business profits, and tax revenues, largely to the benefit of rural

communities that regrettably have had to contend with economic distress and decline for many years.

There clearly has been increased media attention to the Ice Age Floods and their effects, and to the theme of eco-tourism. It definitely is reasonable to believe that hotels, motels, RV parks, restaurants, gas stations, grocery stores, etc., are directly benefiting from growing interest in the Trail project, even before it is begun. We can expect that more people are right now coming to the region, or are extending their visits, in order to explore the landscape left by the Floods. And local residents are probably spending more of their tourism and recreation dollars in the region, as they deal with restricted incomes and high fuel costs. Particularly in the case of local residents, many will discover reasons to make repeated visits to the Floods area.

But anyone who does visit the region, or is considering doing so, is likely to ask, Why is there no coherent interpretive program to explain these amazing floods and their remarkable legacy? That question has been under discussion for at least 20 years. The basic concepts of how to proceed are now stated in the authorizing act, but the remaining impediment is that the funding has not yet been provided for NPS to coordinate the activities and resources of many partners, in telling the story.

With some justification, earmarks have come under close scrutiny in discussions of the Federal budget and the budgeting process. However, it now appears that the term may be being applied too broadly, and some sound expenditures may be disallowed "on principle". With respect to any meaningful criteria, the Trail project fails to qualify as an "earmark". In all stages of study and discussion, the Trail proposal has involved four States. The NPS Special Resource Study, in response to widespread interest and with public participation, was launched in 1999 and presented to Congress in 2001. Authorizing legislation has been considered in every Congress, from the 108th on. And there has been consistent bi-partisan support from the start, from across the four-State region. Funding for the Trail project deserves attention on its merits, in a straightforward consideration of proposals that have an honorable history and justification, have been authorized by statute, and have good prospects for a real return on investment.

There is one particular aspect of the Trail proposal that offers surprising economy in achieving the project's objectives. The Trail will be based on existing public land holdings, which are adequate to offer a very good presentation of Flood features and phenomena. There is no authorization for Federal land acquisition or new land-use regulation or change of jurisdiction, to develop the Trail. However, the existing management agencies already have their respective responsibilities and funding related to research, interpretation and recreation based on their holdings. In fact, much of the interest in the Trail grew out of a shared concern for those responsibilities and the opportunity there might be to collaborate in performing their work as it related to effectively presenting the Floods story. This accounts for the involvement of the Bureau of Land Management, U.S. Forest Service, Bureau of Reclamation, U.S. Fish and Wildlife Service, and Army Corps of Engineers in the ongoing discussions that led to the Trail proposal. It will largely be through these agencies' participation that economic benefit will be derived from the conservationally sound use of public lands as the basis for the Trail.

In any interpretive effort involving several partners, it is important to make a determined effort to provide a consistent, authoritative and honest presentation of the current state of knowledge.

From the perspective of the general public, noticeable differences will lead to calling all of the presentations in question, to no one's benefit or credit. This is particularly challenging in the case of the Ice Age Floods, where the basic story is well understood, but some details are difficult to determine. However, to claim that all the answers have been found is to misrepresent all scientific inquiry. Here again, there may be a fortunate circumstance in the Trail situation, in that some form of expert peer review is already acknowledged to be a necessary component of the Trail project, and is being applied to review text and illustrations for a Washington State Parks project that is currently under way. The concern of all parties is that the WSP project should be consonant with what comes later, when the Trail is actually under development. Because of the longstanding involvement of staff of the U.S. Geological Survey, as well as state geological agencies and academic earth science departments, a high but achievable standard has been set for the Trail.

It might seem unlikely, but an honest presentation of scientific uncertainty should in itself have a tangible benefit. There are a number of issues under discussion in our society that have some connection with the Floods phenomenon, and which call for skills and interests that are under-represented in our scientific and technical workforce. Inquisitive youngsters who become interested in unresolved questions regarding the Floods are likely candidates for careers in the specialties that will help

us in understanding major cycles in climate change, in preparing for visits to Mars, and, perhaps most urgently, in dealing with issues of water supply and water quality, and the sustainability of agriculture and fisheries.

The Ice Age Floods National Geologic Trail would be a new kind of National Trail, fitted to the scale and special nature of the Floods phenomenon, and to the availability of suitable public land resources, which are under the management of a wide variety of agencies. The National Park Service would primarily be responsible to coordinate the large collaborative interpretive Trail project that would be organized to make a unified, "branded", consistent and authoritative presentation of these Floods that affected a huge area in the Pacific Northwest.

The basic elements of the Trail would be designated auto touring routes on public roads, with strategically located interpretive facilities, some of which already exist, plus other related recreational and educational activities, utilizing public lands. Other public agencies, not just Federal, would be voluntarily involved, in line with their established responsibilities and funding for land management and conservation, education and recreation, roads, scientific assessment of geology and hydrology, etc. Private institutions and organizations, including the Ice Age Floods Institute, will voluntarily be working on the project, too. In addition, there would be opportunities for associated services to be provided by businesses such as outdoor guides and outfitters, cruise and tour operators, and charter flightseeing services.

The authorizing bill does allow for the development of major capital projects, but only in partnership with other public or private organizations and in conformity with the overall Trail plan. To quote from section 5203 of the authorizing act: "Interpretive facilities—The Secretary may plan, design, and construct interpretive facilities for sites associated with the Trail if the facilities are constructed in partnership with State, local, tribal, or non-profit entities and are consistent with the plan."

In the presentations and facilities related to the Trail, the participation of all the kinds of public and nonprofit entities that I have mentioned would be prominently recognized with appropriate signs and credits. The Trail will be a significant model of what can be accomplished in a structure of partnership and coordinated collaboration.

An organizational scheme for the Trail is eagerly awaited by the many potential partners. For years, what had been lacking was (1) the appropriate "national" designation of this major interpretive project, (2) the critical element of assigning coordinating authority and responsibility, and (3) the provision of funding to accomplish the coordination. With the designation and assignment now accomplished, what immediately needs to be done is to provide the relatively modest start-up funding to the National Park Service, for it to begin to function as the agency that will enable a unified project to go forward.

No benefit will be gained by delaying the start-up work on the Ice Age Floods National Geologic Trail. The requested funds will be a good investment of scarce Federal dollars, because the Trail will present a significant and fascinating chapter in Earth's history, contribute to general public understanding of natural processes and their effect on our ways of life, attract more workers to currently important fields related to the natural sciences, and bring substantial on-going benefits to the large region that was the setting for the story.

Consequently, I urge that the item requested here be approved by the subcommittee and included in the bill that is forwarded by the full Appropriations Committee to the floor of the Senate.

And I want to thank the subcommittee for this opportunity to present testimony for this small but critical budget item. Please contact me if further information would be helpful.

LETTER FROM THE IDAHO CONSERVATION LEAGUE

Hon. DIANNE FEINSTEIN,
United States Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: I am writing in support of an appropriation of $2.2 million from the Land and Water Conservation Fund for the Idaho Wild and Scenic Rivers program to protect the 160-acre Morgan Ranch property. The fiscal year 2011 President's budget request included $1 million for this project, but the full $2.2 million appropriation is needed to complete the protection of the property this year.

Over the past few years, the Forest Service has been working to protect natural and recreational resources along the Salmon River and its tributaries by securing interests in critical inholdings from willing sellers via fee ownership or conservation easements. In many cases, the Salmon River program has reduced the cost of Forest

Service management by eliminating inholding boundaries or assisting fire-fighting efforts.

The Morgan Ranch property is a 160-acre wilderness inholding within the Salmon-Challis National Forest that lies along the Middle Fork of the Salmon Wild & Scenic River corridor in Valley County. Half of the property consists of valuable wetlands and riparian habitat, including Prospect Creek and Sulphur Creek drainages. The tract is also located just downstream from the Boundary Creek campground and river access point, of two sites along the Middle Fork of the Salmon. The landowner is interested in working with the Forest Service to conserve the property, while retaining private structures and uses on a portion of the property.

The protection of this inholding will secure for the public recreational access to the Middle Fork of the Salmon, prevent incompatible development, and protect important riparian habitat. Thank you for your consideration of this request.

Sincerely,

JOHN ROBISON,
Public Lands Director.

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 (IMCC). I appreciate the opportunity to present this statement to the subcommittee regarding the views of the Compact's member States on the fiscal year 2011 budget request for the Office of Surface Mining Reclamation and Enforcement (OSM) within the U.S. Department of the Interior. In its proposed budget, OSM is requesting $60.3 million to fund title V grants to States and Indian tribes for the implementation of their regulatory programs, a reduction of $11 million or 15 percent below the fiscal year 2010 enacted level. OSM also proposes to cut discretionary spending for the title IV abandoned mine land (AML) program by approximately $174 million, including the elimination of funding for the emergency program and a proposal to eliminate all AML funding for certified States and tribes. Our statement will address each of these proposals.

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 $60.3 million for title V grants to States and tribes in fiscal year 2011, an amount which is matched by the States each year. These grants support the implementation of State and tribal 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.

In fiscal year 2010, Congress approved an additional $5.8 million increase for State title V grants over the fiscal year 2009 enacted level, for a total of $71.3 million. For the first time in many years, the amount appropriated for these regulatory grants aligned with the demonstrated needs of the States and tribes. The States are greatly encouraged by the significant increases in title V funding approved by Congress over the past 3 fiscal years. Even with mandated rescissions and the allocations for tribal primacy programs, the States saw a $12 million increase for our regulatory programs over fiscal year 2007 levels. As we noted in our statement on last year's budget, State title V grants had been stagnant for more than 12 years and the gap between the States' requests and what they received was widening. This debilitating trend was compounding the problems caused by inflation and uncontrollable costs, thus undermining our efforts to realize needed program improvements and enhancements and jeopardizing our efforts to minimize the potential adverse impacts of coal extraction operations on people and the environment.

In its fiscal year 2011 budget, OSM has unilaterally and drastically reversed course and essentially unraveled and undermined the progress made by Congress in supporting State programs with adequate funding. This comes at precisely the wrong time. The States are still in the process of putting the recent improvements in funding to work in their programs through the filling of vacant positions and the purchase of much needed equipment. As States prepare their future budgets, we trust that the recent increases approved by Congress will remain the new base on which we build our programs. Otherwise we find ourselves backpedaling and creating a situation where those who were just hired face layoffs and purchases are canceled or delayed.

The States continue to face significant cost increases in their programs due to inflation, especially increased fuel and equipment costs. Health insurance premiums and cost of living adjustments are also significant factors in the annual operation of State programs, especially with personnel expenses representing some 80 percent of total program costs. A new challenge has come in the form of retirements, where States are faced with buy-outs, paying for unused annual leave, and replacing an aging work force. These are substantial, often unanticipated, costs that are wreaking havoc on State budgets.

It is essential that we maintain consistent, inflation-adjusted funding from year to year in order to deploy resources for our programs. This is especially true with regard to hiring new staff to fill vacancies or to supplement understaffed areas of the programs. We cannot afford to invest money in these positions and then face potential layoffs the next year because funding is not maintained. As it is, State agencies are continually faced with making the case to State legislatures and budget officers to support their regulatory programs through matching State funds, particularly given the difficult fiscal climate facing the States. A clear message from Congress that reliable, consistent funding will continue into the future will do much to stimulate support for these programs. In this regard, it should be kept in mind that a 15 percent cut in Federal funding translates to a 30 percent cut for overall program funding for many States, especially those without Federal lands, since these States can only match what they receive in Federal money.

OSM's solution to the drastic cuts for State regulatory programs comes in the way of an unrealistic assumption that the States can simply increase user fees in an effort to "reduce the level of Federal funding required to regulate, and to an extent subsidize, the coal industry." No specifics on how the States are to accomplish this far-reaching proposal are set forth, other than an "encouragement" to do so in the course of a single fiscal year. Aside from the debate about whether the coal industry is truly being "subsidized" and how the adoption of user fees impacts the working relationship between the regulator and the regulated, OSM's proposal is completely out of touch (some would say "out of line") with the realities associated with establishing or enhancing user fees. IMCC's recent polling of its member States confirmed that, given the current fiscal and political implications of such an initiative, it will be difficult, if not impossible, for most States to accomplish this feat at all, let alone in less than 1 year. OSM is well aware of this, and yet, without input from or consultation with the States and tribes, has pushed forward with a proposal that was poorly conceived from its inception. We strongly urge the subcommittee to reject this approach and mandate that OSM work through the complexities associated with any future user fees proposal in close cooperation with the States and tribes.

With regard to funding for State regulatory grants in fiscal year 2011, there continues to be no disagreement about the need demonstrated by the States. In fact, in OSM's budget justification document, the agency states that: "the states have the unique capabilities and knowledge to regulate the lands within their borders. Providing up to a 50 percent match of Federal funds to primacy States in the form of A & E grants results in 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 60 of OSM's Budget Justification) For all the above reasons, we urge the subcommittee to approve not less than $71 million for State and tribal title V regulatory grants, as fully documented in the States' and tribes' estimates for actual program operating costs.[1]

With regard to funding for State title IV Abandoned Mine Land (AML) program grants, congressional action in 2006 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. As a result, the States should have received a total of $413.2 million in fiscal year 2011. Instead, OSM has budgeted an amount of $259.5 million based on an ill-conceived proposal to eliminate mandatory AML funding to States and tribes that have been certified as completing their abandoned coal reclamation programs. This $153.7 million reduction flies in the face of the comprehensive restructuring of the AML program that was passed by Congress in 2006, following more

[1] Funding for State title V grants will become increasingly important as OSM moves forward with a recent initiative to adjust Federal oversight of State programs pursuant to the June 11 Memorandum of Understanding (MOU) between the Interior Department, the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers. Several action items under this initiative have significant resource implications for the States in the way of followup to increased Federal inspections, data collection and analysis, and State responses to the reflexive use of Ten-Day Notices.

than 10 years of congressional debate and hard fought compromise among the affected parties. While we have not seen the details of the proposal, which will require adjustments to SMCRA, it will clearly undermine the delicate balance of interests and objectives achieved by the 2006 amendments. It is also inconsistent with many of the goals and objectives set forth in the recent jobs bill and the American Recovery and Reinvestment Act. We urge the subcommittee to reject this unjustified proposal, delete it from the budget and restore the full mandatory funding amount of $413.2 million.

We also urge the subcommittee to approve continued funding for the AML emergency program. In a continuing effort to ignore congressional direction, OSM's budget would completely eliminate funding for State-run emergency programs and also for Federal emergency projects (in those States that do not administer their own emergency programs). When combined with the great uncertainty about the availability of remaining carryover funds, it appears that the program has been decimated.

Funding the OSM emergency program should be a top priority for OSM's discretionary spending. This funding has allowed the States and OSM to address the unanticipated AML emergencies that inevitably occur each year. 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. And for minimum program States, emergency funding is critical to preserve the limited resources available to them under the current funding formula.

Section 410 of SMCRA establishes an emergency reclamation procedure for AML sites that pose a "sudden danger with a high probability of substantial physical harm to the health, safety or general welfare of people before it can be abated under normal program operation procedures". The funding for the emergency program is separate from the State and tribal nonemergency AML grant funding since it comes from the Secretary's "discretionary share". Section 402(g)(1)(C) specifically requires that the nonemergency State share be used only for annual reclamation project construction and administration costs. The nonemergency Federal share allocated to the States in section 402(g)(5) is used to supplement the State share received under 402(g)(1) until the priorities set forth in section 403(a)(1) and (2) are met. Emergencies do not fall under section 403, but are provided for only in section 410.

While there were several significant changes to the AML program under SMCRA as a result of the 2006 amendments, there were absolutely no changes to the emergency program under section 410 of the act. In fact, significant funding increases were approved by Congress that would allow the States to address long-overdue reclamation problems including landslides, contaminated drinking water, refuse piles, dangerous highwalls, mine fires, and exposed mine portals. Diverting these monies to the emergency program, as mandated under OSM's proposed budget, would impede the progress the States are now making to address AML problems that have been awaiting funding for years. In this regard, new section 402(g)(1)(D)(2) requires that the Secretary ensure "strict compliance" by the States in their use of nonemergency grant funds for the priorities listed in section 403(a). For the States to do otherwise would require at the least a rulemaking by OSM, if not legislative adjustment. It would also reverse 30 years of official guidance and practice by OSM. We therefore request that the subcommittee restore $20 million for the AML emergency program in OSM's fiscal year 2011 budget.

One of the more effective mechanisms for accomplishing AML restoration work is through leveraging or matching other grant programs, such as EPA's 319 program. Until fiscal year 2009, language was always included in OSM's appropriation that encouraged the use of these types of matching funds, particularly for the purpose of environmental restoration related to treatment or abatement of acid mind drainage (AMD) from abandoned mines. This is a perennial, and often expensive, problem, especially in Appalachia. IMCC therefore requests the subcommittee to once again include language in the fiscal year 2011 appropriations bill that would allow the use of AML funds for any required non-Federal share of the cost of projects by the Federal Government for AMD treatment or abatement.

We also ask the subcommittee to support funding for OSM's training program, including monies 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 subcommittee to support funding for TIPS, a program that directly benefits States by providing critical technical assistance. In this regard, we also request that the subcommittee restore the $303,000 for these two programs that has been proposed for reduction. We also request that the subcommittee direct OSM not to make any further adjustments to these programs in order to focus resources on other regulatory program

activities related to the June 11 MOU, as suggested in OSM's budget justification document. Finally, we support funding for the Watershed Cooperative Agreements in the amount of $1.55 million.

PREPARED STATEMENT OF THE INDEPENDENT REVIEW TEAM

Thank you for the opportunity to submit written testimony on serious funding needs that have limited and continue to hinder the operations of tribal judicial systems in Indian country. I am the leader of the Independent Tribal Court Review Team. I am here today to request that this subcommittee increases funding for tribal courts by at least $50 million in fiscal year 2011 and maintain the tribal courts set-aside.

BUDGET PRIORITIES, REQUEST, AND RECOMMENDATIONS

+$58.4 million authorized under the Indian Tribal Justice Act of 1993, Public Law 103–176, 25 U.S.C. 3601 and re-authorized in year 2000 Public Law 106–559 (no funds appropriated to date)

—Increase funding for tribal courts by 50 percent; and

—Maintain the set-aside for tribal courts.

We support an increase in funding for:

—*Hiring and Training of Court Personnel*.—Tribal Courts make do with underpaid staff, underexperienced staff, and minimal training. (We have determined that hiring tribal members limits the inclination of staff to move away; a poor excuse to underpay staff.)

—*Salary Increases for Existing Judges and Court Personnel*.—Salaries should be comparable to local and State court personnel to keep pace with the nontribal judicial systems and be competitive to maintain existing personnel.

—*Tribal Courts Need State-of-the-Art Technology (Software, Computers, Phone Systems, Tape Recording Machines)*.—Many tribes cannot afford to purchase or upgrade existing court equipment unless they are awarded a grant. This is accompanied by training expenses and licensing fees which do not last after the grant ends.

—*Security and Security Systems To Protect Court Records and Privacy of Case Information*.—Most tribal courts do not even have a full-time bailiff, much less a state-of-the-art security system that uses locked doors and camera surveillance. This is a tragedy waiting to happen.

—*Tribal Court Code Development*.—Tribes cannot afford legal consultation. A small number of tribes hire on-site staff attorneys. These staff attorneys generally become enmeshed in economic development and code development does not take priority. Tribes make do with underdeveloped codes. The Adam Walsh Act created a hardship for tribes who were forced to develop codes, without funding, or have the State assume jurisdiction. (States have never properly overseen law enforcement in a tribal jurisdiction.)

—*Financial Code Development*.—We have rarely seen tribes with developed financial policies. The process of paying a bond, for example, varies greatly from tribe to tribe. The usual process of who collects it, where it is collected and how much it is, is never consistent among tribes.

For the past 4 years, the Independent Court Review Team has been traveling throughout Indian country assessing how tribal courts are operating. During this time, we have completed some 60 court reviews. There is no one with more hands-on experience and knowledge regarding the current status of tribal courts than our Review Team.

We have come into contact with every imaginable type of tribe; large and small, urban and rural, wealthy, and poor. What we have not come into contact with is any tribe whose court system is operating with financial resources comparable to local and State jurisdictions.

There are many positive aspects about tribal courts. It is clear that tribal courts and justice systems are vital and important to the communities where they are located. Tribes value and want to be proud of their court systems. Tribes with even modest resources tend to send additional funding to courts before other costs. After decades of existence, many tribal courts, despite minimal funding, have achieved a level of experience and sophistication approaching, and in some cases surpassing, local non-Indian courts.

Tribal courts, through the Indian Child Welfare Act, have mostly stopped the wholesale removal of Indian children from their families. Indian and non-Indian courts have developed formal and informal agreements regarding jurisdiction. Tribal governments have recognized the benefit of having law-trained Judges, without

doing away with Judges who have cultural/traditional experience. Tribal court systems have appellate courts, jury trials, well-cared-for courthouses (even the poorer tribes), and tribal bar listings and fees. Perhaps most importantly, tribes recognize the benefit of an independent judiciary and have taken steps to insulate courts and judges from political pressure. No longer in Indian country are judges automatically fired for decisions against the legislature.

Our research indicates tribal courts are at a critical stage in terms of need. Nationwide, there are 156 tribes with courts that receive Federal funding. These tribes divided a mere $11.9 million in Federal funds throughout fiscal year 09. It is the strong recommendation of the Independent Tribal Courts Review Team that the Federal tribal courts budget be substantially increased above what is in the President's budget.

Assessments have indicated that the Bureau of Indian Affairs only funds tribal courts at 26 percent of the funding needed to operate. The remainder is funded by the tribes. Tribes who have economic development generally subsidize their tribal courts. On the flip side, tribes who cannot afford to assist in the financial operations of the court are tasked with doing the best they can with what they have even at the expense of decreasing or eliminating services elsewhere. This while operating at a disadvantage with already overstrained resources and underserved needs of the tribal members. The assessment suggests that the smaller courts are both the busiest and most underfunded.

We thank this subcommittee for the additional $5 million funding, and the Senate's additional $5 million ($10 million) in fiscal year 2010. This will be a big asset once the funding trickles down to the tribal courts. These funds will be added to the base funding of the tribal justice systems.

The grant funding in the Department of Justice is intended to be temporary, but instead it is used for permanent needs; such as funding a drug court clerk who then is used as a court clerk with drug court duties. When the funding runs out, so does the permanent position. We have witnessed many failed drug courts, failed court management software projects (due to training costs) and incomplete code development projects. When the justice funding runs out, so does the project.

As a directive from the Office of Management and Budget, our reviews specifically examined how tribes were using Federal funding. In the last 4 fiscal years there was only one isolated incident of a 3 percent questionable expenditure of Federal funds (fiscal year 2009). It is speculated that because of our limited resources, we compromise a defendant's due process and invoke "speedy trials" violations to save tribal courts money. Everyone who is processed through the tribal judicial system is afforded their constitutional civil liberties and civil rights.

We do not wish to leave an entirely negative impression about tribal courts. True, tribal courts need an immediate, sustained, and increased level of funding and there are strong indications that the courts will put such funding to good use.

There are tribes like the Fort Belknap Tribe of Montana whose chief judge manages both offices and holds court in an old dormitory that can't be used when it rains because water leaks into the building and the mold has consumed one wall. Their need exceeds 100 percent.

And, there are tribes like the isolated Havasupai, located in the bottom of the Grand Canyon. They can only afford a judge 1 day a month. Their computers only work sporadically because of the fine layer of dust that appears to cover everything. They have a single, underpaid clerk, who remains dedicated to her job, even though her employment experience means she could make twice as much working out of the Canyon away from home. When she goes to pick up her children at school, the court must close, because she is the only one there. The flooding of the Canyon has not helped. Their need exceeds 100 percent.

Tribal courts have other serious needs. Tribal appellate court judges are mostly attorneys who dedicate their services for modest fees that barely cover costs for copying and transcription fees. Tribal courts offer jury trials. In many courts, one sustained jury trial will deplete the available budget. The only place to minimize expenses is to fire staff. Many tribal courts have defense advocates. These advocates are generally law trained and do a good job protecting an individual's rights (including assuring speedy trial limitations are not violated.) However, this is a large item in court budgets and if the defense advocate, or Prosecutor, should leave, the replacement process is slow.

I come here today to tell Congress these things. We feel it is our duty to come here on behalf of tribes to advocate for better funding for tribal justice systems. Tribes ask us to tell their stories. They open their files and records to us and say, "We have nothing to hide." Tell Congress we need better facilities, more detention facilities, more legal advice, better codes. the list goes on and on. But, as we have

indicated, it all involves more funding. This Congress and this new administration can do something great. Put your money where your promises have been.

We support the requests and recommendations of the National Congress of American Indians.

PREPARED STATEMENT OF THE INTERTRIBAL BISON COOPERATIVE

Introduction and Background

As a member of the Blackfeet Nation and President of the InterTribal Buffalo Council (ITBC), I appreciate the opportunity to submit written testimony to the honorable members of the Senate Committee on Appropriations; Subcommittee on the Interior, Environment, and Related Agencies. ITBC, recently reorganized from a nonprofit corporation to a federally chartered Indian organization under section 17 of the Indian Reorganization Act is headquartered in Rapid City, South Dakota. ITBC is comprised of 56 federally recognized Indian tribes in 18 States that are committed to the restoration, preservation and protection of buffalo in Indian Country and beyond. In this testimony, I will address: (1) ITBC's request for a $3,000,000 appropriation for fiscal year 2011, from the Department of Interior to continue buffalo restoration efforts, provide expert technical assistance, implement a marketing initiative, develop faculties to accommodate buffalo released from the Yellowstone quarantine facility and continue the viable health initiative to prevent and treat diet related diseases among Native Americans; and (2) convey to the subcommittee the unmet needs of the ITBC membership.

Historically, Native Americans, particularly in the Plains regions of North America, relied heavily on buffalo for survival. This dependence on buffalo cultivated the strong spiritual and cultural relationship between Native Americans and buffalo that has not diminished with the passage of time. In the 1800's, buffalo were needlessly slaughtered to a point of near extinction during the period Native Americans were moved onto reservations. While Tribe's long desired sufficient lands, financing and capacity to protect buffalo, this desire did not come to fruition until the early 1990's with the formation of the ITBC. ITBC was established to promote the mission of preserving the sacred relationship between Indian people and buffalo through the restoration of buffalo to tribal lands. ITBC envisioned the restoration of buffalo to tribal lands could foster sustainable economic development that would be compatible with Tribal culture. ITBC first received Federal funding through the Department of the Interior in 1992 to commence restoration efforts.

Federal appropriations have allowed ITBC to successfully restore buffalo to more than 50 Reservations, thereby re-establishing the sacred relationship between Indian people and buffalo. With healthy, viable buffalo herds, opportunities now exist for tribes to utilize buffalo for economic development and for the prevention and treatment of the diet related diseases that gravely impact Native American populations such as diabetes, obesity, and cardiovascular disease. Economically sustainable herds will allow tribes to utilize a culturally relevant resource in a manner that is compatible with their spiritual and cultural beliefs.

Funding Request

The InterTribal Bison Cooperative respectfully requests an appropriation for fiscal year 2011 in the amount of $3,000,000. This amount would restore ITBC Federal funding to the fiscal year 2006 appropriation level and would allow ITBC to successfully accomplish its goals and objectives. This request will help balance ITBC's continuing growth in membership with its funding level. A $3,000,000 appropriation would restore vital funding that was cut from the administration's fiscal year 2007, fiscal year 2008 and fiscal year 2009 budgets. $3,000,000 in appropriated funding will allow ITBC Tribes to continue successful buffalo restoration efforts, to implement ITBC's marketing and infrastructure development initiative, to restore the health initiative for the prevention and treatment of diet related diseases among Native American populations, and develop faculties to accommodate buffalo released from the Yellowstone National Park quarantine program.

Funding Shortfall and Unmet Need

In fiscal year 2006, ITBC and it member tribes were funded through appropriations at $4,150,000. The Presidents budget in fiscal year 2007 and fiscal year 2008 eliminated funding for ITBC. ITBC was funded $1,000,000 in fiscal year 2007 and fiscal year 2008 through a Congressional appropriation. In fiscal year 2009 ITBC was funded $1,000,000 through a congressional appropriation and $421,000 from Bureau of Indian Affairs (BIA) carryover funds from fiscal year 2008. In 2009 and 2010, ITBC has been funded $1,000,000 from the BIA's Wildlife Management line

item. ITBC had started a successful Marketing Program and Health Initiative that addressed diet related health problems that are epidemic on most of our Reservations when ITBC's funding had been drastically reduced.

Without the restoration of funding close to the fiscal year 2006 level, new member Tribes will not receive adequate funding to begin buffalo restoration efforts. Tribes that have successfully restored buffalo to tribal lands will not receive adequate technical assistance and resource development funds to ensure the sustainability of existing herds. Furthermore, the investment made by Congress in fiscal year 2006 towards ITBC's healthcare initiative has been cut to the point of almost being nonexistent.

ITBC funding benefits member tribes via direct awards of Herd Development Grants for restoration or herd maintenance and also provides critical technical assistance for herd health needs, range management and herd management training. ITBC surveys member Tribes annually to determine unmet project needs and currently the total unmet needs for ITBC member tribe's projects is approximately $7,000,000. These needs include infrastructure (fencing and corrals) needs, equipment, water development, range development, marketing, and a processing facility.

ITBC Goals and Initiatives

The goal of ITBC is restoration of buffalo to Indian lands for Tribes to utilize as sustainable economic development efforts. ITBC's ultimate goal is for tribal buffalo herds to achieve economic sustainability and become integrated, on a daily basis, into the diets of reservation populations.

Tribal Buffalo Marketing to Achieve Viable Economic Development

In 1991, seven Indian tribes had small buffalo herds that collectively comprised less than 1,600 animals. The buffalo provided little or no economic benefit to the tribal owners. ITBC has proven extremely successful at buffalo restoration in its 15 years of existence. Today, with the support and technical assistance of ITBC and its fellow member tribes, 56 Indian tribes are engaged in raising buffalo or developing plans to raise buffalo with a goal of achieving economically sustainable herds. ITBC and the member tribes have restored approximately 15,000 buffalo back to tribal lands for use by the tribes and their members. Collectively, tribes raise the largest buffalo herd in the United States.

Many of these tribal buffalo programs have developed herds large enough to justify plans for marketing products as a step towards self sufficiency. However, tribes must have the resources to build solid foundations for this new industry and viable marketing options to achieve economic development efforts. ITBC's marketing initiative is in an infancy stage and renewed funding is critical to achieve meaningful economic opportunities for tribes. ITBC had launched efforts to develop viable markets for tribal buffalo both in the private sector and through coordination with Federal agencies. However, ITBC has been unable to compete for large-scale buffalo meat contracts due to its inability to maintain a constant, cost-effective supply chain. To re-initiate these efforts, provide critical marketing training for individual tribes, and to acquire sufficient pasture lands to maintain a significant supply of buffalo to accommodate large-scale product orders, ITBC requests $1,000,000 in funding.

ITBC member tribes face a multitude of obstacles when trying to get their buffalo to market. The remoteness of the reservations requires the transportation of buffalo over long distances to processing plants resulting in higher operating costs. Some processing plants are reluctant to process range fed buffalo while others require that animals be corn finished in a feedlot which compromises ITBC's objective to deliver natural, range-fed, low-fat buffalo products. To remedy this obstacle, ITBC seeks funding in the amount of $500,000 to purchase an USDA approved mobile slaughter unit and equipment for transportation and/or storage of live and processed buffalo. Additionally, funds will be utilized to train ITBC member tribes on use of the mobile slaughter facility. Presently, at least three USDA approved mobile slaughter units process buffalo in the United States. ITBC would like to acquire a unit for use by the member tribes to maintain the integrity of ITBC's natural range-fed buffalo. ITBC has discussed this request with the BIA Economic Development Office although no funding has been allocated.

Yellowstone National Park Bison Quarantine Facility

ITBC has long been considered the "informal protectors" of buffalo in the United States and in this capacity, ITBC has long been at the table with other Federal and State agencies surrounding the Yellowstone National Park to address the brucellosis concerns of Yellowstone Park buffalo. The slaughter of buffalo that forage outside the Park in Montana as well as the recent transfer of treated buffalo to private ownership has resulting in public outcry. ITBC proposes to develop faculties to accom-

modate the buffalo coming out of the Yellowstone National Park quarantine facilities to ensure animals are going to tribal lands as the Greater Yellowstone Area initial management plans intended. ITBC tribes desire acquiring the buffalo but have been limited by the required infrastructure to accommodate the animals. ITBC requests funding in an amount of $500,000 to coordinate with the National Park Service and other Federal agencies to develop a program to accommodate buffalo released from the Yellowstone quarantine facility that ensures continued protection of buffalo while minimizing disease concerns for livestock industries. The funding request will accommodate transportation, testing, adequate pasture with required fencing, and maintenance costs with a goal of eventually transferring the animals to tribes and other public entities.

Preventive Health Care Initiative

ITBC is committed to providing buffalo meat to Indian Reservation families both as an economic development effort for Native American producers and, more critically, as a healthy food to reintroduce into the diets of Native American populations. Current research indicates that the diet of most Indian Reservation families includes large amounts of high cholesterol, processed meats that contribute to diabetes, obesity, cardiovascular disease and other diet related illnesses.

ITBC member tribes were just beginning to implement a preventive healthcare initiative with fiscal year 2006 funding that provided easy access to buffalo meat on Indian Reservations and educated Indian families on the health benefits of range fed buffalo meat. A restoration of the funds in the amount of $1,000,000 will allow the program to operate at the fiscal year 2006 level. This funding will allow ITBC to provide buffalo meat in family sized quantities to Reservation markets and interact with the Federal Food programs to make buffalo meat available in reservation schools and local community health networks to address diabetes and other health issues.

Conclusion

The projects detailed above total $3 million which when added to the allocation in the President's budget request will restore ITBC to its fiscal year 2006 funding level of $4.1 million. ITBC anticipates that funding of all the projects above will create 150 temporary jobs and 50 permanent positions.

I would like to thank this subcommittee for the opportunity to present testimony and the members of ITBC invite the honorable members of the subcommittee to visit our tribal buffalo projects and experience first hand their successes.

PREPARED STATEMENT OF THE IZAAK WALTON LEAGUE OF AMERICA

The Izaak Walton League of America appreciates the opportunity to submit testimony concerning appropriations for fiscal year 2011 for various agencies and programs under the jurisdiction of the subcommittee. The League is a national, nonprofit organization founded in 1922. We have nearly 38,000 members and more than 260 local chapters nationwide. Our members are committed to advancing common sense policies that safeguard wildlife and habitat, support community-based conservation, and address pressing environmental issues. The following pertains to programs administered by the Departments of Agriculture and the Interior, Fish and Wildlife Service, and Environmental Protection Agency.

Departments of Agriculture and Interior, Land and Water Conservation Fund

The League is very encouraged by the President's proposal to increase funding for the Land and Water Conservation Fund (LWCF) to approximately $620 million in fiscal year 2011 with the goal of fully funding LWCF at $900 million by 2014. The League strongly supports full funding and its members reaffirmed this commitment in 2008 by adopting a resolution during our National Convention endorsing this goal. It is important to begin to reinvest in strategic land acquisition to protect critical habitat, provide recreational access, and to buffer against the likely impacts of climate change.

Fish and Wildlife Service, National Wildlife Refuge System (NWRS)

The League joins other members of the Cooperative Alliance for Refuge Enhancement (CARE), a diverse coalition of 22 wildlife, sporting, conservation, and scientific organizations representing more than 14 million members and supporters, in requesting $578 million in fiscal year 2011 for operations and maintenance of the NWRS. We urge the subcommittee to reject the administration's proposal to cut the operations and maintenance budget by more than $3 million compared to the fiscal year 2010 appropriation.

We greatly appreciate the subcommittee's leadership in boosting NWRS funding to approximately $503 million in the fiscal year 2010. We are concerned that the president's proposal would stall momentum the Congress has created over the past 3 years. Moreover, if a funding freeze or cuts are continued over multiple fiscal years, this could force the Fish and Wildlife Service to curtail visitor services, eliminate staff, and further delay essential maintenance projects.

It is important to note that the cut proposed by the administration is greater than $3.3 million because the Department is proposing that agencies absorb fixed costs. The Fish and Wildlife Service estimates that NWRS requires at least $15 million annually to keep pace with inflation, including rising fuel, rental, and utility costs and cost-of-living adjustments for staff. Therefore, the effective budget cut would exceed $18 million. NWRS has a $2.7 billion maintenance backlog today, in part, because the Service has been forced to continuously defer essential maintenance when base funding fell short of basic operational needs. The administration's proposal would only exacerbate this problem.

Furthermore, the administration proposes specific cuts within the operations and maintenance budget that we oppose and consider counterproductive. For example, it recommends cutting the visitor services account by nearly $4 million. Last year, 42 million Americans visited wildlife refuges across the country to hunt and fish, observe wildlife, learn from Service professionals, or simply take a walk in the woods. And these visitors have a direct, positive impact on local economies. The Service estimates that refuge visitors generate $1.7 billion in sales and support 27,000 private-sector jobs. If visitor services decline due to budget cuts and visitation is negatively impacted, our shared goal of reviving the economy and creating jobs could be undermined.

In addition, the administration proposes to cut the law enforcement budget. We believe this fails to reflect an urgent need across wildlife refuges. The analysis of NWRS performance issued in 2008 by Management Systems International (MSI) concluded that "[A]t many refuges, law enforcement coverage is insufficient to ensure protection of resources and the safety of visitors and refuge staff." This analysis recommended that the Service double the number of refuge law enforcement staff from 200 to "at least 400 full-time officers." In fiscal year 2010, NWRS has approximately 210 full-time law enforcement personnel. Moreover, the analysis tied the law enforcement problem directly to funding stating "[I]t is highly unlikely that any meaningful progress towards improving the Refuge System's law enforcement capability (will occur) under current and expected budget allocation levels." Increasing funding for operations—rather than cutting it—will allow the Fish and Wildlife Service to begin to boost law enforcement capability, which is important to protecting visitors, fish, wildlife, and habitat.

Fish and Wildlife Service, State Wildlife Grants

As a member of the Teaming with Wildlife National Steering Committee, the League urges the subcommittee to provide $100 million for the State Wildlife Grants Program in fiscal year 2011.

The State Wildlife Grants Program supports proactive conservation projects aimed at preventing wildlife from becoming endangered. Experience shows that efforts to restore imperiled wildlife can be particularly contentious and costly when action is taken only after species are formally listed as threatened or endangered pursuant to the Endangered Species Act. State Wildlife Grants support State and community-based efforts to safeguard habitat and wildlife before either reaches the tipping point. This program also provides States with an important source of Federal funds to address nongame species. Finally, the Federal investment leverages significant funding from private, State, and local sources.

Environmental Protection Agency, Clean Water State Revolving Fund

The League supports the request for $2 billion for the Clean Water State Revolving Fund (SRF). Nationwide, broken sewer pipes and overflows spill more than 1 trillion gallons of untreated sewage into our waterways every year costing more than $50 billion for cleanup. These overflows pose serious risks to fish, wildlife, and human health. The SRF is a highly successful program that provides the funds needed to reduce sewage contamination and improve water quality. However, the Environmental Protection Agency's Clean Water and Drinking Water Infrastructure Gap Analysis found a $535 billion gap between current spending and projected needs for drinking water and wastewater infrastructure over the next 20 years. Investing $2 billion in the Clean Water SRF is essential to improving water quality, protecting public health, and supporting jobs across the country.

Environmental Protection Agency, Great Lakes Restoration

The League is also very encouraged by the President's on-going commitment to Great Lakes restoration. We support providing at least $300 million as requested to build on the funding Congress provided in fiscal year 2010 and to support implementation of the recently released Great Lakes Restoration Initiative Action Plan. The Great Lakes provide drinking water to 35 million people and support jobs and recreational opportunities for millions more. However, the health of the Great Lakes is seriously threatened by untreated sewage, toxic pollution, invasive species, and other problems. The eight States that border the Lakes and many nongovernmental organizations have invested significant resources to safeguard these national treasures. Significant Federal investment is also needed or the problems will only get worse and cost even more to fix. Cleaning up the Great Lakes will provide many benefits, including economic development in the region.

The League urges the subcommittee to provide at least $300 million to advance this critical initiative, especially when numerous studies estimate that $5 billion is required to restore the Great Lakes ecosystem. In addition, we believe it will be important to appropriate $475 million for Great Lakes restoration in fiscal year 2012 and beyond. In the Action Plan, the administration states its intention to request this amount in the future and the Great Lakes Ecosystem Protection Act (H.R. 4755/S. 3073) authorizes this amount between fiscal year 2011 and 2016.

Environmental Protection Agency, Non-point Source Management Program (Clean Water Act Section 319)

The League urges the subcommittee to appropriate at least $200 million for section 319, the Non-point Source Management Program, as requested by the president. This program provides grants to States, territories and tribes for nonpoint source pollution reduction activities. EPA and many States report that nonpoint source pollution is the leading cause of water quality problems, including harmful effects on drinking water supplies, recreation, fisheries and wildlife. The Non-point Source Management Program provides critical funding for restoration. For example, 172 water bodies in 44 States have been restored with section 319 funding. Continued investment in this program will help restore our waterways for people and wildlife.

Environmental Protection Agency, Chesapeake Bay Program

The League strongly supports the administration's request for $63 million in fiscal year 2011 for the Chesapeake Bay Program.

The Chesapeake Bay is the largest estuary on the Atlantic coast and one of the largest in the world. EPA's Chesapeake Bay Program Office (CBPO) is the primary facilitator of restoration activities by partners throughout the watershed. Although the Chesapeake Bay Program has made significant progress toward pollution reduction, habitat restoration, fisheries management, and watershed protection goals, much more work is needed to restore the Bay. For example, habitat restoration efforts are collectively less than half way to Program goals and there is concern about the overall quality of habitat that remains.

Although the request is positive, the League believes it is important for the administration and the subcommittee to prepare to make substantial additional investments in Bay restoration. According to the Chesapeake Bay Commission's report The Cost of a Clean Bay (2003), $19 billion is needed to meet the restoration goals outlined in the Chesapeake 2000 agreement. Additional investment will be necessary to fulfill new goals being developed following the President's 2009 Chesapeake Bay Executive order. The executive order establishes the framework for a comprehensive Federal effort, in partnership with States, local governments, and many others, to tackle persistent problems that negatively impact water quality, habitat, recreation, and important sectors of the regional economy. The EPA is completing a total maximum daily load (TMDL) for the Bay that will be a key tool in improving water quality. At the same time, it must be coupled with proactive technical assistance and funding to assist local governments, farmers, and others with compliance. Achieving the President's goals, successfully implementing new pollution reduction measures, and restoring habitat, streams, and wetlands will depend, in part, on significant new investment in future fiscal years.

The League appreciates the opportunity to testify about these important issues.

PREPARED STATEMENT OF THE JAMESTOWN S'KLALLAM TRIBE

My name is W. Ron Allen. On behalf of the Jamestown S'Klallam Tribe, I want to thank this subcommittee for the opportunity to submit this written testimony on

our funding priorities and requests on the fiscal year 2011 Bureau of Indian Affairs (BIA) and Indian Health Service (IHS) budgets. We have long appreciated this subcommittee's support of our funding requests.

TRIBAL-SPECIFIC APPROPRIATION PRIORITIES

$600,000 land purchase for Tamanowas Rock Sanctuary Project; and an $200,000 increase to BIA tribal base budget for fish and wildlife management.

LOCAL/REGIONAL REQUESTS AND RECOMMENDATIONS

We support all requests and recommendations of Affiliated Tribes of Northwest Indians; Northwest Portland Area Indian Health Board; and the Northwest Indian Fisheries Commission.

NATIONAL REQUESTS AND RECOMMENDATIONS

BIA Requests

Provide $82.9 million general increase to BIA Tribal Priority Allocation (TPA) for inflationary and fixed costs; provide $64 million increase for BIA Contract Support Cost (CSC), including Direct CSC; and provide a $5 million increase in the Indian Self-Determination (ISD) Fund; and provide 100 percent of fixed costs (uncontrollable), including tribal pay costs.

IHS Requests

Provide $474 million for IHS mandatory inflation and population growth increase to maintain existing healthcare services; $330 million increase for Contract Health Services (CHS); $122 million increase for the IHS to fully fund CSC, including Direct CSC; and increase $5 million to the IHS Office of Tribal Self-Governance (OTSG).

We support all requests and recommendations of the National Congress of American Indians (NCAI) and the National Indian Health Board (NIHB). The leadership of the Jamestown S'Klallam Tribe remains actively involved in both NCAI and NIHB and has participated in numerous national forums to discuss and prioritize program funding and budgets. We are extremely supportive of the requests from these organizations.

TRIBAL-SPECIFIC APPROPRIATION JUSTIFICATION

$600,000 Land Purchase for Tamanowas Rock Sanctuary Project

The purpose of the project is to preserve tribal cultural and ceremonial access to an important archaeological site of the S'Klallam American Indian people. Tamanowas Rock, located in eastern Jefferson County on the Olympic Peninsula of Washington State, is of great cultural and spiritual significance to the tribes in the region, and also holds special significance for the local non-Indian community. As a geological formation, the estimated age of the Rock is 43 million years. More importantly, the oral history associated with the Rock among the local tribes includes the era of the mastodons (extinct for 8,000 years), when it was used as a perch by tribal hunters and a story of a great flood (assumed to be a tsunami from around 3,000 years ago) when people tied themselves to the Rock to avoid being swept away.

In 1976, the Rock was listed in the Washington Heritage Register as having significant archaeological interest. The tribes and local community have been working for more than 10 years to try to protect the property where the Rock is located from development. In February 2005, the Jamestown S'Klallam Tribe, acting on behalf of all the S'Klallam Tribes, obtained loans to purchase a 20-acre parcel and a group of platted properties totaling 66.32 acres (if dedicated roads are vacated, the acreage is closer to 100 acres for the platted properties). This property was in imminent threat of development in the vicinity of the Rock. The local community and the tribes now seek funds to purchase the land temporarily secured by the loan and purchase the remaining 80 acres directly surrounding Tamanowas Rock, all of which would be protected in perpetuity.

$200,000 Increase to BIA Tribal Base Budget for Fish and Wildlife Management

The U.S. Government formally recognized the Jamestown S'Klallam Tribe in 1981. Jamestown is 1 of 4 tribes that signed the Point No Point Treaty with the U.S. Government in 1855. The BIA began contracting with the tribe to provide fisheries management services. The Point No Point Treaty Council (PNPTC) was serving as the fisheries management agency for the other Klallam and Skokomish Tribes. In its efforts to contract with Jamestown for basic fisheries management

services, the BIA decided to provide only enough funding to slightly expand PNPTC rather than providing funding of sufficient quantity for Jamestown to operate a fisheries program of the same size as the other three tribes. Following the implementation of the Self-Governance (SG) statute, the distribution of contracted funds to each PNPTC member tribe was based on funding history, thus Jamestown received a significantly smaller portion of the PNPTC base funding than received by the other three tribes. The Jamestown S'Klallam Tribe is nonetheless required to meet the basic fisheries and wildlife management responsibilities of *U.S.* v. *Washington* including planning, negotiation, regulation, technical expertise and enforcement. The $200,000 increase to our fiscal year 2011 SG base is needed to implement these essential treaty fish and wildlife management services.

LOCAL/REGIONAL REQUESTS AND RECOMMENDATIONS

The Jamestown S'Klallam Tribe is a direct beneficiary of the collective tribal efforts and continues to support the requests and recommendations of the Affiliated Tribes of Northwest Indians, Northwest Portland Area Indian Health Board, and the Northwest Indian Fisheries Commission.

NATIONAL REQUESTS AND PRIORITIES

BIA Requests

Overall, funding for BIA in fiscal year 2011 would be "level funded" at $2.6 billion under the President's proposed budget. Total funding represents a $53.6 million reduction below the enacted fiscal year 2010 level. The President has committed to support and advance ISD and SG for the Nation's 567 federally recognized tribes. Consistent with that commitment, the fiscal year 2011 budget should include the following critical increases:

TPA General Increase.—Provide $82.9 million (10 percent increase over fiscal year 2010) for general increase to BIA TPA for inflationary and fixed costs

TPA is one of the most important funding areas for tribal governments. It covers such needs as scholarships and higher education funding, human services, economic development, and natural resources management. This funding has steadily eroded due to inflation and population growth. The effects of rising costs of travel, equipment, supplies, and purchased services have been compounding for years while the Native American population has increased at 1.6 percent per year. Since tribes have the flexibility to use TPA funds to meet the unique needs of their individual communities, they are the main resources for tribes to exercise their powers of ISD and SG. We respectfully urge the subcommittee to provide at least a 10 percent ($82.9 million) increase over the fiscal year 2010 enacted level for TPA in order to maintain these programs and services.

CSC.—Provide $64 million increase for BIA to fully fund CSC, including Direct CSC; and provide $5 million for the ISD Fund.

Excluding the President's requested increase in CSC for fiscal year 2011, it is anticipated that there will be a shortfall in CSC of $64 million for fiscal year 2011. Additionally, $5 million is needed annually for administrative costs for new and expanded programs (ISD Fund). CSC are the key to ISD for tribes. Full funding of CSC covers the fixed overhead costs that a tribe must incur to operate a BIA program or facility as required under the Indian Self-Determination and Education Assistance Act. When CSC is not fully funded, tribes are forced to utilize limited direct program services dollars or tribal resources to cover these shortfalls. Further, CSC directly funds jobs—and those jobs directly enhance services for education, law enforcement and other essential governmental services across Indian country. We respectfully urge the subcommittee to fund these essential services and not permit Indian agreements to remain the only government contracts that are not fully funded.

Fixed Costs.—Provide 100 percent of tribal fixed costs (uncontrollable), including pay costs.

The 2011 President's budget does not include an increase for anticipated fixed costs, including pay and benefit costs. Without this funding, tribal programs will be forced to absorb these uncontrollable fixed costs. We respectfully urge the subcommittee to provide annual increases for tribal pay and fixed costs to avoid progressive program declines.

IHS Requests

The President's proposed increase for the IHS is projected to be $354.1 million (8.7 percent increase) more than the fiscal year 2010 enacted level. This marks the second year of the Obama administration's support to Indian health programs and it represents the first step toward meeting the overwhelming $21.8 billion needed to bring parity in healthcare for American Indians and Alaska Natives.

Mandatories.—Provide $474 million for IHS mandatory, inflation and population growth increase to maintain existing health care services.

Mandatory costs increases are necessary to maintain the current level of services. These "mandatories" are unavoidable and include medical and general inflation, pay costs, and population growth. Maintaining current services is a fundamental budget principle. Failure to do so would result in cuts in healthcare and delivery. We estimate the current services need in fiscal year 2011 is $474 million.

Contract Health Services (CHS).—Provide $330 million Increase for CHS.

Tribes have recommended that an increase of $330 million is needed for CHS funding. At present, less than one-half of the CHS need is being met, leaving too many Indian people without access to necessary medical services. This level will allow those tribes who are not served by an IHS hospital to provide healthcare services at the same level as those tribes who are served by an IHS hospital.

CSC.—Provide $122 million for IHS to fully fund CSC, including Direct CSC.

This year's fiscal year 2011 request of a $45.8 million increase for CSC continues a sad chapter of neglect for ISD. Last year the President requested a $107 million increase for CSC with Congress providing an additional $9 million. For fiscal year 2011, the estimated shortfall is $122 million. The present shortfall creates a disincentive for tribes to pursue SG compacts, and diminishes available healthcare funding as tribal budgets must absorb the shortfall amounts. Adequate CSC funding assures that tribes have the ability to deliver the highest-quality healthcare services to their members.

OTSG.—Increase $5 million to the IHS OTSG.

In 2003, Congress reduced funding for this office by $4.5 million, a loss of 43 percent from the previous year. In each subsequent year, this budget was further reduced due to the applied congressional rescissions. As of 2010, there are 330 SG tribes managing approximately $1.2 billion in funding. This represents 57 percent of all federally recognized tribes and 33 percent of the overall IHS funding. The OTSG supports tribes operating programs under the Tribal Self-Governance Amendments of 2000. The SG process serves as a model program for Federal Government outsourcing, which builds tribal infrastructures and provides quality services to Indian people.

Thank you for the opportunity to provide written testimony to present the budget priorities of the Jamestown S'Klallam Tribe.

PREPARED STATEMENT OF KEEP VALLEY FORGE SAFE

Gentlemen/Ladies: We request that you cut funds from fiscal year 2011 and beyond from the Operations of the National Park System (ONPS) so the implementation of the white-tailed deer management plan at Valley Forge National Historic Park (VFNHP) cannot be implemented.

VFNHP officials do not have an accurate count of the number of deer which inhabit VFNHP. Their population counts vary as much as 825 individuals.

By one method, fall spotlighting, there are about 375 deer. This number shows a reduction of 150 deer in the 3 preceding years indicating the population is regulating itself. Wildlife communities self-regulate their numbers based on the availability of shelter and food. According to VFNHP's other method of counting, spring compartment, there are about 1,200 individuals, a decline of 400 deer from the previous year. The spring compartment count is based on dubious methodology which multiplies sighted deer by an index of 0.58 percent which assumes an inflation of about 60 percent in the sighted deer. (*see* Final/EIS, pg. 3–17 and 3–18)

VFNHP needs to determine an exact count by conducting infrared, flyover photography of VFNHP before taxpayers are charged about $3 million to implement this deer management plan (*see* Final/EIS, 2.8.3, pg. 2–46)

Sharpshooting is dangerous especially in a suburban area like Valley Forge which is located 2 miles from Phoenixville, 2½ miles from the Mainline, and about 2 miles from King of Prussia, a major commercial center. Rt. 23 and Rt. 422 (a four-lane highway connecting Reading and Philadelphia) run through VFNHP and are used by motorists 24 hours a day, 7 days a week.

Park officials admit sharpshooting will probably increase deer vehicle collisions (Final/EIS, pg. 4–89) During the public hearing about the plan on January 15, 2008, Michele Batcheller, national park Service (NPS) wildlife biologist, stated sharpshooters would push deer across roads out of VFNHP into surrounding neighborhoods. It is a well known fact deer run away in panic from anything shot at them. Both Erie Insurance, which studies the subject for the industry, and Penndot draw a direct correlation between shooting at deer and wildlife vehicle crashes.

Deer can run at 35 mph (Bauer, "Whitetails" Voyageur Press, 1993, pg. 25). At that speed they can run from one end of the 5 square mile VFNHP to the other in 8.6 minutes crossing Rt. 23 and Rt. 422 in 6–8 minutes or less. They can also run to Conestoga Road, Tredyffrin Township, about 2 miles way in 3–4 minutes. The plan calls for using sharpshooters for at least 4 years, and perhaps as many as 15 years, i.e., the life of the plan thus subjecting residents, the public and motorists to being shot or killed in a deer vehicle crash for 4–15 years. This risk is totally unacceptable.

Nothing can protect residents, the public or motorists from misfired or stray bullets as victims like 2-year-old Giana De Campos knows (*see* Courier News, December. 5, 2008); or the Swan Lake, NY toddler who was killed when a bullet 400 feet away pierced the walls of her home (*see* Times-Herald, Nov. 17, 2008); or Casey Kantner, 18 years old, and scores of other victims. The plan at VFNHP will permit sharpshooters with high powered rifles to be as close as 300 feet from roads; at that distance bullets could overshoot highways.

Chances are neither the sharpshooters nor NPS will be held accountable; the accident victim will likely bear the consequences including the cost of medical care for their injury, loss of wages, etc. Any court awards as a result of lawsuits will be paid by the American taxpayer.

In addition to the serious risks to public safety posed by this Plan it also misuses the Impairment Standard of the Organic Act which pertains to the public's use of VFNHP, not wildlife. According to 16 U.S.C. 3 the only reason under which the Secretary of the Interior can kill wildlife is if the animals are detrimental to the public's use of VFNHP, i.e., the situation where grizzly bears mauled park visitors, and the black bears who became a risk to public safety by foraging for food near motor vehicles.

The plan also violates NEPA because NPS failed to include a forest management plan which is integral to the deer management plan because VFNHPis basing the success of the deer management plan on forest regeneration.

We send our elected representatives to Washington to provide oversight over Federal bureaucracies. Our Senators are failing us if they can't stop the NPS from implementing a deer management plan a VFNHP which NPS admits risks killing and seriously injuring people. We are asking you to cut appropriation funding from the fiscal year 2011 and beyond to the NPS so it cannot implement its white-tailed deer management plan at VFNHP. I understand funds to implement the Plan represent VFNHP base funds.

Prepared Statement of the League of American Orchestras

The League of American Orchestras urges the subcommittee to approve fiscal year 2011 funding for the National Endowment for the Arts (NEA) at a level of $180 million. After suffering a 40 percent budget cut in the mid-90s, funding has been gradually climbing for the agency, but still falls short of its 1992 appropriations level. We urge Congress to continue supporting the important work of this agency and to increase its capacity to improve public access to the arts, nurture cultural diversity, foster new artistic works, and support jobs in communities nationwide.

Founded in 1942, the League of American Orchestras is the national service organization for symphony, chamber, youth, and collegiate orchestras. The League strives to stimulate the exchange of ideas and practices, promote innovation, and foster unity across the orchestra field. We estimate that there are approximately 1,800 orchestras in the United States, with annual budgets ranging from less than $12,000 to more than $88 million. Orchestras exist in all 50 States, in virtually every community, and are supported by a network of citizens including instrumentalists, conductors, managers, board members, volunteers, staff members, and business partners.

The experience of live orchestral music is an important part of a community's fabric, and the presence of orchestras is often an indicator of a community's economic and cultural strength. In addition to fueling local economies, attracting new business development, and educating young people, the power of music also unites individuals and cultures in good times and bad. Furthermore, amidst today's economic turmoil, the need for understanding the changing context around us and effectively adapting is greater than ever. The League is committed to help orchestras in this work by bringing new knowledge and perspectives concerning the shifting priorities in our communities to our members. Likewise, the NEA plays an incredibly valuable leadership role through its direct grants to organizations, national research, and strategic initiatives.

More than 40 years of support from the NEA has increased the capacity of orchestras to serve and strengthen communities across our country. Federal arts support has an exponential impact: because the competition for Federal dollars is extremely intense, the awarding of an NEA grant greatly enhances and strengthens an orchestra's application for funding from other sources. Furthermore, an NEA grant serves as an emblem of public value and national artistic significance, and communities large and small partake in the distinction of presenting nationally recognized NEA-supported programs.

NEA grants support music education for children and adults, preserve great classical works, foster the creative endeavors of contemporary classical musicians, composers, and conductors, and expand public access to performances. In fiscal year 2009, the NEA's Grants to Organizations included 119 grants to orchestras, and an 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.

The NEA also provides leadership supporting the value of the arts through national research and initiatives such as Our Town, which was proposed in the President's fiscal year 2011 budget. This initiative will seek to improve the cultural health of communities in order to improve their livability, which in turn restores and enhances the civic pride of their citizens. Investing in the arts by supporting innovative approaches to maximize the economic growth potential of the creative sector has a demonstrated impact in helping to reverse economic decline. Orchestras look forward to participating in this new effort, as well as continuing to learn from the NEA's ongoing national research projects that illuminate trends in public participation, workforce development, and other key areas of the American arts infrastructure.

NEA FUNDING LEADS TO INCREASED PUBLIC ACCESS TO THE ARTS

The NEA, together with the arts organizations that receive Federal support, is committed to improving public access to the arts. NEA grants reach every congressional district in the country. Grants awarded to orchestras through the Access to Artistic Excellence program support educational activities, concerts, festivals, professional development, and residencies in communities across the country. The Vermont Symphony Orchestra's "Made in Vermont Music Festival" tour will bring orchestral concerts to remote areas of the State, offering audiences that are traditionally underserved by the professional performing arts exposure to classical and contemporary music in their own communities. Many of these towns are in economically challenged areas that host few concerts of any kind, so community outreach is key to the tour's success.

The Challenge America: Reaching Every Community Fast-Track Review Grants offer support to small and mid-sized organizations for projects that extend the reach of the arts to underserved populations. The Great Falls Symphony will use its fiscal year 2010 Challenge America grant to present a performance of opera arias, choral workshops for high school students, and an open dress rehearsal for area choral and orchestra students, as well as for residents of homes for the developmentally disabled. The South Dakota Symphony's Lakota Music Project received an fiscal year 2010 Challenge America grant to enable guest artists from Sioux tribes to perform with the orchestra in Sioux Falls, Rapid City, and on several American Indian reservations. Because of this Federal funding, the orchestra was able to accept an invitation to present this moving musical event to more than 750 people at the South Dakota Governor's Tourism Banquet, which then led to an invitation for the orchestra to present the program in 2011 on Native American Day at the Crazy Horse Monument. With Federal support, orchestra grantees are extending the reach of their activities beyond their home cities and towns, bringing unique musical experiences to communities in surrounding regions.

NEA-FUNDED ARTS PROGRAMS NURTURE CULTURAL DIVERSITY

Americans enjoy a rich and diverse cultural heritage in the arts, and NEA grants to orchestras allow for creative expression to overcome cultural divides in order to help improve our ability to understand and honor our history. Orchestra programming increasingly reflects the cultural diversity that distinguishes our country, such as a project of the Fargo-Moorhead Symphony Orchestra, which received an fiscal year 2010 Challenge America grant to support performances of Peter Boyer's *Ellis Island—Dreams of America*. Through a collaborative effort with Theatre B, local immigrants provided oral histories, received drama lessons and presented their stories

in the orchestra's season finale concert. The program resonated so powerfully that as a result, a collaborative, community-wide project has spun off titled "My Journey, My Story: Oral Histories of New Americans in Fargo-Moorhead." The Fargo-Moorhead Symphony once again is the lead partner in this effort, engaging its citizens that speak more than 50 native languages to capture and share their oral histories with one another. Likewise, the San Francisco Chamber Orchestra will explore its unique cultural influences in performances of a new violin concerto titled Hailli Lírico. Orchestra musicians will partner with Andean folk specialists for the series, introducing classical music and its cultural parallels to South American traditional music to Latino audiences in San Francisco's Mission District, Berkeley, and Vallejo. NEA grants are a vital part of the support system that enables orchestras to showcase our society's rich array of cultures and provide a vehicle to engage and connect with diverse audiences across our country.

NEA FUNDING SUPPORTS EDUCATION FOR CHILDREN AND YOUTH

Arts education is proven to boost the capacity of young people to succeed in school, work, and life. Children gain the "arts advantage" through NEA-funded projects that engage them in the creative process, spark their skills of imagination, and develop their capacity for self-discipline, perseverance, and teamwork. Orchestras are essential and active partners in increasing access to lifelong music education, improving the quality of life in their communities by collaborating with school systems and other local partners to deliver a wide array of education and community programs. The Baltimore Symphony Orchestra will utilize NEA assistance to support a young artists concert series celebrating youth and illuminating the life of the prolific composer, Gustav Mahler. Throughout the season, local students will perform alongside young "up-and-coming" artists in programs that celebrate Mahler and feature works specifically written for or about young people. Also engaging its young citizens, the Anchorage Symphony Orchestra will use NEA Access to Artistic Excellence funding to support its annual Young People's Concert series. This program serves approximately 7,000 elementary students in the school district, as well as students from south central Alaska. The concert series provides teachers with numerous activities and lessons plan developed by music educators, and each activity demonstrates how it meets education standards. With a grant in the Learning in the Arts for Children and Youth program, the Nashville Symphony will expand its One Note, One Neighborhood program, which provides comprehensive music education resources to underserved children and youth. This initiative represents a close partnership between the symphony, Metro Nashville Public Schools and W.O. Smith/Nashville Community Music School. It offers, without cost to students, classroom curriculum materials, music lessons, instruments, concerts and other learning opportunities at Schermerhorn Symphony Center. The NEA is a vital partner in helping to sustain and grow valuable programs such as these, allowing music to continue to be a positive force for teaching young people to work creatively together.

NEA GRANTS SUPPORT JOBS IN COMMUNITIES NATIONWIDE

The American Recovery and Reinvestment Act (ARRA) of 2009 allocated Federal funding to support economic recovery in communities nationwide, including $50 million to the NEA to provide direct grants and block grants to State and regional arts councils to fund arts projects and activities vital to communities nationwide. The NEA was one of the first Federal agencies to disseminate stimulus funding in support of local economies and on July 7, 2009, it announced 631 awards of nearly $30 million in ARRA funding to arts organizations, including 64 direct grants to orchestras. Orchestra grantees across the United States helped stabilize local economies by putting Federal funds to use to preserve full and part-time administrative and artistic positions that were in jeopardy of being eliminated due to the struggling economy.

A $50,000 NEA stimulus grant enabled the Memphis Symphony Orchestra to pay two weeks of paid work for 35 full-time musicians over the next year, and ensure that the community continues to be enriched by the orchestra's services and programs. This valuable support enabled the Memphis Symphony to continue providing music education, for in addition to the concert season, musicians present a nationally recognized corporate leadership training program; present an educational series at a residential program for troubled children; work with local librarians to present a Saturday morning performance series based on children's literature; and mentor students at the Soulsville Charter School. The Wheeling Symphony also used its $50,000 NEA stimulus grant to help restore the loss of income suffered by its principal musicians due to forced reductions in season programming. The grant funded the "Music In the Neighborhoods" chamber series, which presented 40 free ensemble

performances in schools, libraries and other public locations. Not only did the NEA grant help the orchestra through the economic downturn, but it also provided a means for the orchestra to seek additional funding sources, and as a result, it will be able to maintain the series into fiscal year 2011.

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 $180 million in funding for the National Endowment for the Arts.

PREPARED STATEMENT OF THE LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

This testimony is respectfully submitted on behalf of the Lac du Flambeau Band of Lake Superior Chippewa Indians, located in Wisconsin, and reflects the needs, concerns and issues of the tribe's membership regarding the proposed fiscal year 2011 budget. We believe that the fiscal year 2011 budget reflects the administration's dedication to addressing funding shortfalls that have plagued Indian country and its continuing dedication to building a nation-to-nation relationship with tribes. However, while we support much of the budget's proposals, we do have concerns.

Because the tribe embraces the Seventh Generation concept and believes that without a healthy Mother Earth we cannot have healthy people now or in future generations, we are very supportive of the inclusion of the Circle of Flight program in the base budget. The proposed fiscal year 2011 budget provides $600,000 in the Tribal Management/Development Program account for this important program after years of its exclusion from the base budget. Circle of Flight provides critical resources necessary to restore and preserve wetlands and waterfowl populations, which are vital to the culture and economy of the Great Lakes region. Improved tribal wetland habitats supports waterfowl and other bird species especially in the spring and fall migrations, provide expanded hunting opportunities for tribal members and the general public, and offer enhanced wild rice gathering opportunities. In addition to protecting these natural resources, returning this funding to the base budget will support economic development in this region and assist the tribe in the hiring of 1.5 FTE employees—specifically a wildlife biologist and wildlife technician—to implement and support these programs.

We also support the overall budget for the Environmental Protection Agency. Specifically, we support the $8.5 million in GAP grant funding and the $30 million for the new multimedia grant program to assist tribes with implementing environmental compliance programs on tribal lands, such as those under the Clean Air Act or RCRA. It is important for tribes to protect their members by ensuring that their lands are healthy and sustainable—just as important as it is for Federal and State governments to protect their citizens. While we are concerned that funding for the Clean Water and Drinking Water State Revolving Funds were decreased by $93 million, we fully support the increased Tribal set-aside. We support the continued funding for the Great Lakes Restoration Initiative, but ask that funding for the Initiative be returned to fiscal year 2010 levels of $475 million to provide the opportunity for the restored funds to allow the tribe to maintain our Great Lakes Restoration Specialist and continue to restore habitats on the reservation.

The Lac du Flambeau Tribe supports the proposed increase to the Bureau of Indian Affairs' (BIA) budget for indirect costs to 94 percent of the fiscal year 2007 level. However, the tribe is concerned with the proposed $19.4 million absorption of fixed costs. It is anticipated this absorption would amount to a reduction of funding for fixed costs, such as for salary and fringe, by $12.4 million in Indian country. This is money we just cannot absorb at this time. Healthcare costs are still rising at an alarming rate, which continues to compound the problem. Therefore, the Lac du Flambeau Tribe requests Congress restore the $19.4 million to the BIA budget.

Our support for and concerns regarding the proposed fiscal year 2011 budget for natural resources, law enforcement and higher education are below.

NATURAL RESOURCES

Tribes are leaders in natural resource protection and BIA natural resource funding is essential for maintaining our programs. Lac du Flambeau has a comprehensive Natural Resources Department and dedicated staff with considerable expertise in natural resource and emergency and land management. Among other activities, our Department raises fish for stocking, collects data on water and air quality, de-

velops well head protection plans, conducts wildlife surveys and administers timber stand improvement projects on our 86,000-acre Reservation. All of these activities speak directly to our tribe's economic, environmental, and physical health. Unfortunately, natural resource programs have been cut or flat-funded for many years now, and tribes have been forced to lay off staff and shut down programs, leaving critical resources in jeopardy.

Conservation Law Enforcement Officers.—One of the critical elements of our Natural Resource Program is our Conservation Law Enforcement Officers. These officers are primarily responsible for enforcing hunting and fishing regulations related to the exercise of treaty rights, but they also have a much larger role in law enforcement. They are often the first to respond to emergency situations, handle the management of environmental emergencies, such as forest fires or tornado damage, and are the first line of defense for illegal activity on the reservation. The lack of adequate law enforcement resources on reservations is a well-known problem that plagues the public safety of tribal communities. Conservation Law Enforcement Officers are an incredibly important part of protecting our treaty rights and enabling us to protect our communities by supplementing our law enforcement presence.

Unfortunately, our Conservation Officers are now 100 percent dependent on tribal funds. This costs the tribe $248,000 annually, in addition to the $682,700 the tribe pays for its nonconservation law enforcement programs. The BIA does not provide any resources for this activity, which plays a significant role in protecting our community and is critical to maintaining and protecting our treaty rights. Protection of our natural resources is the protection of our treaty rights. The tribe's funding can only support two conservation officers on duty at a time to patrol a 144 square mile reservation that includes 260 lakes, 24,000 acres of wetland and 46,000 acres of forested land. If the BIA is unable to provide money to allow our Conservation Officers to continue their important mission, Federal officers will have to step up to take over and uphold the United States' binding obligations toward these treaty rights. We request that money be provided in the budget for conservation law enforcement programs.

Forestry.—The tribe continues to request that the subcommittee increase funding for BIA Forestry Programs. Our reservation contains 46,000 acres of forested land that supports hunting, gathering, and employment opportunities for tribal members. Proper management of the forest is essential not only to sustain our subsistence lifestyle, but also to provide economic growth for the tribe. We recognize that in this tough economic time, the administration and Congress must make tough choices. However, it would be more costly if sensible resource management is sacrificed. Forest management not only provides a mechanism for economic development for tribes, it is a fundamental activity that protects forested communities from wildfire, enhances resource conservation and combats climate change.

Commercial forestry provides tribes with an important source of economic revenue and job creation. In our tribe, two foresters and one technician undertake a broad range of management activities, including tree planting, prescribed burning, forest road design and maintenance and timber sale establishment and administration. If properly funded, timber sales could provide a source of tribal revenue. Forest management activities provide important wildfire suppression functions and manage invasive species. If forest management programs go unfunded, the future costs of destruction due to wildfires or invasives could be devastating.

The total cost of operating the forestry program is approximately $217,000. In the last several years the level of funding from the BIA has been less than half of this, and the program has not received substantial funding increases since fiscal year 1991. The proposed budget reflects a decrease of $156,000 in funding for BIA Forestry Projects. We request that Congress reject the decrease to this already underfunded program and begin to fully invest in protecting our forested lands.

Fish Hatchery.—The Lac du Flambeau support the $3.6 million provided for fish hatchery operations and the $2.8 million provided for fish hatchery maintenance. This is equal to the funding provided in the fiscal year 2010 budget and is an amount triple that provided in fiscal year 2009.

Historic Preservation.—In 1995, Congress began encouraging tribes to assume historic preservation responsibilities as part of self-determination activities. It is estimated that in fiscal year 2011 there will be 100 tribes approved by the Secretary of the Interior 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 Tribal Historic Preservation Officers (THPOs) with an average award of $154,000 per tribe. Currently, while the number of tribes operating THPO programs has increased, Lac du Flambeau now only receives $74,145. Paradoxically, the more successful the program becomes overall, the less

each tribe receives to maintain professional services, ultimately crippling the programs. To provide a minimum level of services, these offices require at least $120,000. Therefore, we request that the budget provide the minimum $120,000 for each tribe operating a THPO program.

LAW ENFORCEMENT

We commend the focus the administration and Congress has placed on improving public safety in Indian country. As we all know, tribal communities experience a highly disproportionate level of crime and adequate law enforcement resources have been woefully underfunded for decades. The rate of violent crime for Native Americans is more than twice the national average. The administration has shown its commitment to addressing public safety issues by holding a series of listening sessions throughout Indian country. We believe that these listening sessions have led to the repackaging of tribal criminal justice programs in the fiscal year 2011 budget for the Department of Justice in an attempt to create a more flexible tribal criminal justice program. Unfortunately, we believe that some funds provided to the BIA for public safety are misdirected.

Specifically, we do not support the $19 million to be used for the BIA to reimburse the Department of Justice for 45 additional FBI agents dedicated to Indian country. While we greatly appreciate the intent to increase law enforcement presence in Indian country, we do not believe $19 million for only 45 FBI agents is the most efficient or effective way to increase public safety in tribal communities. While 45 additional FBI agents would significantly increase law enforcement presence if they were dedicated to only a handful of communities, the reality is that it is too small of a number for all of Indian country to feel the affect. Essentially, approximately 365 federally recognized tribes would not see the effects of this increase in FBI presence.

Instead of overspending on a few FBI agents and their support staff, we believe that the $19 million would be of better use if it were put towards Conservation Law Enforcement Officers. As was mentioned earlier in our testimony, these officers provide the first line of defense for many tribal law enforcement departments. They perform the same public safety functions as do law enforcement officers, and protect our natural resources. We feel that staffing Conservation Law Enforcement Officers is a more efficient use of the money and will put more boots on the ground in Indian country.

HIGHER EDUCATION

To continue the progress Indian country has made in participation and control of education programs and schools, it is imperative that funding for tribal higher education programs be increased. The tribe's high school graduation rates are improving, but are still far below national standards. President Obama has repeatedly expressed his commitment to national education programs, and in his address to Indian country he made a commitment to honor "obligations to Native Americans by providing tribes with the educational resources promised by treaty and Federal law." We embrace that commitment, but we want to remind you that the need for support does not lie only with high schools. Our students who want to pursue higher education need our continued support.

The budget proposes $2.164 million for Special Higher Education Scholarships (SHEP) to support Indian students working for graduate degrees. We strongly support the SHEP program, but are concerned that funding for it has remained flat over the last couple of years. Tribal communities have made great strides in educating their youth. Those strides are evident in the fact that more Indian students are attending and graduating from colleges and other post-secondary institutions. However, tribal communities must continue to evolve with other communities. The national and global economy has changed—students must earn graduate degrees to remain competitive. After making progress in Indian education, Indian students cannot be allowed to fall behind again because of lack of access to higher education programs.

PREPARED STATEMENT THE LOWER ELWHA KLALLAM TRIBE

My name is Frances Charles, chairwoman of the Lower Elwha Klallam Tribe. Thank you Chairwoman Feinstein for the opportunity to submit written testimony on priority funding for the delivery of basic services to the Elwha people, and in support of increased appropriations for native programs in the fiscal year 2011 budgets for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS) budgets.

TRIBAL SPECIFIC REQUESTS

Fifteen million dollars for Lower Elwha Klallam land acquisition and economic development and $458,000 for Lower Elwha Klallam tribal historic preservation

REGIONAL SUPPORT REQUESTS

Support the request of the Affiliated Tribes of Northwest Washington; support the request of the Northwest Portland Indian Health Board; and support the request of the Northwest Indian Fisheries Commission.

NATIONAL AND SELF-GOVERNANCE (SG) SUPPORT REQUESTS

BIA.—Provide $82.9 million general increase to BIA Tribal Priority Allocation (TPA) for inflationary and fixed costs.

BIA.—Provide $64 million increase for BIA Contract Support Cost (CSC), including direct CSC.

BIA.—Provide $5 million increase in the ISD fund.

BIA.—Provide 100 percent of fixed costs (uncontrollable), including tribal pay costs.

BIA.—$12 million for National Historic Preservation Officer Program.

Increase OTSG budget to fully staff to meet the needs of the increase in tribes entering SG;

IHS.—Provide $474 million for IHS mandatory, inflation, and population growth increase to maintain existing healthcare services.

IHS.—$330 million increase for Contract Health Services (CHS)

IHS.—$122 million increase for IHS to fully fund CSC, including Direct CSC.

IHS.—Increase $5 million to the IHS OTSG.

The Elwha Klallam Tribe supports the fiscal year 2011 budget requests National Congress of Indians and National Indian Health Board.

TRIBAL SPECIFIC REQUEST NARRATIVE

Fifteen Million Dollars for Lower Elwha Klallam Land Acquisition and Economic Development.—In 1992, Congress enacted the Elwha River Ecosystem and Fisheries Restoration Act (Public Law 102–495). The law mandated the removal of the Elwha and Glines Canyon dams from the Elwha River. Since then, the U.S. Government has committed itself to Elwha River restoration and to addressing the public health and safety, environmental, and economic development issues associated with the dam removal. Dam removal is scheduled to begin in 2011. The law states:

"SEC. 7. Tribal Land Acquisition and Development.

(a) After the Secretary makes the determination to remove the dams and actually acquires the Projects and funds are appropriated for such conveyance and removal, the Secretary is authorized to acquire by purchase, and hold in trust in reservation status for the benefit of the Lower Elwha Klallam Tribe, lands in Clallam County, Washington, for housing, economic development, and moorage for the Tribal commercial fishing fleet.

(b) There is authorized to be appropriated an amount not to exceed $4,000,000 to carry out the land acquisition purposes of this section."

Congress authorized $4 million for land purchases for the tribe to make amends for damages to tribal fisheries. The National Park Service (NPS), acting as the lead agency for the Federal dam-removal project, decided that its mandate did not include addressing any appropriation to the tribe. In the 18 years since the act was passed the project has moved forward, but *without any appropriations* for tribal land acquisition. There has been a significant increase in property prices since 1992. For this reason, and to affect the intended purposes of the 1992 act, the tribe has repeatedly requested that Congress increase the initial $4 million authorization to $15 million so that the tribe could begin the necessary activities identified in the act before dam removal commences next year.

Acquisition of land was part of the broader Elwha River Ecosystem and Fisheries Restoration Act which will restore Elwha River fisheries and permit the Lower Elwha Klallam Tribe to resume its historic livelihood of salmon fishing in the Elwha River, which the two 100-year-old dams had rendered impossible. The provision of the law for land acquisition was and is necessary to mitigate the disruptive effects of the dam removal process and to provide the tribe with land for much needed housing and to pursue economic development that will generate funding to build upon the tribal infrastructure and strengthen the economy of the reservation.

Of the $15 million request, the tribe would immediately use $2 million to purchase and improve 12 acres centrally located on Highway 101 on the east shore of Lake Aldwell, thereby gaining a timely opportunity to develop land that is contiguous to the Project Lands that the tribe also seeks to acquire.

Improvements would facilitate conversion of the parcel from private to public use, including: road access development, potable water, wastewater treatment, parking, utilities, trail development and facility upgrades. Acquisition and development of this site provide the unique setting for a world-class interpretative center to foster research, educational outreach, and a showcase for ecosystem restoration that will follow removal of the Elwha Dams.

—*$458,000 for Tribal Historic Preservation*.—The Lower Elwha Tribe is located in an area that is extremely rich in cultural resources and significant sites. We have been involved in the protection and restoration of the Tse-whit-zen village and cemetery site in downtown Port Angeles, where we have re-interred the remains of more than 300 of our Klallam ancestors, the largest single site that has been unearthed west of the Mississippi River. Other sites of equal or greater significance exist in Port Angeles and surrounding areas. One such site is the Y'innis village site on Ennis Creek, which flows through the site of an abandoned lumber mill that is currently undergoing cleanup. The tribe is involved in overseeing the cleanup of that site, the restoration of Ennis Creek, and the protection of the village site.

The tribe must also spend ever-increasing time responding to Federal agency requests for consultation under section 106 of the National Historic Preservation Act (NHPA) of 1966. As you know, the NHPA declared that the preservation of our irreplaceable heritage was in the Nation's interest and agencies must consider the effects of their undertakings on historic properties in consultation with affected tribes. This consultation is at the heart of the Federal-tribal relationship, but without adequate funding support for a Tribal Historic Preservation Office (THPO), the consultation requirement functions as an unfunded mandate. In addition, the tribe's activities associated with its rights under the 1990 Native American Graves Protection and Repatriation Act (NAGPRA) have intensified in a number of areas, including the completion of summaries and inventories of remains and objects. In order to protect its cultural heritage and its rights and opportunities under NHPA and NAGPRA, and to ensure that the major sites in the Port Angeles area are protected from development and natural resources restoration activities, the tribe needs a basic THPO program. Such a program requires at a minimum a qualified staff that meets the Secretary of the Interior Standards as an Archeologist or Cultural Resource Director that can review the projects scheduled for implementation and provide tribal comment. This funding request will provide the tribe with that basic program and assist in averting another disaster like the one that occurred at the Tse-whit-zen site.

NATIONAL AND SELF-GOVERNANCE SUPPORT REQUESTS NARRATIVE

BIA.—Provide $82.9 million more than the fiscal year 2010 enacted level for general increase to BIA TPA for inflationary and fixed costs: This funding has steadily eroded due to inflation and population growth. The effects of rising costs of travel, equipment, supplies, and purchased services have been compounding for years while the Native American population has increased at 1.6 percent per year. Since tribes have the flexibility to use TPA funds to meet the unique needs of their individual communities, they are the main resources for tribes to exercise their powers of Indian Self-Determination (ISD)and SG.

BIA.—Provide $64 million increase for BIA CSC, including Direct CSC: Full funding of CSC covers the fixed overhead costs that a tribe must incur to operate a BIA program or facility as required under the Indian Self-Determination and Education Assistance Act. When CSC is not fully funded, tribes are forced to utilize limited direct program services dollars or tribal resources to cover these shortfalls. We respectfully urge the subcommittee to fund these essential services and not permit Indian agreements to remain the only Government contracts that are not fully funded.

BIA.—Provide $5 million increase in the ISD fund.

BIA.—Provide 100 Percent of Fixed Costs (Uncontrollable), Including Tribal Pay Costs.—The 2011 President's budget does not include an increase for anticipated fixed costs, including pay and benefit costs. Without this funding, tribal programs will be forced to absorb these uncontrollable fixed costs. We respectfully urge the Subcommittee to provide annual increases for tribal pay and fixed costs to avoid progressive program declines.

BIA: $12 Million for THPO Program.—The President's proposed level of $8 million in fiscal year 2011 will continue to increase the shortfall that THPOs are expe-

riencing, yet the program continues to expand. We further recommend that future program expansion be funded with increased appropriations for the program in order not to impact the funding of existing THPO programs.

IHS.—Provide $474 million for IHS mandatory, inflation, and population growth increase to maintain existing healthcare services.—Mandatory costs increases are necessary to maintain the current level of services. These "mandatories" are unavoidable and include medical and general inflation, pay costs, and population growth. Maintaining current services is a fundamental budget principle. Failure to do so would result in cuts in healthcare and delivery. We estimate the current services need in fiscal year 2011 is $474 million.

Increase OTSG Budget To Fully Staff To Meet the Needs of the Increase In Tribes Entering SG

IHS: $330 Million Increase for Contract Health Services (CHS).—Tribes have recommended that an increase of $330 million is needed for CHS funding. At present, less than one-half of the CHS need is being met, leaving too many Indian people without access to necessary medical services. This level will allow those tribes who are not served by an IHS hospital to provide healthcare services at the same level as those tribes who are served by an IHS hospital.

IHS: $122 Million Increase for IHS to Fully Fund CSC, Including Direct CSC.—This year's fiscal year 2011 request of a $45.8 million increase for CSC continues a sad chapter of neglect for ISD. For fiscal year 2011, the estimated shortfall is $122 million. The present shortfall creates a disincentive for tribes to pursue SG compacts, and diminishes available healthcare funding as tribal budgets must absorb the shortfall amounts.

IHS: Increase $5 million to the IHS OTSG.—As of 2010, there are 330 SG tribes managing approximately $1.2 billion in funding. This represents 57 percent of all federally recognized tribes and 33 percent of the overall IHS funding. The OTSG supports tribes operating programs under the Tribal Self-Governance Amendments of 2000. The SG process serves as a model program for Federal Government outsourcing, which builds tribal infrastructures and provides quality services to Indian people.

PREPARED STATEMENT OF THE LUMMI INDIAN BUSINESS COUNCIL

I want to thank Chairwoman Dianne Feinstein and the subcommittee members for the opportunity to submit written testimony on financial and legislative priorities of the Lummi Nation for 2011 for the Department of the Interior; Bureau of Indian Affairs (BIA) and the Indian Health Services (IHS).

The Lummi Nation is located on the northern coast of Washington State, and is the third-largest tribe in Washington State serving a population of more than 5,200. The Lummi Nation is a fishing nation. We have drawn our physical and spiritual sustenance from the marine tidelands and waters that surround us for hundreds of thousands of years. Now the abundance of wild salmon is gone. The remaining salmon stocks do not support commercial fisheries. Our fishers have trying to survive with shellfish products. In 1999, we had 700 licensed fishers who supported nearly 3,000 tribal members. Today, we have about 523 remaining. This means that more than 200 small businesses in our community have gone bankrupt in the past 11 years. This is the basic inescapable reality of the Lummi Nation. We are the last hunter/fisher/gatherer society surviving within the contiguous United States. We can no longer survive as fishers, without assistance.

LUMMI NATION APPROPRIATION REQUESTS—BIA

+*$12 Million*.—Increase in funding for hatchery construction, operation and maintenance funding directed to meet the needs of fisheries needs consistent with declared disasters.

+*$5 Million (Nationally)*.—Increase the funding for the BIA general assistance for emergency services for tribes operating under emergency declarations.

IHS

Increased Contract Health Services (CHS) funding be available to Northwest Regional Tribes, which are not served by IHS hospitals.

+*$200,000*.—To support direct intervention with the Lummi Nation to support rapid HIV testing and diagnosis and treatment.

SUBCOMMITTEE DIRECTION REQUESTS

Direct the BIA to recognize fisheries economic disaster declarations and work with the Lummi Nation to insure that direct relief needs of its fishers covered under the Department of Commerce Disaster Declaration are met through general assistance emergency assistance funding.

Direct the BIA to work with Lummi Nation to ensure that its needs related to the Salomon disaster are met through increased hatchery construction, operations and maintenance funding.

Direct the BIA Branch of Roads to support the subcommittee request that the Federal Lands High Way Project reserve $6 million for the Lummi Nation Slater Road Elevation Project.

Direct the Department of the Interior to fully fund the Office of Indian Energy and Economic Development, Workforce Development Division to continue its job training/development work that has results in jobs.

Our people have problems and needs but we also have solutions. Today, I am presenting a coordinated set of proposals to address the prolonged economic and cultural disaster imparting our people through the loss of our sockeye salmon. Starting more than 10 years ago in 1999. In 2008, the Department of Commerce reissued the disaster declaration (See also—Congressional Research Services—CRS Report to Congress, Commercial Fishery Disaster Assistance, (RL–34209) May 2, 2008), and we now seek ways to turn this scenario around to have a more positive outcome.

Our strategy is to consolidate our native and scientific knowledge of fish biology, behavior, and management into the Northwest Indian Marine Education and Research Center for Excellence. Collecting our professionals and traditional practitioners and field worker into a team to plan, design, finance, and construct and operates create aquaculture and hatcheries facilities and programs. The same group would instruct and train aquaculture and hatcheries workers needed by theses facilities, through Northwest Indian College. Aquaculture/hatcheries facilities and operations are the only way to ensure the salmon fisheries that was solemnly secured in 1855 by our fathers and yours, large enough to support our families and our way of life.

Our goal is to increase fish returns by improving aquaculture and hatchery production and creates a reliable, sustainable resource to salmon fishers by increasing enhancement. Additionally, we seek to raise the value of these harvests through advanced marketing, the introduction of a fisher's co-operative, and grow-out operations for shellfish products.

LUMMI NATION SPECIFIC REQUESTS—BIA

+$5 Million (Nationally) Fisher's Disaster Assistance Funding.—Lummi Nation is requesting funding to support emergency relief services for our fishers. This assistance is needed to help fishers make the transition from sockeye salmon to other salmon species and other commercial fishery resources. Lummi Nation is requesting the subcommittee provide the BIA Welfare Assistance Program an additional funding to address the Lummi Nation Fishers and West Coast Fisherman impacted by economic fisheries disaster.

+$12 Million—Salmon/Shellfish Hatchery.—The Lummi Nation currently operates three salmon hatcheries and one shellfish hatchery that support tribal and other fisheries in the region. The tribal hatchery facilities were originally constructed in the early 1970's. Predictably some of the original infrastructure needs to be repaired or replaced as it approaches the end of its useful life and other infrastructure needs to be developed or modified to ensure compliance with the Clean Water Act and/or the Endangered Species Act. Lummi Nation fish biologists estimate that these facilities are now operating at 40 percent of their productive capacity. While the Lummi Nation recognizes and appreciates the $2 million provided in 2010 for expanded hatchery funding these funds were distributed nationally without regard to the extreme need of the Lummi Nation and other tribes impacted by the West Coast Salmon disaster. The 2010 funding must be maintained and expand further consistent with the needs of tribes covered by existing disaster declarations.

LUMMI SALMON HATCHERY—$2,200,000

$720,000: Hatchery Intake.—South Fork Nooksack Chinook Recovery program replace intake system that has high O&M and often fails.

$625,000: Large Pond Improvement.—Increase annual production capacity.

$855,000: New Raceways.—Replace originally constructed infrastructure that is deteriorating and falling apart.

LUMMI SALMON HATCHERY—$5,360,000

Nooksack River Pump Station.—This will increase the production capacity of Lummi Bay hatchery by improving water pumping capacity and resource.

LUMMI SHELLFISH HATCHERY—$570,000

Multiple operation and maintenance issues for increasing production capacity in areas of feed, building insulation, heating and cooling systems, increase grows out tank space, results in increased seed production.

LUMMI POND TIDE GATES IMPROVEMENTS—$3,510,000

This project rehabilitates current shellfish hatchery to optimize production capabilities. Increased shellfish seed production increases enhancement activities on Lummi tidelands to create jobs for tribal shellfish harvesters and increase sales to the West Coast shellfish industry to create jobs for growers and businesses.

PLANNING/TRANSPORTATION—BRIDGE—PROJECT

+*$6 Million*.—Slater Elevated Road Project reserved for the Lummi Nation through the Federal Land Highway Programs funneled through the BIA's Indian Reservation Roads Program

Project Description.—The Lummi Nation is partnering with the Federal Emergency Management Agency and Whatcom County to elevate the eastern approach to the Slater Road Bridge over the Nooksack River. This section of Slater Road is frequently flooded by Silver Creek, which runs parallel to the Nooksack River. The project is an extension of the Slater Road Bridge over Sliver Creek, which is a salmon spawning stream.

Need for the Project.—When this section of Slater Road is flooded, access to the Lummi Reservation, Lummi Island, the Cherry Point heavy impact industrial zone, and the City of Ferndale are severely limited. Most years these limitations last for days at a time. The impact threatens public health and safety and has substantial negative economic impacts for the retail, commercial and manufacturing businesses in the area.

Matching Funding.—Lummi Nation has secured a $3 million in project matching funds for the project through the Pre-Disaster Mitigation Program (the maximum grant allowable).

LUMMI NATION SPECIFIC REQUESTS—IHS

Request for Contract Health Funds Allocation Formula Methodology

Lummi Nation and all tribes located in the Portland area are not served by IHS hospitals. We are totally dependent on the IHS Contract Health Care Program to support hospitalization and any healthcare measure performed outside of our limited ambulatory healthcare clinic. The Lummi Nation has endured a shortage of contract healthcare funds for many years due to constantly increasing healthcare and healthcare administrative costs and a budget that does not keep pace. The Lummi Nation is requesting that the subcommittee direct the IHS to develop an allocation plan for contract healthcare funds that recognizes that tribes, not served by an IHS hospital incur greater contract health costs than those tribes who have an IHS hospital.

+*$200,000*.—Direct funding to support Community-based AIDS/HIV Rapid Testing Lummi Nation is experiencing an epidemic of black tar heroin among its addicted members. This has increased the risk in our community for contracting HIV. We are seeking this funding on an emergency basis.

NATIONAL AND SELF-GOVERNANCE REQUESTS AND RECOMMENDATIONS

BIA Requests

+ $21.4 million for Johnson O'Malley Program; + $13.6 million for Housing Improvement Program added to tribal base programs; +$9 million general increase to BIA Tribal Priority Allocation for inflationary and fixed costs; provide $64 million increase for BIA CSC, including Direct CSC; provide $5 million increase in the Indian Self-Determination Fund; provide 100 percent of fixed costs (uncontrollable), including tribal pay costs; and increase Office of Self-Governance budget to fully staff to meet the needs of the increase in tribes entering Self-Governance.

IHS Requests

Provide $474 million for IHS mandatory inflation and population growth increase to maintain existing healthcare services; $330 million increase for CHS; $122 mil-

lion increase for IHS to fully fund Contract Support Cost (CSC), including Direct CSC; and increase $5 million to the IHS Office of Tribal Self-Governance

Local/Regional Requests and Recommendations

Affiliated Tribes of Northwest Indians; Northwest Portland Area Indian Health Board; and the Northwest Indian Fisheries Commission.

NATURAL RESOURCES

In closing the Lummi Nation fully supports the Hatchery Reform Committee that is being set up in cooperation with University of Washington through the efforts of the Native American Fish and Wild life Society. We ask the subcommittee to become aware and supportive of this effort to increase our technical knowledge of hatchery development, operations, which is critical to the survival of our fishing communities.

I appreciate the opportunity to share the fiscal year 2011 budgetary priorities of the Lummi Nation.

PREPARED STATEMENT OF LUDLOW'S ISLAND RESORT

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of acquiring land along in the Superior and Chippewa National Forests as part of the Minnesota Wilderness program. An appropriation of $3.1 million is needed in fiscal year 2011 from the Land and Water Conservation Fund (LWCF) in order for the Forest Service (USFS) to acquire an assemblage of forestlands totaling 220 acres. I am thankful that Minnesota's national forests were recognized in the President's budget, which reserved $1.4 million for the Minnesota Wilderness program. However, in order to protect all four tracts in fiscal year 2011, an appropriation of $3.1 million is needed.

The Minnesota Wilderness land acquisition program includes the Superior and Chippewa National Forests in Minnesota and is focused on protecting public access to lakes and streams as well as ensuring critical habitat protection for fish and wildlife. These forests offer Minnesotans and other visitors abundant opportunities for outdoor recreation and are an integral part of the Northwoods economy.

Located in the northeasternmost tip of Minnesota, the Superior National Forest spans 150 miles along the United States-Canadian border and is one of the wettest, wildest forests in the entire national forest system. The deep pine woods of the Superior play host to a landscape of lakes, bogs, and rocky outcrops that are remnants of the glacial period and create the only thriving boreal or northern forest in the continental United States. More than 10 percent of the forest consists of surface water, and another 1,300 miles of cold-water streams and 950 miles of warm-water streams flow within the forest's boundaries. Visitors to the Superior National Forest are attracted by its abundance of outdoor recreational opportunities. For wilderness devotees, there are few areas in the United States that can rival the solitude and timelessness of the Boundary Waters Canoe Area Wilderness (BWCAW), a maze of lakes, rivers, and rocks at the northern edge of the Superior, offering 12,000 miles of canoe trails. Here and elsewhere in the forest, outdoor enthusiasts can enjoy camping, biking, canoeing, fishing, hiking, cross-country skiing, snowmobiling, and dog sledding. The deep foliage and plentiful water also attract a wide variety of wildlife, including bald eagle, common loon, moose, timber wolf, black bear, lynx, and migratory birds. The BWCAW draws more than 200,000 campers and canoeists annually, following in the wake of Native Americans and the voyageurs—those French-Canadian fur traders who canoed these waters 200 years ago.

The Chippewa National Forest is located in the heart of northern Minnesota, combining elements of western prairies and northern boreal forests. Within the forest, elements of these two ecosystems are found side by side: red oak next to white pine, wild ginger alongside wild rice, and Canada lynx habitat abutting sandhill crane territory. The Chippewa National Forest shares borders with the Leech Lake Band of Ojibwe. More than 400,000 acres of the Chippewa National Forest are actually lakes and wetlands. The Chippewa contains two of Minnesota's five largest lakes, and eight different types of wetlands each with distinct plant and animal life. Sixty-seven of the 314 wildlife species that make their home on the Chippewa National Forest are dependent on lakes and wetlands. More than 230 species use wetlands and only 20 percent of Minnesota's original wetland remain today. The first national forest west of the Mississippi River, the Chippewa National Forest is one of the few areas with wetlands essentially unchanged since settlement. This area is unique in that it contains some 40 wild rice producing lakes.

Through USFS's Minnesota Wilderness acquisition program, four properties are available for acquisition in fiscal year 2011 in the Superior and Chippewa National Forests.

Wolf Island Phase II

The 60-acre Wolf Island property in the Superior National Forest is located in Lake Vermilion and is a high priority for protection this year by USFS. Twenty-four miles long, Lake Vermilion is one of Minnesota's largest vacation destination lakes. It is home to healthy populations of walleye, northern pike, muskie, bass, and bluegill, and was once named by National Geographic as one of the Nation's 10 most scenic lakes. Wolf Island's location affords scenic views of the beloved lake as well as the national forest. Its 60 acres are mostly high rolling land that is densely forested with mature aspen, pine, and maple. Its rich history is well documented by John Jaeger, a prominent Minneapolis architect who homesteaded the island after first visiting in 1906. Jaeger's drawings identified cultural resources, including burial mounds and a canoe-building workshop plaza.

Wolf Island is at risk of being lost to development. In order to ensure the protection of the island and access to quality resources in areas of second-home development pressure, The Trust for Public Land stepped in at the request of USFS to secure the island in March 2007, and $900,000 from the LWCF was appropriated in fiscal year 2010 to protect half the island. The acquisition of the entire island by the Superior National Forest will bring into public ownership an outstanding scenic resource and access for paddlers, boaters, and other recreational users who follow in the footprints of both Native Americans and voyageurs of years gone by.

Stony Point

The 40-acre Stony Point property is located on a prominent point on the shores of Leech Lake in the Chippewa National Forest. Home to thousands of acres of waterfowl and other wildlife habitat, Leech Lake has one of the largest nesting populations of bald eagles in the lower 48 States—almost 200 pairs. The Stony Point bald eagle nesting site contains a half-mile of Leech Lake frontage. The pristine parcel is completely surrounded by national forest ownership and likely contains Native American artifacts. Acquisition by the Chippewa National Forest would eliminate the need for road access that would otherwise impact over a one-half mile of undisturbed wetlands. The property was purchased by a developer who intended to develop it into several homesites, thus depriving forest visitors of significant scenic and recreational values.

Kremer Lake/Spider Lake

Located on the eastern boundary of the Chippewa National Forest, the 120-acre Kremer Lake and Spider Lake properties offer substantial lakeshore protection along the Edge of the Wilderness National Scenic Byway (Rte. 38) near Grand Rapids in Itasca County. The Kremer Lake parcel is located along the north shore of this more than 80-foot deep small lake, which lies along the west side of the byway. The property has more than 3,000 feet of riparian shoreline and is adjacent to the Suomi Hills Semi-Primitive Recreation Area. The Spider Lake property is located along the west side of larger Spider Lake, which is mostly in USFS ownership. The tract contains more than 5,000 feet of shoreline and many acres of associated riparian and wetland habitat. Both properties, which are under a single ownership, are located within the Upper Mississippi River watershed. They contain wildlife habitat for the endangered gray wolf and the Canadian lynx, as well as for the sensitive bald eagle. Both tracts also offer substantial recreational opportunities, such as fishing, hiking and cross country skiing, and their acquisition would improve public access to the lakes for these purposes.

Demand for summer recreational residences and hunting cabins is present in the area near Grand Rapids, and portions of the Kremer Lake and Spider Lake properties could be developed for this purpose. The acquisition of both tracts would eliminate any development threat and ensure permanent protection of critical water resources.

Public acquisition of the remainder of Wolf Island and the entirety of the Stony Point, Kremer Lake, and Spider Lake properties will ensure that the attributes of the Northwoods region so treasured by its many visitors—the solitary sound of the common loon, the serenity of an evening paddle, the call of the wild—will be protected in perpetuity. An appropriation of $3.1 million from the LWCF in fiscal year 2011 will secure these properties and provide greater access for current and future generations of visitors to both secluded lakes and popular lakes within the forests that are such critical natural resources for the public.

LWCF is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and rec-

reational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this committee faces, I also want to thank the subcommittee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the LWCF is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

My resort, located on Lake Vermilion relies on visitors to the great Northwoods of Minnesota. Protection of key places, such as Wolf Island, Stony Point, and Kremer Lake/Spider Lake are critical to insure that future generations can continue to enjoy these valued resources as well as contribute to the tourism economy in the area.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Minnesota, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE LAND AND WATER CONSERVATION FUND COALITION

Chairwoman Feinstein and Ranking Member Alexander and other members of the subcommittee, thank you for the opportunity to submit testimony. We begin this statement by applauding the subcommittee for the increases in the Land and Water Conservation Fund (LWCF) and Forest Legacy Program (FLP) funding contained in the fiscal year 2010 Interior, Environment, and Related Agencies Appropriations bill, reversing almost a decade in dramatic program declines. We are equally delighted by increases for these programs proposed in the President's fiscal year 2011 Obama budget request—a great step towards the administration's stated goal of fully funding the LWCF by the year 2014. We urge the subcommittee to set the course towards this goal by including substantial funding increases in the fiscal year 2011 Interior, Environment, and Related AGencies appropriations bill for these two important programs. We recommend increasing the funding of Federal LWCF to $384 million, stateside LWCF to $50 million, and the allocation of $100 million for the FLP.

Over the LWCF program's 44-year history only once has it been fully funded at the congressionally authorized level of $900 million annually. Today, we face an extensive and growing backlog of land acquisition needs in our national parks, national wildlife refuges, national forests, National Landscape Conservation System, and other Bureau of Land Management (BLM) units, wild and scenic rivers, and national trails. Critical natural, historical and recreational properties are being lost to inappropriate development that compromises management objectives and undermines resource protection across our Federal lands. Willing-seller landowners with conservation intent, wishing to see their property protected, wait years with no measurable prospect for Federal acquisition of their property. America's irreplaceable wildlands, woodlands, farmlands, fish and wildlife habitats, scenic areas, historic sites, trails and neighborhood parks are being developed, fragmented, and otherwise sacrificed because there is simply not enough LWCF money to go around.

The State grants component of the LWCF is in equal distress from insufficient funding. This program supports the protection of recreation lands and the development of parks at the State and local level to provide accessible, close-to-home recreation. These matching grants enable communities, counties, and States to acquire land and to build or improve recreational facilities. Despite low funding levels, the program has distributed funds to almost every county in the country for more than 41,000 projects including creating parks, playgrounds, recreation facilities, trails, and preserving forests and wildlife habitat. Across the Nation more than 6,600 State parks and countless local parks depend on this Federal partnership to help meet land acquisition and park infrastructure needs. Forty-four States recently reported that less than 5 percent of park funding needs are currently being met. The Federal partnership is largely missing from the funding equation and the social and economic benefits of these parks cannot be overstated. With soaring child obesity rates, spending time with children out-of-doors can inspire a lifetime of healthy exercise and outdoor activity, preventing disease and saving millions in healthcare costs. Today, we better understand that outdoor play also contributes to a child's development on many levels including their capacity to be creative and problem solve, as well as their emotional and intellectual development.

The LWCF is a vital funding mechanism creating significant environmental, economic, and cultural benefits. Lands protected through the program include wilderness access points, river corridors popular with paddlers and anglers, endangered species habitat, beaches and coastal areas, campgrounds, historic battlefields, and pristine mountain forests. Eighty percent of the lands acquired with LWCF funds lie within the existing boundaries of Federal parks, refuges, forests, or recreation areas. Within our national parks alone, 1.9 million acres of inholdings identified for protection remain to be acquired and may be developed if they are not conserved.

In 1990, Congress created another important tool to help protect forests. The FLP, administered by the USDA Forest Service (USFS), helps to preserve working forestlands threatened by conversion and development. This program leverages Federal funds with State and private monies to permanently protect forested properties by direct fee title purchase or through conservation easements. FLP enables landowners and communities to retain ownership of forestland and to continue to earn income from these resources through sustainable timber harvesting. This program also conserves open space, wildlife habitat, and clean water, and ensures continued opportunities for public recreation.

To date, the FLP has protected almost 2 million acres in 42 States and Puerto Rico. Over the history of this highly successful program, a total of $456 million of Federal funds have been matched by more than $1 billion in non-Federal funds and donations, making the Federal share less than 50 percent of overall project costs. FLP program funding of $76 million in fiscal year 2010 reversed a funding decline of the previous 7 years. For fiscal year 2011, 63 conservation projects were submitted to the USFS by 41 States; the requests total more than $200 million in the FLP need to protect 361,604 acres of forestlands valued at more than $437 million. We applaud the President's budget recommendation to provide a significant increase for the FLP program. However, additional funding is needed to meet pressing project needs and provide adequate project funding levels. To respond to this significant demand, we urge the subcommittee to support a funding level of $100 million in fiscal year 2011.

In the face of the current economic downturn, we cannot underestimate the power public lands can have in turning the tide. Tourism dollars and visitation to our parks and public lands can serve as an economic engine for local and regional economies. For example, the National Association of State Park Directors reports that America's State park system contributes $20 billion to local and State economies. Each year millions of Americans visit our public lands to enjoy hiking, wildlife watching, hunting, fishing, climbing, camping, mountain bicycling, horseback riding, photography, paddling and boating, cross-country and backcountry skiing, snowmobiling, and outdoor education and interpretation. The Outdoor Industry Association reports that active outdoor recreation contributes $730 billion annually to the U.S. economy, supporting 6.5 million jobs across the country. Investment by the Congress in the LWCF will yield greater public dividends now, than perhaps in any time in recent history. With property values significantly down from just a year ago, timely acquisition funding will make a real difference in addressing the backlog of Federal agencies' land acquisition needs. In this market, public agencies can better compete with private buyers and developers, and can stretch LWCF dollars even further. In addition, LWCF and FLP funding can help landowners achieve their economic objectives through the sale of their land.

A 2006 economic assessment of the National Park System produced by the National Parks Conservation Association determined that national park visitors spend more than $13 billion annually in communities surrounding parks supporting 267,000 jobs. Similarly, a recent Fish and Wildlife Service report, Banking on Nature, revealed that the 40 million annual visitors to national wildlife refuges generate more than $1.7 billion in annual sales to local economies, resulting in the creation of 27,000 jobs.

The LWCF and FLP are needed now more than ever to protect watershed, wildlife, and support local economies. Fighting wildfires along the wildland-urban interface is costing the American taxpayer billions of dollars annually. Using the LWCF for strategic land purchases in and adjacent to public lands to prevent private development in the most fire prone areas will allow agencies to implement better fire prevention management in these critical zones. Furthermore, the FLP provides States and private landowners with a tool to maintain key areas as working forests and to prevent inappropriate development.

Drinking water quality and quantity greatly depend on the protection of forestlands, grasslands, and wetlands ranging from high elevation watersheds to coastlines. These acres filter pollutants, prevent erosion along rivers, and decrease the costs and damage from floods and storms. Headwaters, river corridors, lakeshores, and estuaries also provide critical natural habitat and migratory corridors

for fish and wildlife. The American public deeply values the protection of water resources. A 2008 summary of local and statewide polls conducted nationwide ranked clean water as the top conservation concern for 88 percent of the people polled. Protection of land and water through LWCF purchases in and around our national forests, parks, refuges and other conservation areas helps maintain the long-term integrity of our Nation's water quality and water supplies. Maintaining working forests with FLP dollars provides a critical tool to protect valuable community watersheds.

Today, our Federal, State, and private conservation lands and waterways provide a critical opportunity to address the unprecedented challenges that climate change poses to our forests, fish and wildlife, and riparian resources. The strategic protection of key inholdings, buffer areas, and wildlife migration corridors within and adjacent to existing public lands enhances adaptation efforts and fosters intact landscapes. These natural areas also store carbon, buffer flooding, conserve water, and support healthy fisheries and wildlife populations. Hand-in-hand with mitigating the deleterious impacts of our environment from burning fossil fuels is the need to respond to climate change with a foresighted investment in land protection and natural resource adaptation across the Federal public lands.

In closing, we thank the subcommittee for your continuing leadership on Federal land conservation and meeting the environmental and recreation needs of citizens at the State and community levels through programs such as LWCF. The LWCF Coalition stands ready to work with you to secure full and consistent funding for the LWCF and FLP. Thank you.

THE UNDERSIGNED ORGANIZATIONS

The Access Fund; American Canoe Association; American Hiking Society; American Land Conservancy; American Rivers; American Whitewater; Appalachian Mountain Club; Appalachian Trail Conservancy; California State Parks Foundation; Choose Outdoors; City Parks Alliance.

Civil War Preservation Trust; The Conservation Fund; Conservation Trust for North Carolina; Defenders of Wildlife; Eastern Forest Partnership; Friends of Rachel Carson National Wildlife Refuge; Highlands Coalition; International Mountain Bicycling Association; Land Trust Alliance; Land Trust for the Little Tennessee.

National Association of State Outdoor Recreation Liaison Officers; National Association of State Park Directors; National Audubon Society; National Park Trust National Parks Conservation Association; National Recreation and Park Association; National Wildlife Federation; National Wildlife Refuge Association; The Nature Conservancy; New Mexico Wildlife Federation; New York State Office of Parks, Recreation and Historic Preservation.

North Country Trail Association; Northern Forest Alliance; Northern Sierra Partnership; Outdoor Alliance; Outdoor Industry Association; Outdoors America; Pacific Crest Trail Association; The Pacific Forest Trust; Pacolet Area Conservancy; Partnership for the National Trails System.

Sierra Business Council; Sierra Club; Society for the Protection of New Hampshire Forests; Southern Appalachian Forest Coalition; Southern Appalachian Highlands Conservancy; Tennessee Parks and Greenways Foundation Trout Unlimited; The Trust for Public Land; Western Rivers Conservancy; The Wilderness Society; Wildlife Forever; Winter Wildlands Alliance World Wildlife Fund.

PREPARED STATEMENT OF THE MOTHER LODE CHAPTER, SIERRA CLUB

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony on behalf of the Mother Lode Chapter of the Sierra Club in support of acquiring land at Tahoe and Eldorado National Forests in California. An appropriation of $5.5 million is needed in fiscal year 2011 from the Land and Water Conservation Fund in order for the Forest Service to acquire an assemblage of properties totaling 3,187 acres.

The Mother Lode Chapter members are very concerned about the wildlife and other amenities of these neighboring forests. The irrational checkerboard ownership pattern in the central Sierra Nevada is one of the most significant challenges facing Forest Service land management. Incompatible uses on private parcels interspersed with public lands degrade wildlife habitat, water quality, recreational access, and scenic views on the public lands and complicate forest management and fire control. Disruption of north-south habitat connectivity, essential to wildlife migration in the Sierra Nevada, will have much more serious effects as climate change significantly shifts wildlife habitats. For these reasons, the Forest Service has made consolidation of public ownership in checkerboard areas an acquisition priority in California. Ac-

quiring all the private lands in the checkerboard region with significant wildlife, watershed, scenic, and recreational values will be a very long-term effort; consistent progress is essential.

We are asking you to support funding for parcels in six areas, all but one of which are in the region of checkerboard ownership. These parcels are the Tahoe and Eldorado National Forests' highest acquisition priorities in fiscal year 2011. The merits of the parcels in each area are briefly described below.

Castle Peak Area (Tahoe National Forest, checkerboard region)

Our highest priorities for acquisition are parcels in the Castle Peak area on the Sierra Crest in Tahoe National Forest. Most of the Castle Peak area is included in the Castle Peak Proposed Wilderness. The Castle Peak area is highly scenic and is a very popular year-round recreation area for the large populations of northern California and western Nevada. Thousands of acres in the Castle Peak area have been purchased in recent years, thanks in part to your support, but the acquisitions are not yet complete.

The White Rock Lake parcel, most of which is roadless, is on the northern edge of the Proposed Wilderness. Including the roadless portion of the parcel in the Proposed Wilderness would make its boundary more logical and defensible. Acquisition of the parcel would consolidate public ownership of the White Rock Lake watershed, better protecting the Lake and its population of Federal endangered mountain yellow-legged frogs.

Two parcels southwest of Castle Peak and close to the Proposed Wilderness have significant recreational values. Acquisition of these parcels would make possible an improved routing of the popular Hole in Ground bicycle trail onto public lands. These parcels, which are near already subdivided lands, are potential locations for second-home development, which makes their acquisition more urgent.

Sagehen Creek Watershed (Tahoe National Forest, checkerboard region)

The University of California's Sagehen Creek Field Station has used the Sagehen Creek watershed as an outdoor classroom and site for wildlife, forestry, and hydrology research since 1951. Recognizing this use, the Forest Service has designated the public lands in the watershed as the Sagehen Creek Experimental Forest.

Consolidated public ownership of the Experimental Forest would ensure that incompatible activities on private land in the watershed do not confound research data and restrict educational activities. Acquisition of sections 13 and 15 on the southern and western boundaries of the Experimental Forest would significantly decrease the private lands in the Sagehen Creek watershed. Acquisition would also add to the public lands in the north-south wildlife corridor on and near the Sierra Crest, in which ownership is significantly fragmented.

Lacey Valley Meadows and Webber Lake (Tahoe National Forest, checkerboard region)

The 1,500 acres of beautiful subalpine meadow in Lacey Valley south of Webber Lake are an outstanding feature of a 3,000-acre property in the vicinity of the Lake that will be available for acquisition. Two sections in the upper end of the Valley are available in fiscal year 2011.

The meadow and riparian areas of Lacey Valley are habitat for waterfowl and for the willow flycatcher, which is on the State endangered list. The meadow and the surrounding uplands provide habitat for deer and numerous species of raptors and predators.

Though meadows are only a small percentage of the lands within Tahoe National Forest, they contribute disproportionately to the forest's scenic, wildlife, and recreation values. A large proportion of meadows within the Forest are privately owned; early settlers valued the resources of meadows and their suitability for settlement. Now meadows are attractive locations for second-home and resort development which seriously degrades their ecosystems and denies the general public access. Promptly responding to opportunities to acquire meadows is essential because meadows are so attractive to residential and resort developers. Acquisition of the forested ridges surrounding the Lacey Valley meadows ensures protection of the meadows and creeks.

English Mountain (Tahoe National Forest, checkerboard region)

Purchase of this parcel would help consolidate very fragmented public ownership immediately northeast of English Mountain by acquiring the remainder of a checkerboard section. The parcel contains most of the northeastern slopes of English Mountain and also Secret Lake, a small alpine tarn, and its outlet stream. Purchase of the section is the beginning of the highly desirable eventual consolidation of public ownership of beautiful English Meadow and other meadows along the Middle

Yuba River. The Grouse Lakes Potential Wilderness, which includes the summit of English Mountain, is immediately to the south of the parcel. Though part of the section has been logged, some mature mixed conifer forest remains.

Big Avalanche Cave (Tahoe National Forest, checkerboard region)

Public ownership of the parcel would protect and guarantee public access to this regionally significant limestone cave system with 1,500 to 2,000 feet of passages. In the opinion of northern California speleologists, Big Avalanche Cave, where extensive exploration of easy passages with minimal resource impacts is possible, is the most important recreational cave in the northern Sierra Nevada. A colony of Townsend's Big-eared Bats, a species of concern in California, occupies a summer roost a few miles away. The cave is a suitable and likely winter hibernation site for this colony. Both the Western Cave Conservancy and the National Speleological Society support this acquisition.

Martin Meadow (Eldorado National Forest)

The volcanic ridge east of Silver Lake, between Silver Lake and the Kirkwood Ski Area, is a striking scenic backdrop for Silver Lake. This parcel is on the west slope of the ridge, within a potential addition to the Mokelumne Wilderness, surrounded on three sides by Forest Service land. Public ownership of the parcel will preserve its wilderness character and the wilderness character of surrounding national forest lands.

Conclusion

Your past support of appropriations to purchase private lands with significant wildlife and recreational values in Tahoe and Eldorado National Forests has been invaluable. The Mother Lode Chapter of the Sierra Club urges you to continue your past support by supporting this $5.5 million appropriation for fiscal year 2011.

LETTER SUBMITTED BY THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

March 26, 2010.

Hon. DIANNE FEINSTEIN,
Chairman, Subcommittee on the Interior, Environment and Related Agencies
Washington, DC.

DEAR SEANTOR FEINSTEIN: Support for fiscal year 2011 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 $1.5 million to be designated specifically to identified salinity control efforts.

The Metropolitan Water District of Southern California (Metropolitan) has adopted a position supporting funding for the BLM's Colorado River Basin Salinity Control Title II Program.

For 70 years Metropolitan has provided imported water to the southern California region from the Colorado River and the State Water Project originating in northern California. Our mission is to provide high quality, reliable drinking water supplies primarily for municipal and industrial use. Metropolitan is the Nation's largest provider of imported water to an urban area. The population today in our service area is 19 million and it is projected to rise to 25 million within the next 25 years. Metropolitan is comprised of 26 member public agencies that serve an area spanning 5,200 square miles and 6 southern California counties.

Water imported via the Colorado River Aqueduct (CRA) has the highest salinity of Metropolitan's imported sources of supply, averaging around 630 milligrams per liter since 1976 and causing economic damages. 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 cost of water treatment and 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;

—Increased use of imported water for leaching; and

—Increased cost of desalination and brine disposal for recycled water.

Concern over salinity levels in the Colorado River has existed for many years. To deal with the concern, the International Boundary and Water Commission approved Minute No. 242, Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River in 1973, and the President approved the Colorado River Basin Salinity Control Act in 1974. High total dissolved solids in the Colorado River as it entered Mexico and the concerns of the seven Colorado River Basin States regarding the quality of Colorado River water in the United States drove these initial actions. To foster interstate cooperation on this issue and coordinate the Colorado River Basin States' efforts on salinity control, the seven Basin States formed the Colorado River Basin Salinity Control Forum (Forum).

The Colorado River Basin Salinity Control Program reduces salinity by preventing salts from dissolving and mixing with the River's flow. Irrigation improvements (sprinklers, gated pipe, lined ditches, etc.) and vegetation management reduce the amount of salt transported to the Colorado River. Point sources such as saline springs are also controlled. The Federal Government, Basin States, and contract participants spend close to $50 million annually on salinity control programs.

The Program, as set forth in the act, benefits both the Upper Colorado River 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 millions of dollars per year due to the River's salinity.

By some estimates, concentrations of salts in the Colorado River cause approximately $350 million in quantified damages in the lower Colorado River Basin States each year and significantly more in unquantified damages. Salinity control projects have reduced salinity concentrations of Colorado River water on average by more than 100 milligrams per liter with an economic benefit of $264 million per year (2005 dollars) in avoided damages.

The BLM's budget justification document has stated 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 Federal Salinity Control Program in the Colorado River Basin. The BLM budget, as proposed in the BLM Budget Justification Document, calls for five principal program priorities within the Soil, Water, and Air Management Program. One of the priorities is reducing saline runoff in the Colorado River Basin 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 erosion 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 USBR through its Basin-wide Program and by the USDA through its on-farm Environmental Quality Incentives Program.

Metropolitan requests that Congress appropriate $5.9 million to BLM for fiscal year 2011 and urges the subcommittee to specifically designate $1.5 million of that amount for the Colorado River Basin Salinity Control Program as has been the direction to BLM from the subcommittee in past years.

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.

I would appreciate it if you make this statement a part of the formal hearing record concerning fiscal year 2011 appropriations for the BLM. I thank you for your

subcommittee's support of this program in years past and hope that you will again support funding to continue this valuable program.

With best regards,

JEFFREY KIGHTLINGER,
General Manager.

PREPARED STATEMENT OF THE MAUMELLE WATER EXCELLENCE PROJECT

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of the Maumelle Water Excellence (MWE) project in Arkansas. An appropriation of $4 million from the Forest Legacy Program (FLP) is needed in order to protect a 594-acre property. I am thankful that this project was included in the President's budget request for fiscal year 2011 at a funding level of $2.5 million. However, the project can be completed in fiscal year 2011 with an appropriation of $4 million.

In 2004, the State of Arkansas enrolled in the USDA's FLP to help address forest fragmentation resulting from increased development pressure and an increased demand for outdoor public recreation. For the second year in a row, the Arkansas Forestry Commission, the lead implementing agency for the FLP in Arkansas, has made the MWE project the State's top-ranked FLP project.

The Maumelle Water Excellence (MWE) project proposes to conserve more than 900 acres of pristine forested land along 3.6 miles of the Big Maumelle River through fee title acquisition. The MWE project would create an invaluable link between existing public lands and would form a protected riparian corridor leading to Lake Maumelle, the primary drinking water supply for approximately 400,000 Central Arkansas residents. Successfully completing the project will help preserve forests and sensitive habitat that serve a vital role in providing a high-quality drinking water supply for the region.

The project is part of a 915-acre sod farm previously owned by a private investment group, of which 594 acres are forested and eligible for FLP funding. The non-forested portion of the sod farm will be purchased with non-Federal money, where water quality conservation measures will be implemented, and forests and native grasses will be planted. Non-Federal funding would also be used to establish the Watershed Center of Excellence, a partnership of the University of Arkansas at Little Rock and local, State, and Federal agencies tasked to educate the public on watershed management, water quality conservation techniques, and beneficial stream reconstruction.

The property consists of bottomland hardwoods and cypress breaks, which are rare for the Ouachita Mountains Ecoregion. These forests provide habitat for the federally listed endangered harperella plant, multiple species of migratory waterfowl, many small- and large-game species, and the Prothonotary Warbler, which is listed in the Arkansas Wildlife Action Plan as a species of great conservation need. The MWE project offers tremendous recreational opportunities for the region. The project will, for example, create new opportunities for hiking, fishing, and hunting. Protection of this project area will open more hunting grounds for Little Rock area residents and offer targeted hunter education to area youth.

The MWE project also provides a significant national benefit by protecting several miles of the Ouachita National Recreation Trail (ONRT) viewshed. ONRT is a scenic trail formally designated by the Secretary of Agriculture under the National Trail System Act of 1968. ONRT is 224 miles long stretching from eastern Oklahoma across 192 miles of the Ouachita National Forest and 32 miles of private/other public lands to central Arkansas ending at Pinnacle Mountain State Park. The ONRT runs immediately adjacent to 2.2 miles of the MWE's southern boundary and continues onto property Central Arkansas Water already owns.

The State of Arkansas, Central Arkansas Water (CAW), and Arkansas Game & Fish Commission have pledged considerable funds to protect the lands along the Big Maumelle River. This impressive collaboration, which has allocated more than $8 million in non-Federal funding to protect this property, offers tremendous value and a remarkable opportunity to help preserve an important landscape in Arkansas.

The most significant threats to the water quality of Lake Maumelle are development and deforestation. Located just 15 miles west of Little Rock, the State's capitol, this property is at the edge of development in the metro area. Given the popularity of Lake Maumelle, housing density within its watershed is expected to increase between 5 to 20 percent in the next 20 years. The MWE project offers to protect important endangered species habitat, preserve and restore working forests, boost outdoor recreational opportunities, and safeguard a critical water supply—all within 15 miles of the State capital.

The property is available now for permanent protection. An appropriation of $4 million from the FLP in fiscal year 2011 would be matched by more than $8 million in State and other public funds to allow the conservation of this critical natural resource property and ensure safe drinking water for area residents.

I urge you to do all you can to ensure that this worthwhile program is funded adequately in fiscal year 2011 and that the MWE project receives $4 million in fiscal year 2011.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Arkansas, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF ABANDONED MINE LAND PROGRAMS

My name is Michael Garner and I am Director of Maryland's Abandoned Mine Land Program. I also serve as President of the National Association of Abandoned Mine Land Programs (NAAMLP). The NAAMLP represents 30 States and tribes with federal approved abandoned mine land reclamation (AML) programs authorized under title IV of the Surface Mining Control and Reclamation Act (SMCRA). title IV of SMCRA was amended in 2006 and significantly changed how State AML grants are funded. Beginning in fiscal year 2008, State AML grants are funded primarily by mandatory appropriations. As a result, the States should receive $413.2 million in fiscal year 2011. Instead OSM has budgeted an amount of $259.5 million for State AML grants, a reduction of $153.7 million. The proposed spending cuts would eliminate funding to States and tribes that have "certified" completion of their highest-priority coal reclamation sites. OSM has also proposed to $20 million reduction in discretionary spending that would eliminate the Federal emergency program under 410 of SMCRA. I appreciate the opportunity to testify and present this statement to the Subcommittee on issues related to the proposed fiscal year 2011 budget for the Office of Surface Mining Reclamation and Enforcement (OSM).

SMCRA was passed in 1977 and set national regulatory and reclamation standards for coal mining. The act also established a Reclamation Fund to work towards eliminating the innumerable health, safety and environmental problems that existed across the Nation from the mines that were abandoned prior to the act. The Fund generates revenue through a fee on coal production. This fee is collected by OSM and distributed to States and tribes that have federal approved regulatory and AML programs. The promise Congress made in 1977, and with every subsequent amendment to the act, was that, at a minimum, half the money generated from fees collected within the boundaries of a State or tribe, referred to as "State share", would be returned for uses described in the act if the State or tribe assumed responsibility for regulating coal mining according to SMCRA. If a State or tribe was successful in completing reclamation of abandoned coal mines and was able to "certify" according to section 411, then the State share funds could be used to address a myriad of other problems related to noncoal mining, public facilities, infrastructure, water supply and environmental cleanup. The 2006 amendments clarified the scope of what the State share funds could be used for and reaffirmed the promise made by Congress in 1977. Currently, certified States and tribes are using the funds "with priority given for addressing the impacts of mineral development" as provided for in the act. These include environmental stewardship, cleaning up abandoned coal and hardrock mines nationwide, creating green jobs, sustainable development, infrastructure improvements, and alternative energy projects. These funds stimulate economic activity in local communities by putting money to work on the ground in an expeditious manner, and protecting public health and safety—all the while improving the environment.

The reduction in certified State AML grants proposed by OSM not only breaks the promise of State share funding, but will upset the balance and compromise that was achieved in the comprehensive restructuring of SMCRA accomplished in the 2006 amendments following more than 10 years of discussion and negotiation. The reduction in funding is also inconsistent with the goals set forth in the American Recovery and Reinvestment Act (ARRA). The certified State AML programs have been up and operating effectively and have been achieving many of the goals and objectives set forth in the ARRA for more than 30 years. We therefore respectively ask the subcommittee to continue the funding for certified States at the statutory authorized levels and turn back any efforts to amend SMCRA.

In addition to the $153.7 million reduction, the proposed fiscal year 2011 budget would also eliminate or redirect $20 million annually from the Federal AML emergency program. This would eliminate all funding for the emergency program and

leave the States and tribes to rely on funds received through their non-emergency AML grant funds. This is contradictory to the 2006 amendments that require the States and tribes to maintain "strict compliance" with the non-emergency funding priorities described in section 403(a), while leaving Section 410, Emergency Powers, unchanged.

Section 410 of SMCRA requires OSM to fund the emergency AML program using OSM's "discretionary share" under section (402)(g)(3)(B), which is entirely separate from State and tribal nonemergency AML grant funding under sections (402)(g)(1), (g)(2), and (g)(5). SMCRA does not allow States and tribes to administer or fund an AML emergency program from their nonemergency AML grants, although, since 1989, 15 States have agreed to implement the emergency program on behalf of OSM contingent upon OSM providing full funding for the work. By using the State's existing AML programs to abate the emergencies, OSM has been able to fulfill their mandated obligation more effectively and efficiently. There are 10 States and 3 tribes that continue to rely solely on OSM to operate the emergency program within their jurisdiction.

Emergencies are defined as "a sudden danger with a high probability of substantial physical harm to the health, safety and general welfare of people before they can be abated under normal program operation procedures" (OSM Directive AML–4). Regardless of whether a State AML Program or OSM operates the emergency program, OSM has always retained the authority to "declare" the emergency which clears the way for the expedited procedures to be implemented. The emergency declaration is done by making the findings described in section 410 that "(1) an emergency exists constituting a danger to the public health, safety, or general welfare; and (2) no other person or agency will act expeditiously to restore, reclaim, abate, control, or prevent the adverse effects of coal mining practices." In fiscal year 2009 OSM made 183 emergency declarations in Kentucky and Pennsylvania alone, States where OSM operates the emergency program. As part of these declarations, OSM has made the finding (183 times in 2009) that they are the only agency that can "act expeditiously to restore, reclaim, abate." the emergency. And yet in fiscal year 2011, OSM now asserts this is no longer the case. OSM has not developed legislation, regulations, procedures, directives or policies to transfer emergency powers to the States and tribes, nor has OSM received a solicitor's opinion regarding the legality of this transfer. OSM's only guidance to the States has been that beginning in 2011 the agency "will no longer declare emergencies" which simply ignores the emergency situation and OSM's statutorily mandated obligation to address it. Simply denying that emergencies exist does nothing to protect the public or allow States and tribes to make progress towards certification.

If Congress allows the elimination of the emergency program, States and tribes will have to adjust to their new role by setting aside a large portion of their non-emergency AML grant funds so that they can be prepared for any emergency that may arise. Emergency projects come in all shapes and sizes, vary in number from year to year and range in cost from thousands of dollars to millions of dollars. This will result in funds being diverted from other high-priority projects. It will also delay certification under section 411 and increase the backlog of projects on the Abandoned Mine Land Inventory System (AMLIS). For minimum program States and States with small AML programs, large emergency projects will require the States to redirect all or most of their AML resources to address the emergency delaying other high-priority reclamation. In a worst-case scenario, a minimum program State would have to "save up" multiple years of appropriations to eliminate a costly emergency. Furthermore, by failing to fund the emergency program each year, OSM will be adding to the Federal expense share, section 402(g)(3), that resides in the AML Trust Fund. This share already stands at approximately $420 million and will continue to grow by at least $20 million per year if discretionary funds are not appropriated for the emergency program. One of the congressional objectives in restructuring the funding formula in the 2006 Amendments was to assure that AML fees collected annually are put to use on the ground where they can make a difference. What better way to accomplish this than to provide Federal funding to address emergency reclamation work each year.

Finally, it should be kept in mind that eliminating $20 million for emergency funding will ultimately reduce reclamation funding by over $200 million for the life of the AML program. As previously stated, AML reclamation achieves many of the goals envisioned in the ARRA. For the reasons above, we urge the subcommittee to restore $20 million for the AML emergency program in fiscal year 2011.

Included in the mandatory funding mentioned above is supplemental funding for "minimum program" States. Under the funding formula contained in the 2006 amendments to SMCRA, all of the States are to receive sizeable funding increases except for minimum program States. We urge Congress to fund these States at the

statutorily authorized level of "not less than $3 million annually" in fiscal year 2011 to allow these States to proceed with the critical AML projects awaiting funding. The current phase-in approach limits funding to $2.25 million which greatly inhibits the ability of these States to accomplish much in the way of substantive AML work—especially given their inventory of remaining high priority problems and the looming possibility of emergency projects.

One of the more effective mechanisms for accomplishing AML restoration work is through leveraging or matching other grant programs, such as EPA's 319 program. Until fiscal year 2009, language was always included in OSM's appropriation that encouraged the use of these types of matching funds, particularly for the purpose of environmental restoration related to treatment or abatement of acid mind drainage (AMD) from abandoned mines. This is an ongoing, and often expensive, problem, especially in Appalachia. NAAMLP therefore requests the Committee to once again include language in the fiscal year 2011 appropriations bill that would allow the use of AML funds for any required non-Federal share of the cost of projects by the Federal government for AMD treatment or abatement.

We also urge the subcommittee to support funding for OSM's training program, including monies for student 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. NAAMLP also urges the subcommittee to support funding for TIPS, a program that directly benefits both the AML and Regulatory Programs in the States by providing critical technical assistance. In this regard, we also request that the subcommittee restore the $303,000 for these two programs that has been proposed for reduction. We also request that the subcommittee direct OSM not to make any further adjustments to these programs in order to focus resources on other regulatory program activities related to the June 11 MOU, as suggested in OSM's budget justification document. Finally, we support funding for the Watershed Cooperative Agreements in the amount of $1.55 million.

The fiscal year 2011 budget is of great concern to the NAAMLP membership for the reasons described above and because it is counter to the objectives of title IV of the act and disregards the intentions of Congress that have been made clear from 1977 to the most recent amendments in 2006. This OSM budget proposal was developed unilaterally and did not include any participation by the States and tribes who have historically worked jointly with OSM in the drive to protect the public safety and welfare since the inception of SMCRA over three decades ago.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF CLEAN AIR AGENCIES

The National Association of Clean Air Agencies (NACAA), representing the State and local air quality agencies in 53 States and territories and more than 165 metropolitan areas across the country, appreciates this opportunity to provide testimony on the fiscal year 2011 budget for the United States Environmental Protection Agency (EPA). NACAA supports the President's request for an $82.5 million increase in Federal grants for State and local air pollution control agencies under sections 103 and 105 of the Clean Air Act—part of the State and Tribal Assistance Grant (STAG) program. This would raise the total amount for Section 103/105 air grants to State and local air agencies to $309.1 million.

Air Pollution Presents a Serious Public Health Threat

Air pollution is one of the most pressing public health problems facing our Nation. In this country alone, exposure to polluted air results in the deaths of tens of thousands of people prematurely every year and causes many other serious health problems, such as the aggravation of respiratory and cardiovascular disease; decreased lung function; difficulty breathing; coughing; increased susceptibility to respiratory infections; effects on the brain, such as IQ loss and impacts on learning, memory, and behavior; and cancer. For sensitive populations, such as the elderly, children or individuals with underlying health problems, the risks are even greater. Air pollution is also damaging in other ways, including harming vegetation and land and water systems, impairing visibility and causing adverse impacts on climate.

Exposure to air pollution is widespread. According to EPA data, approximately 127 million people lived in counties that exceeded at least one of the health-based national ambient air quality standards (NAAQS) in 2008.[1] When a new health-based standard for ozone is issued, this number will likely be higher. With respect

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[1] *Our Nation's Air: Status and Trends Through 2008* (February 2010), EPA, www.epa.gov/airtrends/2010/.

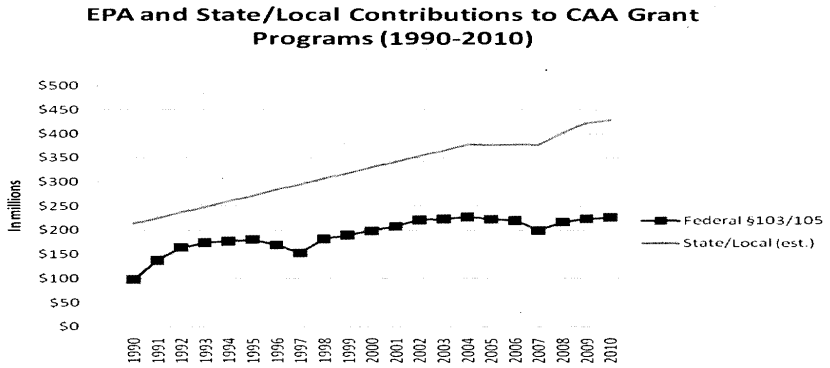
to hazardous air pollutants, also called "air toxics," EPA estimates that nearly everyone in the United States has an increased cancer risk of greater than 10 in 1 million (1 in 1 million is generally considered "acceptable").[2] Air pollution probably causes more deaths than any other problem under this subcommittee's jurisdiction.

The President's Request Recognizes the Importance of Healthful Air Quality

As stated at the outset, NACAA supports the President's request of $309.1 million for State and local air grants, which represents an increase of $82.5 million above the amount appropriated in fiscal year 2010, and strongly urges Congress to appropriate funds at this level. Even though this increase will not fully address the funding deficit that State and local air agencies have been facing for many years, which will be discussed further in a moment, it will be enormously helpful as we continue our existing programs and take on additional responsibilities in fiscal year 2011. Such an increase, especially during these difficult economic times, is recognition by the administration that clean air is critically important to public health and the welfare of this country and that the benefits of reducing air pollution far outweigh the costs of the program. We are very grateful for the President's support of our efforts and hope that Congress will appropriate the requested amount in recognition of the importance of protecting public health.

State and Local Air Quality Efforts are in Need of Significant Increases

State and local air quality agencies have struggled with insufficient resources for many years. 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 programs, while States and localities must provide a 40-percent match. In reality, however, State and local air agencies report that they provide 77 percent of their budgets (not including permit fees under the Federal title V program), while Federal grants constitute only 23 percent. Clearly State and local agencies are providing far more than their fair share of the funding. The chart below illustrates these funding trends.



Moreover, the continuing adverse impacts of the recession at the State and local levels strain already stressed budgets and cause States and localities to make painful decisions to reduce funding or cut air programs that are important for public health. As a result, States and localities must increasingly rely on Federal contributions. Unfortunately, Federal grants to these agencies (as the chart shows) have remained relatively stagnant and the purchasing power of State and local agency resources has actually decreased due to inflation. In fact, in terms of purchasing power, Federal grants have decreased by nearly 10 percent between fiscal year 2000 and fiscal year 2010. At the same time, the responsibilities these public health agencies face have increased dramatically.

Last year, NACAA conducted a survey of State and local air pollution control agencies, requesting information about the additional resources they need to fulfill responsibilities that are fundamental to their programs.[3] The results of this study show there is an annual shortfall of $550 million in Federal grant appropriations for State and local air programs. These agencies cannot carry out their programs

[2] National-Scale Air Toxics Assessment for 2002—Fact Sheet, www.epa.gov/ttn/atw/nata2002/factsheet.html.

[3] Investing in Clean Air and Public Health: A Needs Survey of State and Local Air Pollution Control Agencies, NACAA (April 2009).

effectively with such enormous deficits. Insufficient funds and increasing workloads have combined to undermine the ability of State and local agencies to adequately address air pollution and protect public health.

While the President's request does not fully address all our funding needs, it will be very helpful as we continue our efforts to obtain and maintain healthful air quality for our Nation. Because State and local agencies already provide 77 percent of their budgets, meeting the 40-percent match associated with this increase nationally should not be a problem.

The President's Budget Request Will Provide Funds for Critical Programs

The proposed budget calls for increases in three primary areas: Core Activities ($45 million), Increasing Capacity for Greenhouse Gas Permitting ($25 million); and Monitoring ($12.5 million). All of these efforts are extremely important and are in need of increased financial support. The following are a few words about each one.

Core Activities.—We commend the President for recognizing the importance of State and local agencies' core programs, as illustrated by the request for an additional $45 million in grant funds to support those activities. While new and innovative efforts are important and necessary, we cannot forget how critical the ongoing core programs are, including the day-to-day activities that serve as the foundation of our programs. For example, the additional funds will supplement the existing resources used for continuing program responsibilities and support the increasing workload that State and local air agencies face as EPA updates its health-based National Ambient Air Quality Standards. Agencies will be required to update or prepare new State Implementation Plans (SIPs) for ozone, nitrogen dioxide, sulfur dioxide, lead and fine particulates. For example, SIPs for the 2006 $PM_{2.5}$ standard are due in November 2012, for the new lead standard in 2011 and 2012, and for the new ozone standard in 2013. State and local agencies must begin developing these plans, which will require increasingly complex tasks, such as addressing multi-pollutant and multi State transport issues, compiling emission inventories, carrying out sophisticated modeling exercises, significantly expanding and operating monitoring networks and adopting and enforcing regulations, among other responsibilities.

Increasing Capacity for Greenhouse Gas Permitting.—State and local agencies need to expand their capacity with respect to greenhouse gases (GHGs) so that they are able to transition to whatever GHG program EPA develops. For example, once GHGs are a "regulated pollutant" under the Clean Air Act, States and localities will be required to issue New Source Review permits for new and modified sources under the "Prevention of Significant Deterioration" (PSD) program and Title V operating permits for existing sources. The $25 million increase would be used to prepare for these additional tasks by supporting staff development and training, program planning and analysis, source identification, outreach to industry and responding to the public.

Monitoring.—State and local agencies must increase monitoring activities to address the new and revised standards related to ozone, lead, nitrogen dioxide and sulfur dioxide. Additionally, the public is demanding more monitoring of hazardous air pollution in locations where the public lives, works, attends school and plays. These efforts will require the purchase of additional ambient air monitoring equipment that will provide much-needed information about the levels of pollutants in the air and, later, the success of control measures. The President's request calls for an additional $15 million for the acquisition of new monitoring equipment in fiscal year 2011 ($12.5 million in new funding and $2.5 million reprogrammed from air toxics monitoring at schools). While this amount is not sufficient to address all the additional monitoring needs, it will be very helpful for State and local agencies as they expand their monitoring capabilities to address the new and revised standards, as well as hazardous air pollutants.

We note that EPA is once again recommending that fine particulate monitoring funds be shifted from section 103 authority, where no match is needed, to section 105, which would require additional matching funds. We request that these funds remain under section 103 authority, as they have in the past. For individual agencies that have concerns about the matching requirements, this will ensure that they can continue receiving these monitoring funds.

Diesel Retrofit Funding Should Be Increased

NACAA is a member of a broad coalition representing public-interest, environmental, business and governmental organizations, among others. The coalition recommends that Congress provide $100 million in fiscal year 2011 for programs authorized by the Diesel Emissions Reduction Act (DERA), which is an increase of $40 million above the President's request. The DERA programs are intended to decrease

the amount of harmful microscopic particles in the ambient air resulting from diesel exhaust. NACAA urges Congress to provide this funding to these important efforts.

Conclusion

The President's budget request calls for a much-needed increase in grants to State and local air quality agencies at a time when these entities are required to continue their efforts and take on significant new responsibilities. While these increases would not fully address the enormous funding deficit that these programs face, they are a step in the right direction and would be vastly helpful to State and local air quality programs.

NACAA recommends, therefore, that Congress appropriate the amount contained in the President's fiscal year 2011 request for Federal grants to State and local air quality agencies under sections 103 and 105 of the Clean Air Act, which is $309.1 million. This represents an increase of $82.5 million above the fiscal year 2010 appropriated amount. Additionally, NACAA recommends that DERA programs be funded in the amount of $100 million, which is $40 million above the President's recommended amount.

Thank you for this opportunity to testify on this important issue and for your consideration of the resource needs of State and local air quality programs as they work to improve and protect public health.

LETTER FROM THE NATIONAL ASSOCIATION OF FOREST SERVICE RETIREES

MARCH 1, 2010.

Hon. DIANNE FEINSTEIN,
Chairman, Subcommittee on Interior, Environment, and Related Agencies, Washington, DC.

Hon. LAMAR ALEXANDER,
Ranking Member, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

Re: Fiscal year 2011 appropriation for the U.S. Forest Service

DEAR CHAIRMAN FEINSTEIN AND SENATOR ALEXANDER: This letter sets forth the recommendations of the National Association of Forest Service Retirees regarding the fiscal year 2011 budget for the U.S. Forest Service. Members of the Association are men and women who spent their professional careers involved with the protection and management of our Nation's forests and in research. Most members spent their careers working on the National Forests and Grasslands. We remain committed to the statutory management objectives for these lands that are vital to the well-being of the American people. We believe it is important, even in periods of tight budgets, to provide adequate protection and stewardship for these lands so they can serve the people and provide needed natural resources, such as water, over the long run.

We want to acknowledge the efforts of this subcommittee to maintain the capability of the Forest Service to carry out its vital missions in the face of clearly inadequate budget requests in recent years. The President's proposed budget for fiscal year 2011 shows much better recognition of the importance of Forest Service programs. Nevertheless, we feel it falls short in several areas that are discussed below.

Research

With the changed structure of the forest products industry, forest management research by major forest products firms has largely disappeared. Cutbacks in State budgets have reduced forest management research at universities. That leaves the Forest Service as the source of the science we need to properly manage our Nation's forests. We badly need more answers to questions about how to manage forests for various purposes in a period of climate change. We need to find economic uses for the smaller material that we need to remove from the forest to reduce the vulnerability to fire, insects, and disease.

We recommend an increase in Forest and Rangeland Research of 5 percent over fiscal year 2010 for research aimed at improving forest adaptability to changing climate, efficient resource use, and forest inventory and analysis. We limit our request to 5 percent given the current economic situation. Frankly an increase in research of about $90 million per year over the next 5 years is needed to provide a sound scientific foundation for the protection and management of our forests in the 21st century.

We want the subcommittee to know of our concerns about the serious decline in the number of career, peer-reviewed scientists in the Forest Service. In spite of relatively stable appropriations for research, the number of career scientists in the

agency has declined from about 900 to just over 500. The agency has become increasingly dependant on short-term appointments and Post-Doc appointments. This decline affects the quality of the scientific work that is being done. It significantly reduces the ability of the agency to provide sound scientific advice to the agency, to the forest management community, and to the Congress. We urge the subcommittee to work with the agency to reverse this unfortunate trend.

State and Private Forestry

We were disappointed to see the administration propose reductions in funding for Forest Heath Management. Given the catastrophic losses to bark beetles in the West and the threat of lethal invasive insect species throughout the country, we believe an increase in funding for this activity is warranted. We recommend an increase of 3 percent over the 2010 appropriation for Forest Health Management on both Federal and Cooperative lands.

We are also concerned about the proposed reduction in State Fire Assistance. The threat of fire on all ownerships is increasing. The cooperative relationships among Federal land management agencies, State fire agencies, and local fire agencies are a model for emergency response. Reducing support for State and local agencies will adversely affect the Nation's overall capacity for wildfire and other emergency responses. The States are simply in no position to pick up these costs. We recommend no reduction in State Fire Assistance.

The United Nations had designated 2011 as the Year of the Forests. Observances are planned throughout the world to call attention to the importance of forests to the quality of life. We recommend increasing the appropriation for International Forestry by $1 million to allow the Forest Service to participate with other Nation's in this recognition.

National Forest System

The proposal to merge the Forest Products, Wildlife and Fisheries, and Vegetation and Watershed Management line items into a single line item will facilitate implementation of integrated management activities on the ground. When a Ranger receives funds in a number of discrete accounts, it is hard to match the money to the needs of a particular project. On the other hand, merging the line items will make it more difficult for people interested in particular activities to identify and track how their interests are being addressed. For example, the Budget Justification for 2011 shows only acres to be treated to restore watershed function or resilience. No data is shown that identify the nature of the work that will be done. There is no data for targets previously displayed such as the area of forest vegetation to be improved, the area of forest vegetation to be established, the area of rangeland vegetation to be improved, the area of stream improvements, or the area of noxious weeds and invasive plants to be treated. People and cooperators with interest in the various activities should be able to find out what the agency is proposing to do and then find out if they did it. If this proposal is accepted, it will be important for the agency and the Congress to fully display planned work and to carefully track and report on activities within the line item. A single broad description such as restoring watershed function provides no basis for judging the need, priority, cost, or otherwise assessing the validity of the proposal. For example, if the appropriation for the line item is based on preparing and selling a given volume of timber, the agency will need to track and report on accomplishments for this activity. If the line items are merged, we suggest the combination be named Integrated Resource Management rather than Integrated Resource Restoration. Restoration of forests and watersheds to healthy conditions is important, but a significant amount of the work that is needed on our National Forests and Grasslands involves activities to maintain vegetation, watersheds and wildlife habitat in a healthy, sustainable condition.

We appreciate the emphasis the subcommittee has given to funding needed Hazardous Fuel Treatments. This work is critical to reducing the vulnerability of our forests to catastrophic fire losses, as well as the threat to lives and property in the wildland urban interface. We believe, however, that it will not be possible to get on top of the growing fuels problem by relying only on appropriated funds. If we are going to succeed, we must find ways to capture the economic value of the material that needs to be removed from the forest. Much of this material can be used for conventional wood products, for composite materials, and for energy production. Not all of the material will fully pay its way out of the woods today, but even if its removal must be subsidized, it will be cheaper to utilize it than to treat it in place. Importantly, utilization of this material will create jobs in local forest-dependent communities where unemployment rates are high. We recommend an increase in the volume of timber to be prepared and offered for sale of 700 million board feet over that provided for fiscal year 2010.

The Forest Service reports a backlog of lands needing reforestation of about 1 million acres. This is based on the results of on the ground examinations and prescriptions. Based on the rate that the backlog has been reduced in recent years, it will take nearly 20 years to eliminate it. We are concerned that the actual area needing reforestation may be significantly larger than reported. For example, a rapid assessment of the 2007 fires showed that some 500,000 acres might need reforestation. The rapid assessment of the 2008 fires showed that potentially 227,000 acres might need reforestation. On-the-ground stand examinations are needed to identify how much of this burned land should be added to the backlog. We recommend a $6 million increase in funding over that provided in 2010 for reforestation so that stand examinations can be completed and the agency and this subcommittee will have the data needed to develop a plan for increasing the reforestation program to a level that will eliminate the backlog within 5 years.

The administration proposes a small decrease in funding for Inventory and Monitoring. Inventory and monitoring are essential to professional management of forest resources and to insuring that activities meet established standards. Good information on the results of forest management activities is important to gaining and maintaining public support. We urge that funding for Inventory and Monitoring be continued at not less than the 2010 level.

The National Forests and Grasslands are neighbors to thousand of landowners and communities. Maintaining property lines, inspecting authorized uses, and responding to requests for land uses and rights-of-way are essential to protecting the public property and to being a good neighbor. We recommend an increase of $5 million for Landownership Management.

Capital Improvements and Maintenance

We deplore the proposed reductions in funding for Capital Improvements and Facilities. We recognize that substantial funding for these activities was provided in the economic stimulus package, but large backlogs remain. If regular funding is reduced because of the economic stimulus funding, the benefits of the economic stimulus are lost. We particularly object to the reduction in funding for maintaining passenger car roads. The American people have a right to visit their National Forests and Grasslands. These roads are essential to recreation use that is important to the economies of local forest-dependant communities. They are important for the prompt initial attack on fires that is essential to controlling suppression costs. It has long been recognized that adequate access is essential to sustainable management and protection of forest lands. One of the premises of the reduction in the timber program in the 1990's was that some of the employment losses would be made up by increases in recreation use. Recreation use on the National Forests is dependent on access by roads and trails. We urge that funding for Capitol Improvements and Maintenance be continued at fiscal year 2010 levels.

Wildland Fire Management

In response to Congressional direction, the budget proposes rebalancing funding for Preparedness and Suppression. This rebalancing is desirable. We were disappointed that the Administration failed to fully implement Congressional direction in the FLAME Act. Funding for fire suppression (Fire Operation-Suppression and the FLAME Fund) is based on the 10-year average cost of suppression. We recommend funding for fire suppression be based on the most recent 5-year average cost of suppression projected to 2011 as prescribed by the FLAME Act. Establishing a third fund for suppression has no merit.

It is essential that the Forest Service has the capability to respond quickly with emergency watershed stabilization treatments following a wildfire. The flooding in Los Angeles following the Station Fire illustrates the importance of these funds. We urge that funding of NFP-Rehabilitation and Restoration be continued at 2010 levels.

Earlier we expressed our concerns about the proposed reductions in Forest Health and State Fire Assistance under State and Private Forestry. We have the same concerns about the reductions in these programs under the National Fire Plan. We recommend an increase in funding for NFP-Forest Health of 3 percent. We recommend maintaining NFP-State Fire Assistance at the 2010 level;

This subcommittee has been diligent in recognizing the special responsibility that the Congress has for the proper stewardship of our Nation's forest lands and, particularly, the National Forests and Grasslands. We believe the recommendations set

forth above will help to insure that this natural heritage will serve the people now and in the future.

Sincerely,

GEORGE M. LEONARD,
Board of Directors.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF STATE ENERGY OFFICIALS

Mr. Chairman and members of the subcommittee, I am Phil Giudice of Massachusetts, 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 $75 million, including specific report language directing that the funds be utilized only for the Energy Star programs. The Energy Star programs are successful and cost-effective. They should be expanded, not reduced. With energy prices increasingly volatile, Energy Star can help consumers quickly.

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 more than 40 States are Energy Star Partners. In 2005, EPA and NASEO announced a Clean Energy and Environment State Partnership program, which has many State members. We are also working closely with EPA on Home Performance with Energy Star. 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 2008, 550,000,000 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. State energy offices are working with EPA to promote Energy Star products, Energy Star for new construction, Home Performance with Energy Star (especially for existing homes), Energy Star for public housing, etc.

In addition to the State partners, the program has more than 14,000 voluntary partners including more than 2,000 manufacturers using the label, more than 1,000 retail partners, more than 5,000 builder partners, 4,500 businesses, 550 utilities and thousands of energy service providers. The Home Performance with Energy Star activity allows us to focus on whole-house improvements, not simply a single product or service. This is extremely beneficial to homeowners. Programs have already been undertaken in California, Massachusetts, New York, Illinois, Maryland, Oregon, 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. 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 address these issues. The level of cooperation from the agency has been extraordinary and we encourage these continued efforts.

Expansion of Energy Star

The Energy Star program saves consumers billions of dollars every year. The payback is enormous. NASEO supports an increase of this program to $75 million in fiscal year 2011. The elements of the proposed expanded program are as follows:

—$5 million in additional funding should be appropriated to expand the program to upgrade energy-inefficient homes (Home Performance with Energy Star and Qualified Installation with Energy Star). Consumers could save $500 per year on their energy expenditures, which is $10,000 more than 20 years (nominal dollars). This is real money in the pockets of consumers. It can help them stay in their homes and help the economy. There are significant, off-the-shelf energy efficiency measures that can be utilized. A large expansion of the Home Performance with Energy Star is the critical element of this initiative. Additional work to encourage quality installation of heating and cooling equipment would also produce real savings.

—$5 million in additional funding should be appropriated for an expansion of energy performance ratings systems for the Nation's buildings. Information on energy use per square foot is a key motivating tool. This can help commercial building owners make the right decisions.

—$5 million in additional funding should be appropriated for expansion of Energy Star to medium and small manufacturers and small businesses. The State energy offices are working hard to preserve and expand jobs in this difficult economy. Energy Star is a powerful tool to help reduce operating costs and maintain profits and jobs.

—$5 million in additional funding should be appropriated for an expanded outreach program for energy efficiency to States, utilities, local governments, schools, and other potential program sponsors. Energy Star provides crucial technical assistance to help work with these entities to expand energy efficiency programs throughout the economy.

—$5 million in additional funding should also be provided for the Energy Star Industrial program, Energy Star New Commercial Buildings, Energy Star New Home Construction and Energy Star Product labeling.

The funds delineated above should be added to the existing appropriation. It is especially critical for the Energy Star program to work with the States and local governments as they distribute stimulus funds for the State Energy Program ($3.1 billion), the Energy Efficiency and Conservation Block Grant (for local and State governments) ($3.2 billion), the Weatherization Assistance Program ($5 billion) and the Appliance Rebates Program ($300 million). The funding provided in this bill will help spend this money more effectively.

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 FOREST SERVICE RETIREES

Madam Chairman and members of the subcommittee: I appreciate the opportunity to present the recommendations of the National Association of Forest Service Retirees regarding the fiscal year 2011 budget for the U.S. Forest Service. Members of the Association are men and women who spent their professional careers involved with the protection and management of our Nation's forests and in research. Most members spent their careers working on the National Forests and Grasslands. We remain committed to the statutory management objectives for these lands that are vital to the well-being of the American people. We believe it is important, even in periods of tight budgets, to provide adequate protection and stewardship for these lands so they can serve the people and provide needed natural resources, such as water, over the long run.

We want to acknowledge the efforts of this subcommittee to maintain the capability of the Forest Service to carry out its vital missions in the face of clearly inadequate budget requests in recent years. The President's proposed budget for fiscal year 2011 shows much better recognition of the importance of Forest Service programs. Nevertheless, we feel it falls short in several areas that are discussed below.

Research

With the changed structure of the forest products industry, forest management research by major forest products firms has largely disappeared. Cutbacks in State budgets have reduced forest management research at universities. That leaves the

Forest Service as the source of the science we need to properly manage our Nation's forests. We badly need more answers to questions about how to manage forests for various purposes in a period of climate change. We need to find economic uses for the smaller material that we need to remove from the forest to reduce the vulnerability to fire, insects, and disease.

We recommend an increase in Forest and Rangeland Research of 5 percent over fiscal year 2010 for research aimed at improving forest adaptability to changing climate, efficient resource use, and forest inventory and analysis. We limit our request to 5 percent given the current economic situation. Frankly an increase in research of about $90 million per year over the next 5 years is needed to provide a sound scientific foundation for the protection and management of our forests in the 21st century.

We want the subcommittee to know of our concerns about the serious decline in the number of career, peer-reviewed scientists in the Forest Service. In spite of relatively stable appropriations for research, the number of career scientists in the agency has declined from about 900 to just more than 500. The agency has become increasingly dependant on short-term appointments and Post-Doc appointments. This decline affects the quality of the scientific work that is being done. It significantly reduces the ability of Forest Service Research to provide sound scientific advice to the agency, to the forest management community, and to the Congress. We urge the subcommittee to work with the agency to reverse this unfortunate trend.

State and Private Forestry

We were disappointed to see the administration propose reductions in funding for Forest Heath Management. Given the catastrophic losses to bark beetles in the West and the threat of lethal invasive insect species throughout the country, we believe an increase in funding for this activity is warranted. We recommend an increase of 3 percent more than the 2010 appropriation for Forest Health Management on both Federal and Cooperative lands.

We are also concerned about the proposed reduction in State Fire Assistance. The threat of fire on all ownerships is increasing. The cooperative relationships among Federal land management agencies, State fire agencies, and local fire agencies are a model for emergency response. Reducing support for State and local agencies will adversely affect the Nation's overall capacity for wildfire and other emergency responses. The States are simply in no position to pick up these costs. We recommend no reduction in State Fire Assistance.

The United Nations had designated 2011 as the Year of the Forests. Observances are planned throughout the world to call attention to the importance of forests to the quality of life. We recommend increasing the appropriation for International Forestry by $1 million to allow the Forest Service to participate with other Nation's in this recognition.

National Forest System

The proposal to merge the Forest Products, Wildlife and Fisheries, and Vegetation and Watershed Management line items into a single line item will facilitate implementation of integrated management activities on the ground. When a Ranger receives funds in a number of discrete accounts, it is hard to match the money to the needs of a particular project. On the other hand, merging the line items will make it more difficult for people interested in particular activities to identify and track how their interests are being addressed. For example, the Budget Justification for 2011 shows only acres to be treated to restore watershed function or resilience. No data is shown that identify the nature of the work that will be done. There is no data for targets previously displayed such as the area of forest vegetation to be improved, the area of forest vegetation to be established, the area of rangeland vegetation to be improved, the area of stream improvements, or the area of noxious weeds and invasive plants to be treated. People and cooperators with interest in the various activities should be able to find out what the agency is proposing to do and then find out if they did it. If this proposal is accepted, it will be important for the agency and the Congress to fully display planned work and to carefully track and report on activities within the line item. A single broad description such as restoring watershed function provides no basis for judging the need, priority, cost, or otherwise assessing the validity of the proposal. For example, if the appropriation for the line item is based on preparing and selling a given volume of timber, the agency will need to track and report on accomplishments for this activity. If the line items are merged, we suggest the combination be named Integrated Resource Management rather than Integrated Resource Restoration. Restoration of forests and watersheds to healthy conditions is important, but a significant amount of the work that

is needed on our National Forests and Grasslands involves activities to maintain vegetation, watersheds and wildlife habitat in a healthy, sustainable condition.

We appreciate the emphasis the subcommittee has given to funding needed Hazardous Fuel Treatments. This work is critical to reducing the vulnerability of our forests to catastrophic fire losses, as well as the threat to lives and property in the wildland urban interface. We believe, however, that it will not be possible to get on top of the growing fuels problem by relying only on appropriated funds. If we are going to succeed, we must find ways to capture the economic value of the material that needs to be removed from the forest. Much of this material can be used for conventional wood products, for composite materials, and for energy production. Not all of the material will fully pay its way out of the woods today, but even if its removal must be subsidized, it will be cheaper to utilize it than to treat it in place. Importantly, utilization of this material will create jobs in local forest-dependent communities where unemployment rates are high. We recommend an increase in the volume of timber to be prepared and offered for sale of 700 million board feet over that provided for fiscal year 2010.

The Forest Service reports a backlog of lands needing reforestation of about 1 million acres. This is based on the results of on the ground examinations and prescriptions. Based on the rate that the backlog has been reduced in recent years, it will take nearly 20 years to eliminate it. We are concerned that the actual area needing reforestation may be significantly larger than reported. For example, a rapid assessment of the 2007 fires showed that some 500,000 acres might need reforestation. The rapid assessment of the 2008 fires showed that potentially 227,000 acres might need reforestation. On-the-ground stand examinations are needed to identify how much of this burned land should be added to the backlog. We recommend a $6 million increase in funding over that provided in 2010 for reforestation so that stand examinations can be completed and the agency and this subcommittee will have the data needed to develop a plan for increasing the reforestation program to a level that will eliminate the backlog within 5 years.

The administration proposes a small decrease in funding for Inventory and Monitoring. Inventory and monitoring are essential to professional management of forest resources and to insuring that activities meet established standards. Good information on the results of forest management activities is important to gaining and maintaining public support. We urge that funding for Inventory and Monitoring be continued at not less than the 2010 level.

The National Forests and Grasslands are neighbors to thousand of landowners and communities. Maintaining property lines, inspecting authorized uses, and responding promptly to requests for land uses and rights-of-way are essential to protecting the public property and to being a good neighbor. We recommend an increase of $5 million for Landownership Management.

Capital Improvements and Maintenance

We deplore the proposed reductions in funding for Capital Improvements and Facilities. We recognize that substantial funding for these activities was provided in the economic stimulus package, but large backlogs remain. If regular funding is reduced because of the economic stimulus funding, the benefits of the economic stimulus are lost. We particularly object to the reduction in funding for maintaining passenger car roads. The American people have a right to visit their National Forests and Grasslands. These roads are essential to recreation use that is important to the economies of local forest-dependant communities. They are important for the prompt initial attack on fires that is essential to controlling suppression costs. It has long been recognized that adequate access is essential to sustainable management and protection of forest lands. One of the premises of the reduction in the timber program in the 1990's was that some of the employment losses would be made up by increases in recreation use. Recreation use on the National Forests is dependent on access by roads and trails. We urge that funding for Capitol Improvements and Maintenance be continued at fiscal year 2010 levels.

Wildland Fire Management

In response to Congressional direction, the budget proposes rebalancing funding for Preparedness and Suppression. This rebalancing is desirable. We were disappointed that the Administration failed to fully implement Congressional direction in the FLAME Act. Funding for fire suppression (Fire Operation-Suppression and the FLAME Fund) is based on the 10-year average cost of suppression. We recommend funding for fire suppression be based on the most recent 5-year average cost of suppression projected to 2011 as prescribed by the FLAME Act. Establishing a third fund for suppression has no merit.

It is essential that the Forest Service has the capability to respond quickly with emergency watershed stabilization treatments following a wildfire. The flooding in Los Angeles following the Station Fire illustrates the importance of these funds. We urge that funding of NFP-Rehabilitation and Restoration be continued at 2010 levels.

Earlier we expressed our concerns about the proposed reductions in Forest Health and State Fire Assistance under State and Private Forestry. We have the same concerns about the reductions in these programs under the National Fire Plan. We recommend an increase in funding for NFP-Forest Health of 3 percent. We recommend maintaining NFP-State Fire Assistance at the 2010 level;

This subcommittee has been diligent in recognizing the special responsibility that the Congress has for the proper stewardship of our Nation's forest lands and, particularly, the National Forests and Grasslands. We believe the recommendations set forth above will help to insure that this natural heritage will serve the people now and in the future.

PREPARED STATEMENT OF THE NATIONAL ASSOCIATION OF SCHOOL NURSES

On behalf of our members and supporters across the country, and tens of millions of children whose health, learning and behavior are daily impacted by dank, dark, dirty, and polluted conditions of our Pre-K–12 public schools, we urge you to fund the EPA's "Clean Green Healthy Schools Initiative" at $8.2 million, $2 million above the President's $6.2 million request in the fiscal year 2011 EPA request.

The national "Sick Schools 2009" collaborative report assembled by more than 30 contributing public interest nonprofits, analyzed Federal data from EPA, Education, and CDC, as well as peer reviewed published sciences in healthy school environments. Result: at least 60 percent of all 55 million school children endure lower test scores and poor attendance due solely to the environmental conditions of their schools. See http://www.healthyschools.org/SICK_SCHOOLS_2009.pdf

The President's fiscal year 2011 EPA budget supports EPA's critical Office of Children's Health Protection and the agency's voluntary schools-focused programs that help local schools and districts to create healthier school environments for all children. EPA will co-lead a Federal interagency effort to integrate existing voluntary schools programs across the agencies, including asthma, indoor air quality, chemical clean outs, green practices (highly cost-effective as New York State has learned) and enhanced use of integrated pest management; promote safe handling and management of PCB-containing caulk in schools and build regional technical support and outreach; assesses the impacts of non-compliance with existing environmental laws on health risks in schools; and increase technical assistance on voluntary EPA guidelines under the Energy Independence Security Act (EISA of 2007) regarding school siting and other school environmental concerns.

We also urge you to support increases for EPA's Healthier Indoor Air and for school and community air toxics monitoring, and for expanding EPA's asthma programs and pesticide-use reductions with schools. Children are 100 percent of our future and promoting healthy learning environments is a task that EPA is uniquely poised to tackle, in collaboration with Education and CDC.

Thank you for your consideration of this request.

PREPARED STATEMENT OF THE NATIONAL COOPERATORS' COALITION

Summary

The National Cooperators' Coalition (NCC) urges the Subcommittee on Interior, Environment, and Related Agencies to increase the funding of the U.S. Geological Survey's Cooperative Fish and Wildlife Research Units (CFWRUs) by $2.7 million above the amount appropriated for fiscal year 2010 to fill vacant scientist positions and complete restoration of the program's integrity. Contingent on full funding of the base program, the NCC seeks additional funding of $2 million to establish new capacity by adding units in Nevada and New Jersey, completing the wildlife mission at existing units in Hawaii and California, and ensuring that the entire CFWRU network is sufficiently robust to meet the Nation's pressing natural resource challenges. These increases above the fiscal year 2010 enacted level are essential to successfully address the natural resource management challenges posed by climate change, energy development needs, invasive species, 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 non-Federal CFWRU program cooperators and other supporters. Its members include State fish and 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.

Continue to Build on This Subcommittee's Efforts

This subcommittee was instrumental in providing the funding needed to fill all CFWRU scientist positions in fiscal year 2001, after years of work. Unfortunately, much of this effort was undone over the next 7 years. Beginning in fiscal year 2008, however, the subcommittee once again began leading the effort to restore the integrity of the CFWRU program. We greatly appreciate your leadership in adding funding for the past three years for 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. To provide the capacity in the CFWRU program that existed a decade ago, the fiscal year 2011 USGS appropriation now needs just $2.7 million more than the fiscal year 2010 enacted level.

State and Federal natural resources agencies are facing unprecedented challenges posed by climate change, energy development needs, invasive species, infectious diseases, wildfire, and increased demand for limited water resources. These agencies also face the challenge of replacing an extraordinary number of natural resource professionals who will be retiring within this decade. Finding workable solutions to these challenges requires the kind of approaches to research emphasized by the CFWRUs, which rely on interdisciplinary efforts, collaborations and accountability to help resolve emerging issues at scales that transcend State boundaries.

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. The CFWRUs have established a 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. Restoration of funding support 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. The role of the CFWRU program in facilitating solutions to natural resources management challenges and training the fish and wildlife managers of tomorrow should be expanded rather than compromised by funding shortfalls that result in the absence of scientist leaders.

With appropriation of $22 million for the CFWRUs for fiscal year 2011, a sound foundation will exist on which new capacity should be built with appropriation of an additional $2 million to add CFWRUs in Nevada and New Jersey and complete the wildlife mission at existing CFWRUs in Hawaii and California. Rutgers University, University of Nevada—Reno, University of Hawaii—Hilo and Humboldt State University bring a wealth of research, education and innovative technology to address contemporary conservation issues at regional and national scales. The respective State agency partners bring an extensive history of successful fish and wildlife management skills and resources that complement those existing at the universities. The State agency and university partners are well-equipped to collaborate with CFWRUs to help resolve natural resources management challenges that transcend State boundaries. For example, New Jersey capacity can be brought to bear on the effects of climate change on anadromous fish, and new strategies for wildlife management in urban settings. California has been at the forefront of watershed restoration, forest management and disease ecology. Hawaii's problems and handling of invasive rodents, feral pigs, and feral cats that affect endangered species can serve as a model for other States. In Nevada, wildfire and invasive plants threaten mule deer habitat and invasive species threaten Lake Tahoe.

Finally, the NCC would like to work with the subcommittee to develop a competitive, matching fund program within existing CFWRU legislative authority for fiscal year 2012 and beyond to address high priority research needs for natural resources managers.

We urge 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 make the best use of Federal funds, becoming even more effective in using science and collaboration

to address the natural resources challenges facing the Interior Department, other Federal, State, local agencies and this country's citizens.

Thank you for consideration of our request.

PREPARED STATEMENT OF THE NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS

Request:

—$50,000,000 for State Historic Preservation Offices [1]

—$5,000,000 for competitive grants to States for digitization of documents and historic site survey fieldwork

The programs are funded through withdrawals from the Historic Preservation Fund (16 U.S.C. 470h) U.S. Department of the Interior's National Park Service Historic Preservation Fund (HPF).

Thank you Chairwoman Feinstein, Ranking Member Alexander, and members of the Senate Appropriations Subcommittee on Interior, Environment, and Related Agencies for the opportunity to provide testimony. First, on behalf of all 57 State Historic Preservation Officers, I extend heartfelt thanks to you and the subcommittee for providing an additional $4 million for SHPOs in fiscal year 2010, without which SHPOs could not have addressed the rising workload of American Recovery and Reinvestment Act (ARRA) projects and helped to keep the stimulus program on track. The additional HPF withdrawals are particularly essential in these times of State fiscal crises and reduced SHPO budgets that have resulted in up to 40 percent reductions in staffing.

Our request has two components: a $50,000,000 withdrawal from the HPPF and a $5 million withdrawal to assist States in "finishing" the identification of America's historic places by the 50th anniversary of the National Historic Preservation Act (NHPA) in 2016.

SHPOs and ARRA

SHPOs continue to need $50 million to weather "the perfect storm" created by the American Recovery and Reinvestment Act (ARRA) projects hitting the ground at the exact time that State governments are facing massive budget deficits, reduced funding and, in some cases, elimination of historic preservation programs. While the administration and Federal agencies can claim success in obligating ARRA funds, the real review work for SHPOs is just beginning.

As seen from the following, increasing amounts of ARRA reviews with no additional funding for staffing means States are unable to fully implement all the requirements of the National Historic Preservation Act.

—*Wisconsin*.—Has reallocated staffing from Federal Rehabilitation Tax Credit project reviews ($4.7 billion program that created 70,000 jobs in 2008) and public education efforts, requested by the citizens of Wisconsin, to Federal ARRA project reviews because of the need to shift resources to compliance.

—*California*.—Clearing out the ARRA projects backlog has resulted in other projects (approximately 400), especially renewable energy projects, being delayed. Not only is the workload increasing by 200 percent to 300 percent, but also staff must spend considerable amounts of time teaching/training the section 106 process to Federal agencies. Federal agencies are also delegating their section 106 consultation responsibilities to local governments that have no idea of the Federal regulatory requirements CA has developed Programmatic Agreements to expedite the process wherever possible. The California budget crisis mandated three furlough days per month which reduces the person hours available to conduct the Federal reviews. Productivity has decreased by 15 percent. California has been successful in obtaining 10 additional positions, paid for by Federal and renewable energy agencies to supplement OHP's staff as limited term employees for the next 2 years. However, additional resources and staff are still needed.

—*Maryland*.—Staff has worked hard to ensure prioritized review of ARRA assisted projects, but the increased volume of projects, as well as the increased amount of staff time needed to provide information and technical assistance to the grant recipients, is depleting their existing staff resources. Thus, their ability to complete non-ARRA funded project reviews within a 30-day time and pro-

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[1] The NCSHPO supports the request of the House Preservation Caucus of $50 million for SHPOs, $5 million for survey/digitization grants, $20 million for tribes, $25 million for Save America's Treasures and $4.6 for Preserve America.

vide essential customer service to compliance clients is being substantially impaired.

—*South Dakota*.—The combination of ARRA projects and being short staffed as meant less time spent on National Register nominations that South Dakotans want as recognition of their heritage and the first step for rehab tax credit projects.

—*Texas*.—To meet Federal section 106 review deadlines Texas reallocated staff from processing National Register nominations to handling ARRA funded compliance projects. The slowdown in the National Register process has led to complaints from Texans.

—*Oklahoma*.—Has experienced a 40 percent increase in total section 106 project reviews. In order to meet the regulatory 30-day deadline they have cut back significantly on providing needed assistance to Oklahoma communities and conducting site visits. They are also experiencing furloughs.

It's Not Just ARRA

As SHPOs continue to review $787 billion in ARRA projects, Congress is considering a second Jobs Bill and future "green and clean" energy bills. These and all new Federal initiatives create additional SHPO review responsibilities. The Departments of Interior and Energy are also aggressively pursuing renewable energy projects. These massive, multi-state initiatives require extensive work hours for SHPO staff to fulfill the Federal regulatory requirements. Many SHPOs anticipate renewable energy projects will require much of their section 106 staff time during the next several years, likely causing delayed responses to non-energy related reviews primarily due to a lack of digitized records and complete historic surveys.

SHPOs Long-term Goal

A major reason for the extensive SHPO involvement in Federal project reviews is the lack of a complete inventory of historic places. (In Washington where their historic site information is digitized, Federal agencies do project planning from their desk top.) To begin to address this, the NCSHPO is requesting $5 million in competitive grants to States to create a digital record of America's historic places. Historic site survey is the foundation of all historic preservation. As the 50th anniversary of the Preservation Act approaches in 2016, SHPOs need HPF support to find America's historic places and put the information in accessible, digital formats.

Specifically, the grant funds would be used for two purposes: (1) to convert existing paper records to electronic formats (data bases, GIS) and (2) to conduct inventory fieldwork, filling in the current patchwork of identified sites, which is essential for Federal project review (section 106) and lays a foundation for every future preservation activity, e.g., National Register).

Funding Rationale

SHPOs are the Nation's Preservation Program

In 1966 Congress recognized the importance of preserving our past by passing the National Historic Preservation Act (NHPA 16 U.S.C. 470), which established historic preservation as a Federal Government priority. Instead of using Federal employees to carry out the Act, DOI and ACHP rely State Historic Preservation Offices to do the work: (1) locate and record historic resources (see section above); (2) nominate significant historic resources to the National Register of Historic Places; (3) foster historic preservation programs at the local government level and promote the creation of preservation ordinances; (4) provide funds for preservation activities; (5) comment on Federal preservation tax projects; (6) review all Federal projects for their impact on historic properties; and (7) provide technical assistance to Federal agencies, State, and local governments and the private sector.

SHPOs generate Jobs and Economic Development

The SHPOs conduct 90 percent of the work involved in the Federal Rehabilitation Tax Credit program. Starting with National Register nominations, SHPOs educate investors about the tax credit and work with owners on the rehabilitation plans before final NPS approval. In 2009, during the height of the recession, 1,000 plus rehabilitation projects created an average of 68 new and principally local jobs per project and leveraged $4.7 billion of private investment into the U.S. economy.

SHPO pass through 10 percent of their HPF allocation to Certified Local Governments. Although the amounts are paltry (grants average less than $10,000/project), they pack a powerful punch. The Michigan SHPO grant to a Certified Local Government (CLG) created a historic wood windows restoration workshop. The workshop provided specialized training to the unemployed and in the process educated individuals about the energy efficiency benefits of rehabilitating rather than replacing his-

toric wood windows. This workshop, free of charge to participants, resulted in 4 of the 14 students starting their own window repair small businesses, and the program was such a success that more workshops will be offered in 2010.

Heritage tourism creates jobs, new businesses, builds community pride and can improve quality of life. SHPOs are essential, ground level partners in identifying historic places and providing research for tourist interpretation. According to a 2009 national research study on U.S. Cultural and Heritage travel by Mandela Research, 78 percent of all U.S. leisure travelers participate in cultural and/or heritage activities while traveling. Cultural and heritage travelers also spend on average $994 per trip compared to $611 for all U.S. travelers.

SHPOS are good at their job

2009 State Historic Preservation Offices' Accomplishments.—SHPOs used their HPF allocations well in 2009. While virtually every State experienced cut backs and reductions, SHPOs are still charged with implementing the requirements of the NHPA to their fullest extent. Highlights of 2009 historic preservation accomplishments include:

—More than $4.7 billion of private investment in the rehabilitation of commercial historic properties under the Federal Rehabilitation Tax Credit (FRTC) program.
—An estimated 70,000 jobs created by the FRTC program in 2008.
—6,710 low and moderate-income housing units created through the FRTC.
—Approximately 9 million acres surveyed for cultural resources and more than 146,600 properties evaluated for their historical significance.
—1,115 new listings in the National Register of Historic Places.
—SHPOs reviewed 106,900 Federal undertakings, providing 104,100 National Register eligibility opinions.
—55 new communities became Certified Local Governments (CLGs).
—CLG's newly designated 53,700 properties, and 89,300 properties took part in local preservation review, programs, and incentives.

Conclusion

Historic preservation recognizes that what was common and ordinary in the past is often rare and precious today, and what is common and ordinary today may be extraordinary, 50, 100, or 500 years from now. I would like to thank the subcommittee for their commitment to historic preservation. The Federal Government plays an invaluable role in preserving our Nation's history and through our partnership, SHPOs stand committed to identify, protect, and maintain our Nation's historic heritage.

Thank you.

PREPARED STATEMENT OF THE NATIONAL ENVIRONMENTAL SERVICES CENTER

Chairwoman Feinstein, Ranking Member Alexander, and members of the subcommittee: We request an appropriation of $3 million in fiscal year 2011 to assist small communities in meeting their wastewater treatment needs through the National Small Flows Clearinghouse (NSFC) and the National Environmental Training Center for Small Communities (NETCSC). Both programs are administered by the U.S. Environmental Protection Agency (EPA) under the Environmental Programs and Management account.

Introduction

My name is Gerald Iwan and I serve as executive director of the National Environmental Services Center. Our center is home to both EPA and U.S. Department of Agriculture (USDA) funded programs that provide comprehensive environmental services to small communities and rural areas. Our work is focused mainly on drinking water, wastewater, and community resiliency. Two of our major programs—the NSFC and the NETCSC—are the subjects of this testimony. The first two pages outline the need and justification for our request; the last two pages of our testimony provide background information about the NSFC and NETCSC programs.

Need

In the 1977 Clean Water Act and its subsequent reauthorizations, Congress mandated the NSFC to collect, distribute information, and provide training about wastewater treatment to small and rural communities. With our expertise in decentralized wastewater treatment and management, the NSFC and its associate program, NETCSC, uniquely support the goals of EPA's Office of Water, protect public health,

preserve valuable water resources, and contribute to community economic vitality and resiliency. Nearly 1 in 4 U.S. households depends on individual septic or other types of onsite system to treat wastewater. NSFC and NETCSC partner with a wide range of organizations and groups to collaborate in helping States and communities address the service needs for small and rural communities. These communities are most often characterized as being rural, having few financial resources, and as being overseen by elected officials who have limited time and support personnel to make decisions in these matters. The impact of the NSFC and NETCSC information, assistance, and training services includes pollution prevention, environmental protection and public health protection, cost saving to communities and homeowners, regulatory compliance and reform, economic development and resiliency. The congressionally directed funding requested in our testimony will enable us to help these communities with services they will not otherwise obtain.

The Federal Water Pollution Control Act mandates that EPA provide funding through grants and loans for wastewater treatment infrastructure and for technical assistance and training resources to support local officials, wastewater treatment professionals and others in implementing infrastructure projects and in their management and maintenance. As such, the NSFC and NETCSC serve as the underpinning of EPA's cooperative effort with 15 national organizations to support appropriate decentralized wastewater treatment and management. EPA does not explicitly budget funding for small community programs since funds were allocated under the Clean Water Act. Formula funding for the NSFC under the Clean Water Act has expired. The NSFC program requires congressional appropriations to continue our programs while the Water Quality Investment Act of 2009 is being debated in Congress.

Request

Congressional support to continue the work of the NSFC and NETCSC 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, the NSFC and NETCSC programs will be unable to attain sufficient funding to continue in the near term. In the longer term, the NSFC can be supported under the funding formula provided for this program through renewal of the State Revolving Loan Fund financing section of the Clean Water Act passed by the House in March 2009. While EPA has a mandate to protect drinking water and manage wastewater discharges, the administration budget request typically does not include funding for water programs that serve small and rural communities. Congress regularly adds funds each year to the EPA budget to continue service provider programs to meet the goals established by EPA. In the past, funding for the Clearinghouse and Training Center has been included among the congressional priorities for water-related programs such as the National Rural Water Association, Rural Community Assistance Partnership, Groundwater Protection Council, and similar organizations.

We request reinstated funding support for fiscal year 2011 of $3 million for the NSFC and NETCSC programs to support our work until the Clean Water SRF legislation is reauthorized and enacted. Thank you for considering our request.

Background Information About NSFC and NETCSC

The National Small Flows Clearinghouse

The NSFC provides information and technical assistance about small wastewater facilities serving the needs of residents located in rural areas and small communities. We assist agencies, organizations, and industries that advance decentralized wastewater treatment as part of the Nation's wastewater infrastructure. These technologies are referred to as "decentralized" because they do not require the large infrastructure investment common to centralized municipal collection and treatment systems. Decentralized systems, such as onsite septic systems and small cluster systems, serve 40 percent of the total U.S. population, especially in small communities and in newer residential developments.

Through its congressionally mandated information collection and dissemination mission [1977 Clean Water Act section 104(q)(1)], the NSFC serves as the national archive for onsite and decentralized wastewater treatment technology information and research. The NSFC was created under the Clean Water Act legislation to provide information and assistance to small and rural communities on proper technology selection and management of onsite and small wastewater systems. As such, the Clearinghouse offers a comprehensive body of information and technical assistance services unique to the wastewater industry. Users of these services include in-

dividual 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.

Since its inception and through subsequent Clean Water Act reauthorizations, the NSFC has provided small and rural communities contemporary, objective and comprehensive technical consulting, site-specific technical assistance, information about wastewater systems, and a suite of regularly published and special topic publications targeted to small and rural community needs for wastewater. Now in its 33d year, the NSFC is a long-standing national information resource on wastewater collection and treatment technologies that are appropriate for use in small communities, rural areas and in subdivisions where the cost to provide central sewage services is a significant portion of most municipal budgets.

The NSFC is a highly regarded national source of information about onsite wastewater treatment and management. For example, as part of its holdings, it has the only comprehensive literature database in the nation on decentralized technologies, offering accurate, relevant operation, maintenance and management information to stakeholders. Additionally, the NSFC administers the annual State Onsite Regulators Alliance (SORA) and captains of industry (COI) conference. For the past 11 years, SORA–COI has brought together State onsite wastewater regulators with associated equipment manufacturers and EPA regional managers. This conference has proven to be an extremely valuable resource to the parties and especially to EPA for providing them direct contact with their wastewater regulatory and private sector constituents. Most recently, SORA has become a recognized organization of regulators with bylaws, board of directors, and defined membership criteria under NSFC.

About the National Environmental Training Center for Small Communities

NETCSC was established by Congress in 1991 as an adjunct to the NSFC to meet the training needs of multiple constituent groups on a variety of environmental topics. NETCSC develops and delivers training for community officials, circuit riders, water and wastewater professionals, and other groups on wastewater, drinking water, and municipal solid waste disposal and security. In a unique approach, NETCSC develops, disseminates and delivers training customized for small community environmental management. Environmental trainers and technical assistance providers who attend our classes then in turn train environmental professionals who serve small communities. NETCSC has developed more than 40 training packages for drinking water and wastewater system design, operation, finance, management, emergency response, and system security. These training packages are delivered and available coast-to-coast to thousands of participants, often in co-sponsorship with other training and/or service providing organizations.

Since 1991, NETCSC has held more than 250 training events. Hundreds of environmental trainers across the Nation subsequently use our materials to train thousands of local officials, operators, installers, regulators, engineers, and homeowners. Training on environmental management and security and emergency response has been customized for and delivered to tribal audiences. More than 95 percent of the attendees recommend our courses to their colleagues; more than 75 percent rate the instruction and course materials as being excellent or very good, and more than 95 percent plan to use what they have learned through the training courses to help small communities

Support for EPA National Priorities

As part of a Memorandum of Understanding (MOU) initiated by EPA, the National Environmental Services Center, which houses both NSFC and NETCSC, joined with 15 other national organizations to assist the agency in meeting its strategic goals under its Decentralized Wastewater Treatment Program. Services provided by both programs are the underpinning for the activities of many of the MOU partners in achieving their respective goals in the MOU partnership. Continued support for the NSFC and NETCSC is important to EPA in meeting its national goals under its water programs.

Accomplishments

Highlights of NSFC and NETCSC accomplishments, many of which are provided to the user community free of charge thanks to congressional support, include:

—Toll-free phone service providing technical assistance;

—Publications, including Small Flows and Pipeline, with a mailing list of 70,000 of which 5,492 subscribers are located in high poverty counties;

—3,300 information products such as pamphlets, guides, handbooks, design manuals, videos, checklists, catalogs, outreach resource guide, directories, posters, and case studies;

—Comprehensive Web site and searchable online databases, our Web site averages 3.5 million page views and 1.6 million downloads annually;
—Demonstration projects at more than 100 sites in 27 States;
—The intensive annual SORA conference;
—An annual 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; and
—Six listservs that have a total of 3,264 subscribers.

With the support of Congress and in conjunction with EPA, both programs have expanded their capabilities and level of service over time to meet national needs and to address the ever-increasing complexity of infrastructure issues as they pertain to smaller systems.

PREPARED STATEMENT OF THE NATIONAL HUMANITIES ALLIANCE

Mr. Chairman and members of the subcommittee: On behalf of the National Humanities Alliance (NHA) and its 104 member organizations and institutions, we write to express strong support for the National Endowment for the Humanities (NEH). Our members, and the thousands of teachers, scholars, humanities organizations and institutions they represent, use NEH grants to maintain a strong system of academic research, education, and public programs in the humanities. We urge you to provide the NEH with funding of at least $232.5 million in fiscal year 2011, including:

—$204 million for NEH program funds (a $64 million increase);
—$144 million for national programs (a $44.4 million increase);
—$60 million for the Federal/State partnership (a $19.6 million increase); and
—$28.5 million for administrative funds requested by the agency (a $1 million increase).

Funding Overview

Our request constitutes a significant, $65 million increase over the fiscal year 2010 enacted level, which we believe is a necessary and appropriate Federal expenditure given: the value of the humanities in supporting national interests, from a competitive workforce to homeland security; the severity of the current economic crisis, and the need for Federal intervention to mitigate long-term damage to the Nation's education infrastructure; the documented, unmet demand for NEH programs at both the Federal and State levels; NEH's present capacity to distribute requested funds efficiently through existing program structures noted for excellence; NEH's demonstrated historical capacity to operate effectively at higher funding levels.

NEH is funded at $167.5 million for fiscal year 2010, including $140 million in total program funds and $27.5 million for administration. The agency did not receive funding under the American Recovery and Reinvestment Act (ARRA) of 2009. Historically, NEH has demonstrated the capacity to operate at much higher funding levels. Even with recent adjustments, NEH overall funding is still just more than one-third of its funding peak in 1979 ($429 million when adjusted for inflation). The agency has not yet recovered from a nearly 40 percent cut imposed in the mid-90s, before which (in fiscal year 1994), NEH was funded at the equivalent of $256.9 million ($2009).

Unfortunately, the Obama administration has requested decreased funding for NEH at a level of $161.3 million, which constitutes a reduction of $6.2 million in overall funding from the fiscal year 2010 level approved by Congress. It is important to note that the President's budget represents a $7.2 million cut in NEH program funds, which would absorb a proposed $1 million increase in administrative funds to cover the agency's estimated operating costs for fiscal year 2011. We strongly oppose the cuts proposed in the administration's fiscal year 2011 budget request for NEH.

NEH National Programs

The NHA supports fiscal year 2011 funding of $144 million for national programs (an increase of $44.4). New funds requested include:

—$36.9 million to increase the award rate for critically underfunded grant competitions; and
—$7.5 million for a new, competitively awarded graduate student-faculty program.

NEH national programs represent the pool of funds that support peer-reviewed, competitive grant opportunities for a wide range of educational institutions, non-

profit organizations, and individual scholars around the country. These grants are at the center of the agency's mission to create, preserve, and disseminate knowledge in the humanities. Current national core programs and special initiatives include the Division of Research, Division of Preservation and Access, Office of Digital Humanities, Office of Challenge Grants, Division of Education Programs, Division of Public Programs, and the We the People initiative. A new initiative, Bridging Cultures, has been proposed by the administration for fiscal year 2011.

Unmet Demand.—Demand for humanities project support, as demonstrated by NEH application rates (and confirmed by feedback from the field), far exceeds funding available. In fiscal year 2009, NEH received 4,366 competitive grant applications representing more than $402 million in requested funds, but was only able to fund 16.9 percent of these peer-reviewed project proposals. This is a low figure, when compared to the most recent rate of 32 percent reported by the National Science Foundation (NSF), a Federal agency closely parallel to NEH in its operations and mission to advance research and teaching for the academic fields under its umbrella. We estimate that at least $37 million would be needed to increase the NEH award rate to 25 percent, if only the most critically underfunded of NEH's grant competitions were boosted. To achieve parity with the fiscal year 2009 NSF funding rate of 32 percent, an increase of at least $60 million would be required. Examples of underfunded NEH grant programs include:

—fellowships and collaborative research;
—digital humanities projects;
—professional development for teachers and faculty;
—preservation of historically significant collections;
—public film, radio, television, and digital media projects; and
—challenge grants to build institutional capacity and leverage non-Federal support.

Graduate Student/Faculty Fellowships.—NHA supports the recommendation of the Association of American Universities and the Council of Graduate Students, among others, to create a new, competitive program promoting collaboration among graduate students and faculty in the humanities, similar to models in the sciences. For more than a decade, NEH has stood alone as the only Federal research agency that does not support graduate education. The proposed program would provide much-needed support to sustain the pipeline for the next generation of scholars and educators in the humanities. These young people are particularly vulnerable today because of the especially severe impact of the economic downturn on new faculty hires in humanities disciplines. Increased Federal attention to, and investment in, humanities graduate education is critical to attract and retain talented individuals to serve as the Nation's future experts and educators. We request $7.5 million in new funds for this program.

Critical Priorities Addressed in the Fiscal Year 2011 Budget Request.—The NHA continues to urge expansion of NEH activity in a number of critical areas, including: international/global studies, humanities data, and graduate education. While we do not support the Obama administration's overall funding recommendations for NEH, we are very pleased to note interest signaled in the agency's fiscal year 2011 budget request for the following:

—*Global Understanding*.—For fiscal year 2011, NEH has proposed a new special initiative—Bridging Cultures—to advance Americans' understanding of their own rich cultural heritage, as well as the cultural complexity of the world in which they live. As the only Federal agency responsible for advancement of a broad range of critical fields in this area (e.g., history, foreign language, comparative literature, religious studies, cultural anthropology), NEH is well-positioned to provide leadership in support of increased U.S. global competency and competitiveness abroad, as well as civil engagement and understanding at home.

—*Humanities Data*.—NHA applauds the following statement in the administration's budget request for NEH: "In fiscal year 2011, the NEH plans to enter into a partnership with the American Academy of Arts and Sciences (AAAS) . . . to sustain and extend AAAS's developmental work on the Humanities Indicators project. This project, which is responsive to NEH's legislative mandate to develop a "system of national information and data collection . . . on the humanities," is making a wide range of humanities data available to researchers, educators, and the general public. These data will equip policymakers and institutional administrators with statistical tools to help inform decisionmaking about primary and secondary education, higher education, the humanities workforce, levels and sources of humanities funding, public understanding of the humanities, and other areas of concern to the humanities community."

—*Graduate Education*.—NEH has recently revised the eligibility criteria for summer seminars and institutes to create opportunities for humanities graduate students, beginning in the summer of 2010. NHA strongly supports this policy change, which is responsive to suggestions from the humanities community.

NEH Federal/State Partnership

The NHA supports fiscal year 2011 funding of $60 million for the NEH Federal/State Partnership (a $19.6 million increase). Our request would strengthen the capacity of State humanities councils to support local cultural and educational institutions, teaching and learning resources, family literacy programs, community discussion groups, and programs for new citizens. A recent survey of State council capacities and resources has identified $150 million in funds needed for programs and infrastructure support in their States. State councils seek to secure half this figure in Federal funding over the next 3 years.

Value of the Humanities

The 1965 legislation that established the NEH states: "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." At a time of rapid globalization and technological development, the wisdom of this statement is as evident today—if not more so—than it was 45 years ago. The humanities represent critical modes of thought and fields of knowledge that support a globally competitive (and vocationally mobile) workforce, undergird our civic institutions, inform complex policy challenges, and enrich individual lives. They encompass a broad range of fields—including the study of languages, linguistics, literature, history, law, government, philosophy, archaeology, comparative religion, ethics, and more—which support capacities especially relevant to the 21st century: knowledge of world cultures, religions, and languages; understanding of U.S. history and democratic traditions; and humanistic perspectives to evaluate the implications of scientific and technological advances.

Economic Crisis

Additional funds are needed to help offset severe economic pressures on the academic workforce and humanities institutions and invest in the Nation's long-term economic recovery. As one of the largest sources of support (private or public) for the humanities in the United States, NEH funding is critical to the health of our Nation's education and research infrastructure. As the impact of the economic downturn deepens, many institutions and nonprofit associations around the country are struggling to maintain continued access to high-quality programming and educational opportunities in the humanities—from colleges and universities, to schools, museums, libraries, historical societies, and other nonprofit organizations.

Our Nation's long tradition of fostering broad access to liberal arts education is increasingly looked to by nations around the world as a unique driver of U.S. economic leadership and innovation in the last century. Nevertheless, recent Federal policy places almost exclusive emphasis on fostering scientific and technological advancement, and widens still further the historic gap between Federal and institutional support for the humanities and investment in other academic disciplines. As a result, opportunities for humanities researchers, educators, and students, are failing to keep pace with those provided to their counterparts in the sciences. NSF, for example, received $3 billion in Recovery Act funding that by October, 2009, had already enabled 4,599 competitive awards supporting more than 6,700 investigators in all 50 States and Puerto Rico—many of them located at the same educational institutions served by NEH. While these are critical expenditures, we cannot allow this gap to continue to grow without damaging our Nation's capacity to foster the broad range of our citizens' talents, and train the next generation of scholars and educators in all fields of learning. Our long-term economic success depends on cultivating a broadly educated workforce ready to compete in the knowledge-based, global economy of the 21st century. It is a strategic mistake to turn away from a historic strength of the U.S. educational system at the very moment others are moving to embrace it.

Conclusion

We recognize that Congress faces difficult choices this year, and ask the subcommittee to fund a significant increase for the NEH in fiscal year 2011 as an investment in the Nation's long-term economic recovery and competitiveness, the strength and vitality of our civic institutions, the preservation and understanding of our diverse cultural heritage, and the lives of our citizens. The NHA and its members are grateful for the subcommittee's vigorous and sustained support for the hu-

manities, and would especially like to recognize its leadership for the increase received by NEH for fiscal year 2010. Thank you for your consideration of our request.

PREPARED STATEMENT OF THE NEW HAMPSHIRE FISH AND GAME DEPARTMENT

Madam Chairman and Honorable Members of the subcommittee: I appreciate the opportunity to present this testimony in support of conserving land at the Umbagog National Wildlife Refuge (Refuge) in northern New Hampshire. This year presents an opportunity to begin the conservation of the 31,300 acre Androscoggin Headwaters property from a willing landowner with appropriations from the Land and Water Conservation Fund (LWCF) and the Forest Legacy Program (FLP).

An appropriation of $4.5 million is needed in fiscal year 2011 from LWCF for the U.S. Fish and Wildlife Service to acquire 2,920 acres for inclusion at the Umbagog Refuge. An appropriation of $4.1 million from FLP is also needed in fiscal year 2011 to place a conservation easement held by the State of New Hampshire on an additional 11,146 acres. These initial acquisitions will conserve 45 percent of the land targeted in the Androscoggin Headwaters. I am thankful that these projects were recognized in the fiscal year 2011 President's Budget request. The request includes the full amount in FLP and $2 million in LWCF. However, an appropriation of $4.5 million is needed from LWCF this year to complete this phase.

Supporting the Androscoggin Headwaters Conservation Project is a good fit for the NH Fish and Game Department. Our mission states that as guardian of New Hampshire's fish, wildlife and marine resources, we work in partnership with the public, nongovernmental organizations and other agencies to conserve, manage and protect these resources and their habitats, to inform the public about these resources, and to provide opportunities for the public to use and appreciate these resources. The project implements strategies identified in our NH Wildlife Action Plan that will conserve habitats and species of greatest conservation need. It also advances the objectives of NH's Forest Resource Plan, and its strategies promoting forest stewardship and sustainable forest economies. The project directly contributes to the priorities of the New England Governors, who at their September 2009 conference passed a resolution establishing a New England Forest Initiative to "Keep Forests as Forests". The project is a signature effort of the Mahoosuc Initiative, a coalition of local, regional, and national nonprofits that have formed an alliance to promote land conservation; tourism and forestry-related economic development; and enhanced quality of life for residents in the region. The Eastern Brook Trout Joint Venture has also offered their support for the Androscoggin Headwaters Project.

Covering 31,300 acres of remote forests, streams, and ponds, the Androscoggin Headwaters property is one of the largest unprotected ownerships remaining in the state of New Hampshire. The property is located at the headwaters of the Androscoggin River adjacent to Umbagog National Wildlife Refuge, and features a variety of wildlife and fisheries resources that are of regional and national significance. The property is an important source of forest products and jobs for the region's timber economy, and is a popular destination for hunting, fishing, snowmobiling, and other outdoor pursuits. The Trust for Public Land (TPL) is working with the landowner, New Hampshire Fish and Game, the New Hampshire Forest Legacy Program, and the Umbagog National Wildlife Refuge to bring the most critical wildlife habitat into public ownership while retaining the balance of the property in private ownership subject to a state-held Forest Legacy conservation easement.

Situated at the southern range of the boreal forest zone and near the northern range of the deciduous zone, the region provides habitat for species of both forest types, many of which are identified as priority species in the New Hampshire State Wildlife Action Plan. The Umbagog Refuge encircles much of Lake Umbagog, with 8,700 acres of open water, many miles of shoreline, protected coves and backwaters, and extensive and diverse wetland complexes. The Refuge protects unique habitat for many wetland-dependent and migratory species, including bald eagle, Canada warbler, wood thrush, and American black duck; as well as many species of state concern, including common loon, northern harrier, American woodcock, and others. For the common loon and osprey, Lake Umbagog is considered the best breeding habitat in New Hampshire. Lake Umbagog and its associated wetlands have been listed by both Maine and New Hampshire as a priority site under the Atlantic Coast Joint Venture of the North American Waterfowl Management Plan. The Refuge includes a very large and exemplary native bog community that is designated as a National Natural Landmark.

Located along the border of northern New Hampshire and western Maine in the Mahoosuc Mountains, Lake Umbagog is the westernmost link in the chain of Range-

ley Lakes, famed for their excellent recreational opportunities. Kayakers, canoeists, and anglers explore numerous coves and bays on Lake Umbagog and dozens of rivers, streams, and smaller ponds around the Lake. Hunters, hikers, nature photographers, and wildlife watchers all find extensive opportunities in the Refuge and the Androscoggin Headwaters property's remote expanses. The region is a well-known and sought-after fishing area that offers anglers the opportunity to fish for warm water species such as small mouth bass, perch, and pickerel in Lake Umbagog and for cold water species, notably eastern brook trout, in the feeder streams and surrounding ponds.

Land and Water Conservation Fund Request

Available for acquisition in fiscal year 2011 is the first phase (2,920 acres) of the larger, 31,300 acre five-phase Androscoggin Headwaters Conservation Project. At its successful conclusion, this project will conserve 15 undeveloped ponds and 38 miles of streams with some of the finest cold-water fisheries in the Northeast. This first phase and subsequent phases will add a total of 7,450 acres in fee ownership to the Umbagog Refuge, currently 21,650 acres. The target property lies entirely within the authorized 47,807 acre Refuge acquisition boundary. It is also part of a much larger 63,000 acre conserved working forest landscape that includes the existing Refuge, a community forest owned by the Town of Errol, and Forest Legacy conservation easements held by the State.

The 2,920-acre property contains the first tributary to the Androscoggin River after it flows out of its source at Lake Umbagog. The property contains Round Pond, Long Pond, Bear Brook Pond and Little Bear Brook Pond—all undeveloped ponds that are popular for fishing, paddling, and wildlife watching. These water bodies are vulnerable to second home development that would severely compromise the wildlife habitat quality and the opportunity to continue remote wildlife-compatible recreation.

An appropriation of $4.5 million from LWCF will complete the first phase of the Androscoggin Headwaters project, allowing the Refuge to protect important habitat for Federal trust species and link it to other conserved lands. The appropriation will ensure shoreline protection, public access for recreation, and wetland habitat preservation.

Forest Legacy Program Request

Available for acquisition in fiscal year 2011 through the Forest Legacy Program is an 11,146-acre phase of the Androscoggin Headwaters Conservation Project. At its successful conclusion, the project will conserve 23,000 acres as privately owned working forest through FLP conservation easements held by the State of New Hampshire.

The Androscoggin Headwaters North parcel, the subject of the requested fiscal year 2011 FLP funding, is comprised of upland and lowland forest noted for its excellent soils and mix of hardwood and softwood stands. This parcel also includes over half a mile of frontage on Akers Pond and several popular snowmobile trails that connect Errol, New Hampshire to Rangeley, Maine. The required match for the appropriated funds will be met through the conservation of an additional 938-acre parcel that contains Greenough and Little Greenough Ponds, which are two of only three ponds in New Hampshire that sustain native, nonstocked eastern brook trout populations. It will be acquired in fee utilizing State and private funds, and conveyed to the NH Fish and Game Department.

Northern New Hampshire has relied on forest products as the fuel for the region's economic engine for more than 200 years. Traditionally that has meant pulp and papermaking. As the northern New England paper industry has declined, jobs have been leaving the region. Our northern forest, however, is poised for a new source of economic activity. There are several proposals for utility-scale biomass energy plants that will take wood chips from the region's forests to produce renewable energy. In addition to jobs in logging, trucking, and value-added forest products, the conservation of this property will support good jobs in the tourism industry. Businesses catering to hunters, anglers, snowmobilers, kayakers, wildlife viewers, and other outdoor enthusiasts will benefit from the guarantee of public access for recreation that will be created through the conservation of this large block of forestland.

The property is threatened with significant second home development along the waterfront parcels. The remote ponds are scenic, have tremendous recreational opportunities, and are highly valued for waterfront development of vacation homes. This kind of development would seriously undermine habitat for loons and other waterfowl, degrade water quality for the wild trout populations, and limit public recreational access. The Androscoggin Headwaters conservation strategy will protect the entire waterfront.

The Androscoggin Headwaters Project also will help wildlife adapt to the impacts of climate change. At 31,300 acres, the project will conserve ecological systems from valley bottom to ridge top. The property is located in the northeast corner of New Hampshire close to the Mahoosuc Mountains and Rangeley Lakes, a region that is forecast to retain consistently cold winters and a deep snow pack under high carbon emission scenarios. Numerous species adapted to northern New England's long cold winters will find refuge here as suitable habitat to the south warms and fragments. Among these are snowshoe hare, American marten, three-toed woodpecker, and the Federal threatened/State endangered Canada Lynx.

Protection of the Androscoggin Headwaters property will connect large blocks of conservation land, adding to more than 100,000 acres. The property's proximity to other conserved lands—including Umbagog National Wildlife Refuge, 13-Mile Woods Community Forest, and State owned and easement lands around Maine's Richardson Lake, Grafton Notch, and Rapid River—will significantly advance the creation of landscape-scale habitat connectivity in this region.

An appropriation of $4.1 million from the Forest Legacy Program will complete the first easement phase of the Androscoggin Headwaters Conservation Project and will ensure continued sustainable forestry, public access for recreation, and protect upland and wetland habitats recognized as some of the most important in the Eastern United States.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important conservation effort in New Hampshire, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE NORTHWEST INDIAN FISHERIES COMMISSION

I am Billy Frank, Jr., chairman of the Northwest Indian Fisheries Commission (NWIFC). It is indeed a privilege for me to be among the distinguished cadre of Northwest tribal leaders who are also here to present the funding requests of their people. Their strong support and encouragement gives our organization focus and direction and helps make us successful in protecting and enhancing their treaty rights.

Using the fiscal year 2010 enacted budget as a minimum level of need in fiscal year 2011 to maintain current services, I submit the following requests:

BUREAU OF INDIAN AFFAIRS (BIA)

Restore the western Washington fish management and Washington State timber-fish-wildlife project to fiscal year–2010 enacted levels of $8.532 and $2.736, respectively; increase western Washington fish management by $8.614 million beyond the fiscal year 2010 enacted level; increase salmon marking by $1.4 million beyond the fiscal year 2010 enacted level; increase United States-Canada Pacific Salmon Treaty implementation by $680,000 beyond fiscal year 2010 enacted level; and increase fish hatchery maintenance by $2.142 million beyond the fiscal year 2010 enacted level.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Support the Tribal General Assistance Program (GAP) at the $71.4 million request in the President's budget; support the Multimedia Tribal Implementation Grants at the $30 million request in the President's budget; support the increase of $2.9 million in tribal capacity building which is requested in the President's budget; and restore the Puget Sound Geographic Program to the fiscal year 2010 enacted level of $50 million.

REGIONAL REQUESTS

We support the budget requests of the Affiliated Tribes of Northwest Indians.

NATIONAL REQUESTS

We support the budget requests for the National Congress of American Indians.

On behalf of our 20 member tribes, I am here today to speak to our fiscal year 2011 natural resource management funding requests for the BIA and the EPA. But before I do that, I must first acknowledge the outstanding support this subcommittee has given to us this past year. You listened to our story and have helped us greatly with your actions that supported our needs. We are also pleased that the fiscal year 2011 President's budget continues to be supportive of the northwest natural resources funding requests and includes many of the subcommittee's actions from last year.

TRIBES, TREATY RIGHTS, AND TRUST OBLIGATIONS OF THE FEDERAL GOVERNMENT

Indian tribes have always inhabited the watersheds of western Washington, with cultures almost entirely based on harvesting fish, wildlife, and other natural resources in the region. In the mid-1850s, a series of treaties were negotiated between the Federal Government and the tribes in the region. Through the treaties, the tribes gave up most of their land, but in so doing reserved certain rights to fish, hunt, and gather to protect their way of life.

The promises of the treaties were quickly broken in the decades that followed as the tribes were systematically denied their treaty-protected rights by the State of Washington. In 1974, the tribes won a major victory in *United States* vs. *Washington (Boldt Decision)*, which reaffirmed their treaty-protected fishing rights. The ruling—which has been upheld by the U.S. Supreme Court—established the tribes as co-managers of the resource and determined they were entitled to 50 percent of the harvestable number of salmon returning to Washington State waters. More recent Federal court rulings and solicitor opinions upholding treaty-reserved rights have further expanded the role and responsibilities of the tribes as natural resource managers. Those rulings, combined with the interconnectedness of all natural resources, mean that tribal participation is essential in nearly all aspects of natural resource management in the region.

The tribes from the Pacific Northwest have stepped forward and have embraced co-management. Today, the tribes have developed sophisticated programs designed to protect and enhance their treaty rights. Tribal programs, based on deep cultural and philosophical underpinnings, have served as the backbone of salmon recovery, providing the technical, policy, and legal framework for this incredibly difficult task. Tribes perform complicated harvest, hatchery, and habitat management tasks that neither the State nor the Federal Government can effectively carry out. Tribal programs, largely funded by the BIA, serve as a de facto arm of the Federal Government as it labors to uphold its trust obligations to the tribal people. It is because of the role that tribes play in protecting their rights that they require adequate, long-term, and stable funding. This subcommittee has heard this plea and has been a valuable partner in this effort.

REQUESTS JUSTIFICATION NARRATIVE

BIA

Restore the western Washington fish management and Washington State timber-fish-wildlife project to fiscal year 2010 enacted levels

Congress increased the rights protection implementation subactivity in fiscal year 2010 by $12 million. This increase was allocated to all line items within this program element, restoring the pacific salmon treaty implementation, Washington State timber-fish-wildlife project, and salmon marking to previously funded levels. Additional monies were added to the western Washington fish management program bringing this account to $8.532 million.

However, the President's budget did not carry forward the entire fiscal year 2010 increase. The western Washington fish management and the timber-fish-wildlife project were reduced by $434,000 and $139,000, respectively. Thus, we request that these accounts be increased to maintain the fiscal year 2010 funding level.

Increase Western Washington Fish Management to $8.614 Million Beyond the Fiscal Year 2010 Enacted Level

Over the past several years, the tribes and the NWIFC have requested an increase of $12 million in the base western Washington fisheries management program. Last year, Congress heard our plea and increased the National Rights Protection Implementation Fund by $12 million with $3.386 million of this going to the western Washington program. This increase was very much appreciated and will go towards meeting many of our needs. However, we once again ask Congress to address the remaining identified needs at the NWIFC and our member tribes. We request an increase of $8.614 million which is consistent with our needs assessment presented last year to this subcommittee.

Increase Salmon Marking by $1.4 Million Beyond the Fiscal Year 2010 Enacted Level

The salmon marking line item was funded at $1 million by the fiscal year 2010 increase in rights protection implementation. These funds are used to mark salmon at tribal hatcheries and to use these marked fish to scientifically monitor salmon populations and watersheds in western Washington, pursuant to the Federal requirement to mass mark pacific salmon reared in facilities funded by Federal dol-

lars. Plans to implement more extensive selective fisheries targeted at these marked fish require an additional $1.4 million to implement.

Increase U.S.-Pacific Salmon Treaty Implementation By $680,000 Beyond the Fiscal Year 2010 Enacted Level

The Pacific Salmon Treaty Act of 1985, Public Law 99–5, charges the United States section of the Pacific Salmon Commission with the responsibility for implementation of the Pacific Salmon Treaty, a bilateral treaty with Canada. Responsibility for funding Treaty related programs rests with the United States Government. We support the U.S. section's recommendation to fund the Department of the Interior, BIA at $4.8 million, an increase of $680,000 from the fiscal year 2010 enacted level.

Increase Fish Hatchery Maintenance by $2.142 Million Beyond the Fiscal Year 2010 Enacted Level

Tribal fish hatcheries in western Washington are part of the largest fish hatchery system in the world. Tribal hatcheries produce 50 percent of the coho salmon and 33 percent of the Chinook salmon in Puget Sound and the coast of Washington. These hatcheries provide fish that significantly contribute to both non-Indian recreational and commercial harvest, as well as for tribal fisheries. Today, hatcheries also play a large role in recovering pacific salmon, many of whom are listed under the Endangered Species Act.

A comprehensive needs assessment study was conducted in fiscal year 2006 by the BIA at the request of Congress which identified a level of need more than $48 million in necessary hatchery maintenance and rehabilitation costs. Last year the BIA fish hatchery maintenance budget was increased to $2.852 million. We support this increase and ask that this account be increased a further $2.142 million to total $5 million.

EPA

GAP

We support full funding of the EPA GAP at the $71.4 million amount requested in the President's budget. This funding has built essential tribal capacities and remains critical to the tribes' ability to sustain their important water quality programs. We support the increase of $8.5 million which is included in the President's budget.

Multimedia Tribal Implementation Grants

We support $30 million for the Multimedia Tribal Implementation Grant program funding, which is included in the President's budget. This program will allow the EPA to provide targeted multimedia (cross discipline) grants to tribes for implementation of Federal environmental programs. This program logically follows the capacity building function under the tribal GAP, as noted above.

This program is a substantial investment from within the EPA and will continue to build a firm foundation for environmental protection. Tribes in western Washington are ready to partner with EPA to begin this implementation program.

Tribal Capacity Building

Additional funds are needed within the agency to effectively manage the new Multimedia Tribal Implementation Grants Program. An additional $2.9 million will support new positions to oversee, provide guidance and ensure accountability to the grant program and ongoing tribal GAP work. This capacity will also provide direct technical assistance to tribes. We support this additional funding included in the President's budget.

Puget Sound Geographic Program

Marine resources are very important to our member tribes. The Puget Sound Geographic Program provides essential funding that will help protect, restore and enhance Puget Sound. We support restoring this program to the $50 million amount enacted in fiscal year 2010. With this level of funding, collaborative work can continue on key marine issues, salmon recovery, land-use management, and regulatory changes.

Tribes will seek funding from this EPA account, in coordination with the Puget Sound Partnership. Such funding will allow the tribes to participate in the necessary scientific work, implementation measures, and policy discussions on issues that affect our treaty rights.

CONCLUSION

Mr. Chairman, and members of the subcommittee, we know that it is difficult to allocate scarce Federal funds. However, we believe that the management work that we perform to protect our valuable resources and to help fulfill the trust obligation of the Federal Government continues to be worthy of your support. Thank you.

PREPARED STATEMENT OF THE NEW JERSEY AUDUBON SOCIETY

Funding requests:

—*Cape May National Wildlife Refuge—Hanson Aggregates Property*.—$2,000,000

—*Edwin B. Forsythe National Wildlife Refuge—Great Creek Road Parcel*.—$1,375,000, and West Creek Parcel: $350,000

—*Wallkill River National Wildlife Refuge—Kenely Property*.—$1,750,000; and

—*Great Swamp National Wildlife Refuge—Great Brook*.—$1,100,000.

We, the 48 undersigned organizations, respectfully urge you to support funding for land acquisition projects at New Jersey's National Wildlife Refuges and to ask the Interior, Environment, and Related Agencies Appropriations Subcommittee to provide that funding under the Land and Water Conservation Fund program in fiscal year 2011. Please help us preserve our national heritage by strengthening the refuge system in our State.

Fulfilling the following requests is critical to protecting our State's rich biodiversity, safeguarding our natural resources and increasing recreational opportunities for our citizens. These requests are listed as top priorities; as more funding becomes available, we support increased appropriations for the five National Wildlife Refuges.

Cape May National Wildlife Refuge.—$2,000,000 for assistance in the acquisition of 620-acre Hanson Aggregates property, which contains rare plant communities and numerous endangered and threatened bird and amphibian species. Purchase of the property will also help protect area water supply.

Edwin B. Forsythe National Wildlife Refuge.—$1,375,000 for the acquisition of the 139-acre Great Creek Road Parcel, and $350,000 for the acquisition of the 79-acre West Creek Parcel. These parcels provide critical habitat for bird species along the Atlantic Flyway, and help maintain the integrity of the watershed.

Wallkill River National Wildlife Refuge.—$1,750,000 for acquisition of a 165-acre Kenely Property, a diverse mix of habitats for diverse wildlife including threatened and endangered species. Conservation of this property would also contribute to the water quality of the Wallkill River.

Great Swamp National Wildlife Refuge.—$1,100,000 to complete the acquisition of an 18-acre parcel known as Great Brook, which provides critical habitat for endangered Indiana bats and numerous other rare species as well as office space for U.S. Fish and Wildlife Service employees.

Investing in New Jersey's refuges provides significant economic and quality of life benefits to our citizens. These investments protect and enhance New Jersey's $4 billion wildlife-related recreation industry. Each year, fishing, hunting, and wildlife-watching activities create more than 37,000 jobs and generate more than $150 million in sales tax revenue. Our refuges also provide natural ecosystem services that help purify our State's air and water supply and protect human health.

We must take action now to protect the remaining natural areas surrounding our refuges. New Jersey's open space and undeveloped land is disappearing at an alarming rate. For this reason, we respectfully ask you to encourage the Interior, Environment, and Related Agencies Appropriations Subcommittee to appropriate funding for these vital refuge land acquisition projects before it is too late. Thank you for your consideration.

UNDERSIGNED ORGANIZATIONS

New Jersey Audubon Society; Appalachian Mountain Club; Association of New Jersey Environmental Commissions (ANJEC); Bergen County Audubon Society; Bergen SWAN (Save the Watershed Action Network); The Conservation Fund; Citizens United to Protect the Maurice River and Its Tributaries, Inc.; Conserve Wildlife Foundation of New Jersey; D & R Canal Watch; Delaware River Greenway Partnership.

Delaware Riverkeeper; Edison Wetlands; Doug O'Malley, Field Director, Environment New Jersey; Food & Water Watch; Friends of Sparta Mountain; Friends of the Cape May National Wildlife Refuge; Friends of Edwin B. Forsythe National Wildlife Refuge; Friends of the Great Swamp National Wildlife Refuge; Friends of the

Supawna Meadows National Wildlife Refuge; Friends of the Wallkill River National Wildlife Refuge.

Fyke Nature Association; Great Egg Harbor Watershed Association; Great Swamp Watershed Association; Hackensack Riverkeeper; Hunterdon Land Trust Alliance; Kingston Greenways; The Land Conservancy of New Jersey; Michael Catania, President of Conservation Resources, Inc.; Monmouth Conservation Foundation; Musconetcong Mountain Conservancy.

Musconetcong Watershed Association; New Jersey Conservation Foundation; New Jersey Environmental Lobby; New Jersey Highlands Coalition; New Jersey State Council—Trout Unlimited; New Jersey State Federation of Sportsmens Clubs; New York-New Jersey Trail Conference; Deborah Mans, Executive Director, NY/NY Baykeeper; Passaic River Coalition; Pinelands Preservation Alliance.

Project HEAL at Camp Creek Run; Rancocas Conservancy; Save Barnegat Bay; Schiff Natural Lands Trust; South Branch Watershed Association; Anthony Cucchi, New Jersey State Director, The Trust for Public Land; Jennifer Coffey, Policy Director, Stony Brook-Millstone Watershed Association; Verona Park Conservancy.

PREPARED STATEMENT OF THE NATIONAL MINING ASSOCIATION

Department of the Interior (DOI)

U.S. Geological Survey (USGS)—Mineral Resources Program (MRP).—Fund the MRP at least $24 million and reject any proposed cuts to the Minerals Information Team.

Bureau of Land Management (BLM)—Mining Law Administration.—Increase funding for the mining law administration program to $38 million.

Office of Surface Mining.—Reverse the administration's 15 percent cut to state Surface Mining Control and SMCRA regulatory title V programs.

Environmental Protection Agency (EPA)

NMA opposes EPA's use of the fiscal year 2011 budget to finalize greenhouse gas regulations for motor vehicles and proposing and finalizing specific sources standards for all sources of greenhouse gas emissions.

Superfund Taxes.—NMA opposes reinstating the long-expired corporate environmental income tax and the revival of the excise tax on domestic crude oil, imported petroleum products and certain chemicals.

DOI

Mineral Resources Program—Minerals Information Team

The United States Geological Survey (USGS) is the source for the majority of the United States' statistical data on mining and mineral commodities. The collection, analysis and dissemination of this information is a Federal responsibility that cannot be duplicated in either the private sector or by other levels of government and is in fact mandated by the Defense Production Act of 1950, as amended in 1980 and 1992. The Mineral Resource Program's Mineral Information Team (MIT) within the USGS is the leading source of unbiased research on the Nation's mineral resources. The guidance and research the program provides is vital in maintaining the growing value of processed materials from mineral resources that accounted for $454 billion in the U.S. economy in 2009, as well as assessing the environmental impacts of mining. The statistical and analytical information provided by the Mineral Resource Program MIT provides the basis for informed policy decisions and is extensively used by Government agencies, members of Congress, State and local governments, as well as industry, academia and nongovernmental organizations. Collection of this information provides a fundamental service to the Nation. Specifically, the U.S. Federal Reserve Board uses the data for calculating the Nation's leading economic indicators; the U.S. Department of Commerce's Bureau of Industry and Security uses the data and analysis to resolve trade disputes; the Federal Reserve Board uses global minerals information to prepare economic forecasts; and U.S. intelligence agencies use the data to understand the effect changes in natural resource markets have on economic and political stability of developing countries. 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. For example, the United States has become more than 50 percent reliant on 38 of the 81 mineral commodities essential to the economy and 100 percent reliant on 19 of those commodities.

In real terms, the MIT has been severely constrained by an ever decreasing budget (a more than 30 percent decline) since 1996 when the mineral assessment group was incorporated in to the USGS. In order to restore its budget to levels intended

when the group was moved to the USGS more than a decade ago, the Mineral Resource Program's MIT would need to be funded at $24 million. NMA encourages full funding for this important program.

Mining Law Administration Program

The Bureau of Land Management's (BLM) Mining Law Administration Program (MLAP) is facing ever-growing responsibilities and obligations to process notices and plans of operations necessary for domestic exploration and mining projects. While NMA supports the administration's request for $36 million in funding, we feel that additional funding is imperative to lessen the backlog of notices and plans of operations. NMA recognizes and appreciates that the subcommittee increased MLAP funding in fiscal year 2010 and encourages them to further increase the MLAP by an additional $2 million in fiscal year 2011.

The number of mining claims filed over the past several years has increased by more than 600 percent. In 2002, only 15,407 new mining claims were filed as compared to 92,284 in 2007. During the same timeframe, the number of full time equivalent (FTE) employees assigned to the program fell from 359 to 298. 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 remains a substantial impediment to the financing and development of mining projects in the United States. According to Behre Dolbear, the United States ranks among the lowest of the top 25 mining nations in terms of time and expense for obtaining required permits for mineral exploration and development. 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 flows to where investors will experience a quicker return on their investment.

In a 2005 report to 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.

To address this regulatory bottleneck that impairs our Nation's economic growth and security, NMA provides the following recommendation: a portion of the location and maintenance fees collected that exceed the MLAP budget should be dedicated to the MLAP instead of being deposited to the General Fund. In 2007, the amount collected from such fees exceeded the budgeted amount by more than $24 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. Additionally, allocation of funds to the state offices should be prioritized based on the number of notices and plans filed in each office and current unfilled openings in MLAP.

Office of Surface Mining State regulation and abandoned mine land program

NMA objects to the administration's proposed cuts in funding for state programs under title V of SMCRA to regulate, inspect and issue permits for surface coal mining operations in primacy states.

Environmental Protection Agency (EPA)

NMA opposes the fiscal year 2011 budget request as it pertains to EPA's usurping the power of Congress to address Greenhouse Gas Emissions (GHGs) under the existing Clean Air Act (CAA). While we are committed to playing a constructive role in the development and adoption of policy measures and technologies to address global climate change concerns, we believe those policy decisions fall within the purview of our elected representatives in Congress and not EPA.

EPA should not be able to utilize fiscal year 2011 funds to conduct rulemakings that stem from EPA's December 15, 2009 Endangerment and Cause or Contribute Findings for Greenhouse Gases Under section 202(a) of the Clean Air Act The finding automatically triggers requirements for all sectors of the economy under the CAA's Prevention of Significant Deterioration (PSD) permitting program. As such, the legal and regulatory implications of the endangerment finding and a final motor vehicle rule extend far beyond the motor vehicle sector. At the time the motor vehicle regulations become effective, PSD and title V permitting requirements will automatically be triggered for major stationary sources of GHG emissions. Also, entities contemplating construction of new sources or modifications to existing sources that will be required to analyze and install undefined Best Available Control Technology (BACT) to limit those emissions.

EPA should not be able to use fiscal year 2011 for such rulemakings as: finalizing GHG regulations for motor vehicles; or proposing and finalizing specific sources standards for all sources of greenhouse gas emissions.

Superfund Taxes

NMA opposes reinstating the long-expired corporate environmental income tax and revival of the excise tax on domestic crude oil, imported petroleum products and certain chemicals.

Superfund taxes were originally enacted under the "polluter pays" principle. However, companies that formerly paid the taxes continue to fund the cleanup of most of the sites on the National Priorities List (NPL). The only NPL cleanups that EPA actually pays for are those with no viable potentially responsible parties (i.e., orphan sites). Instead, the Superfund should run on appropriations from general revenues. Superfund taxes have never controlled or determined the amount of EPA spending for the Superfund program. The total amount of EPA spending for the Superfund program is determined by Congress each year through the appropriations process. The majority of funds appropriated for the Superfund cleanup program are not being spent on cleaning up NPL sites.

The National Mining Association (NMA) is the voice of the American mining industry in Washington, D.C. membership includes more than 325 corporations involved in all aspects of coal and solid minerals production including coal, metal and industrial mineral producers, mineral processors, equipment manufacturers, State mining associations, bulk transporters, engineering firms, consultants, financial institutions, and other companies that supply goods and services to the mining industry.

PREPARED STATEMENT OF THE NEW MEXICO INTERSTATE STREAM COMMISSION

This statement is submitted in support of fiscal year 2011 appropriations for Colorado River Basin salinity control activities of the Bureau of Land Management. I urge that at least $5,200,000 be appropriated for the Bureau of Land Management within the Soil, Water, and Air Management Subactivity for activities that help control salinity in the Colorado River Basin, and of that amount, $1,500,000 be marked specifically for identified salinity control related projects and studies.

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 the features needed to control the salinity of the Colorado River. These include activities by the 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 Environmental Protection Agency as a part of each State's water quality standards. Also, Minute 242 of the International Boundary and Water Commission sets limits on the salinity of the water delivered to Mexico in the Colorado River.

About 75 percent of the land in the Colorado River Basin is owned, administered or held in trust by the Federal Government. The BLM is the largest land manager in the Colorado River Basin, and manages public lands that are heavily laden with salt. When salt-laden soils erode, the salts dissolve and enter the river system, affecting the quality of water used from the Colorado River by the Lower Basin States and Mexico. The BLM needs to target the expenditure of at least $5.2 million for activities in fiscal year 2011 that benefit salinity control in the Colorado River Basin. In addition, the BLM needs to target the expenditure of $1,500,000 of the $5.2 million specifically for identified 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 $5.2 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. The recently released annual report of the Federal 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 2011. Consequently, I request that $1.5 million of the Soil, Water and Air Management Subactivity be marked specifically for these identified Colorado River Basin salinity control activities.

I believe and support past Federal legislation that declared 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. The 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 Colorado River salinity to United States water users are about $350 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 the BLM pursue salinity control projects within its jurisdiction to maintain the cost effectiveness of the program and the timely implementation of salinity control projects that will help avoid unnecessary damages in the United States and Mexico.

At the urging of the Basin States, the 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's Budget Justification documents have stated 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 report salt retention measures to implement and maintain salinity control measures of the Federal salinity control program in the Colorado River Basin. The 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.

I request the appropriation of at least $5.2 million in fiscal year 2011 for Colorado River salinity control activities of the BLM within the Soil, Water, and Air Management Subactivity, and that $1,500,000 of that amount be marked specifically for identified salinity control related projects and studies. I appreciate 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 NEW MEXICO WILDLIFE FEDERATION

Madam Chairman and honorable members of the subcommittee: My name is Alan Hamilton and I am the Conservation Director for the New Mexico Wildlife Federation. I appreciate the opportunity to present this testimony on behalf of our organization in support of two important land conservation projects in New Mexico. Founded in 1914 by Aldo Leopold and other conservation-minded sportsman, the New Mexico Wildlife Federation is New Mexico's oldest conservation organization dedicated to protecting New Mexico's wildlife, habitat and outdoor way of life. Presently the New Mexico Wildlife Federation is honored to represent about 8,000 sportsmen and women throughout the State.

The first project is the Forest Service acquisition of the 1,500-acre first phase of the nearly 5,000-acre Miranda Canyon property. An appropriation of $4 million is needed in fiscal year 2011 from the Land and Water Conservation Fund in order to protect this land in the Carson National Forest. The second project is the 6,250-acre second phase of the 11,699-acre Vallecitos High Country project. An Appropriation of $3.375 million is needed from the Forest Legacy Program to protect this extraordinary land.

Carson National Forest

Some of the finest mountain scenery in the Southwest is found in the 1.5 million-acre Carson National Forest. Elevations rise from 6,000 to 13,161 feet at Wheeler Peak in the Sangre de Cristo Mountains, the highest peak in New Mexico. The scenery varies from high desert scrub and red soil to spruce and fir filled mountainsides and wildflower meadows. In addition to the various landscapes, there are also many recreational opportunities in the forest. The magnificent mountain scenery and cool summer temperatures lure visitors to enjoy fishing, hunting, camping and hiking. Winter activities include skiing, snowshoeing and snowmobiling. There are 330 miles of trails for hiking, horseback riding, mountain biking, and 4-wheel drive exploring. For the backcountry enthusiast, there are 86,193 acres of wilderness in the forest that have been virtually undisturbed, where travel is restricted to foot or horseback.

There are many species of animals in the Carson National Forest including mule deer, elk, antelope, black bear, and bighorn sheep along with many species of songbirds and a wonderful display of wildflowers. The forest has 400 miles of clean mountain streams and many lakes that offer outstanding trout fishing including rainbow, eastern brook, German brown and cutthroat trout. Available for acquisition as part of the Carson National Forest is the 4,990-acre Miranda Canyon Property located just 10 miles south of Taos. The property is adjacent to the Carson National Forest and ranges in elevation from 7,200 feet to 10,801 feet. The property has various vegetative types from low elevation sagebrush and pinon juniper to high elevation mixed conifer forest containing large aspen stands. There are also numerous meadows and riparian vegetation that provide excellent habitat for wildlife.

The landscape has numerous ridges and peaks that provide breathtaking views of the Rio Grande Gorge to the west and of Wheeler Peak, the highest peak in New Mexico, to the north. Picuris Peak is located on the property along a popular hiking route. The property also contains historical features such as the Old Spanish National Historic Trail, a route that dates back to the 1600s when the Spanish made their way to northern New Mexico and established the first capital city near San Juan Pueblo. Other geological features on the property include a unique small volcano and 1.7 billion-year-old rock outcrops that rival the age of rock found at the bottom of the Grand Canyon.

The landowner of the Miranda Canyon property is currently reviewing various development options for this scenic property after a recent attempt to subdivide the property into 150 lots. If subdivided and developed, tremendous recreational, scenic, and ecological resources would be diminished or lost forever. However, there is an immediate opportunity to protect this land for conservation, which would provide additional recreational opportunities for hunting, sightseeing, camping, hiking, interpretation, and horseback riding for the public.

In fiscal year 2011, the Miranda Canyon property is available for acquisition by the Carson National Forest through the Land and Water Conservation Fund. An appropriation of $4 million is needed this year to begin the acquisition of this property, which will conserve and enhance the area's scenic, recreation, historic, and natural resources.

The Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this committee faces, I also want to thank the committee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

Vallecitos High County

The New Mexico Forest Legacy Program is devoted to the protection and management of environmentally important forest areas that are threatened by conversion to non-forest uses. In addition, the program gives priority to private forested lands which protect and enhance watershed and water quality, maintain and restore riparian areas, protect important wildlife habitats, and contribute to the cultural and economic vitality of rural communities.

In fiscal year 2011, the State of New Mexico's top priority for Forest Legacy Program funding is a phase II conservation easement on 6,250 acres of the Vallecitos High Country property, continuing a protection effort that began in 2008. The property, located within the Rio Vallecitos watershed in Rio Arriba County, is an 11,699-acre parcel of mixed conifer, aspen, and spruce-fir forests interspersed with mountain meadows and creeks. It adjoins the 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 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 Rio Vallecitos runs five miles across the property near the national forest boundary, and another 12 miles of tributary creeks on the property feed into this important riparian corridor.

The old-growth mixed conifer and spruce-fir forests on the Vallecitos High Country property provide suitable habitat for the federal-threatened Mexican spotted owl and the State-threatened boreal owl and pine marten. The property also provides important habitat forperegrine 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, which strives 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 undiscovered 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.

Due to its spectacular views and abundant fishing and hunting opportunities, the Vallecitos High Country property is highly threatened by the development of seasonal homes. Protection of this property will expand New Mexico's protection of high-quality watersheds and forests by complementing a completed Forest Legacy Program easement on the Vallecitos Mountain Refuge property along the Rio Vallecitos only 2 miles downstream. It will also protect the scenic integrity of the area, as the property is visible from a new segment of the Continental Divide Trail and is part of the viewshed from the Rio Vallecitos Canyon.

In fiscal year 2008, a total of $1.195 million was secured from the Forest Legacy Program to help protect 2,213 acres of the forested 11,699-acre Vallecitos High Country property. In fiscal year 2011, $3.375 million is needed for the second phase to place a conservation easement on another 6,250 acres. These Federal funds will be matched by a 25 percent land value donation from the landowner. Partners in this project are the New Mexico Department of Game and Fish, New Mexico Forestry Division, the Carson National Forest, Forest Trust, Rio Chama Watershed Group, Southern Rockies Ecosystem Project, and Vallecitos Mountain Refuge.

Please do all that you can to ensure that this worthwhile program is funded adequately in fiscal year 2011 and that the Vallecitos High Country project receives $3.375 million in fiscal year 2011. I am thankful that the fiscal year 2011 President's budget request included $1.925 million for this project. However, the phase can be completed this year with an appropriation of $3.375 million.

I want to thank the chairman and the members of the subcommittee for this opportunity to testify on behalf of these nationally important protection efforts in New Mexico, and I appreciate your consideration of the funding requests.

PREPARED STATEMENT OF THE NATIONAL RECREATION AND PARK ASSOCIATION

Thank you Chairman Feinstein, Ranking Member Alexander, and honorable members of the subcommittee for this opportunity to submit written testimony on the fiscal year 2011 Interior, Environment, and Related Agencies appropriations bill.

The National Recreation and Park Association (NRPA) is a national, nonprofit organization with a mission of advancing parks, recreation, and environmental conservation efforts that enhance the quality of life for all people. There are more than 6,500 parks and recreation agencies throughout the country, a majority of which are members of NRPA. Through our network of more than 21,000 citizen and professional members we represent park and recreation departments in cities, counties,

townships, special park districts, regional park authorities, and citizens concerned with ensuring close-to-home access to parks and recreation opportunities in their communities.

As your subcommittee works to craft the fiscal year 2011 Appropriations bill, we request that you include $175 million for the Land and Water Conservation Fund's (LWCF) State Assistance program.

NRPA respectfully urges the subcommittee to invest in our local communities through park and community infrastructure as our Nation perseveres through the present economic challenges. The subcommittee has the opportunity to make a worthwhile contribution to the economy through not only capital investment infrastructure projects on Federal lands, but also investments in close-to-home parks and recreation infrastructure near population centers through LWCF State Assistance.

With more than $12 billion in unmet needs for LWCF State Assistance reported by States to the National Park Service (NPS), there is undoubtedly need for robust investment. Funding provided through LWCF State Assistance not only provides necessary community resources for outdoor recreation opportunities, community health resources, and environmental stewardship, it also stimulates State and local economies, and job creation. In fact, Governor Joe Machin of West Virginia notes, "The Land and Water Conservation Fund grant program is one of the best ways we can be involved in the enrichment of West Virginia's communities for the future." It is obvious that LWCF funds are vital to many States and literally determine whether a local, regional, or State park is acquired or recreation facilities are developed for public use. The need for recreational resources has exponentially increased, but agencies are unable to meet the rising need.

LWCF STATE ASSISTANCE STIMULATES JOBS CREATION AND LOCAL ECONOMIES

Close-to-home recreation has become increasingly important as a result of the current economic downturn. The National Association of State Park Directors reports that America's State park system contributes $20 billion to local and State economies. Additionally, The Outdoor Industry Association reports that recreation contributes $730 billion annually to the U.S. economy, supporting 6.5 million jobs across the country. The uncertainty that is inherent to our current economic environment has resulted in increased use of State and local parks and recreational resources further enhancing the economic impact of park and recreation agencies.

LWCF State Assistance projects stimulate local economies by creating local jobs, generating visitor tax dollars for local economies, and employing full-time and part-time workers. Studies have shown that for every $1 million invested in parks and recreation infrastructure, at least 20 jobs are created. To demonstrate the job creation ability of LWCF State Assistance State and local projects, the chart below was created from information received from the Virginia State Park Director, and the Arkansas State Outdoor Recreation Liaison Officer.

LWCF State assistance funding recipient	Award date	Jobs created/saved	LWCF State assistance amount awarded
VA—Douthat State Park Cabin Project	December 3, 2008	80	$163,026
VA—Douthat State Park Campgrounds	September 1, 2009	100	$497,520
AR—Rose City ball field construction and ADA access.	March 4, 2003	30	$75,000
AR—Maumelle ball park development	March 17, 2005	75	$200,000
AR—Mena Five Clover-Leaf ball field development	July 21, 2005	75	$125,000

LWCF STATE ASSISTANCE IMPACT ON LOCAL COMMUNITIES

LWCF State Assistance is a matching grant program that requires State and local governments to provide 50 percent in non-Federal funds for the acquisition, development, and redevelopment of parks and recreation resources. As a result of LWCF State Assistance funding, more than 41,000 projects have been created in local communities. Since its inception in 1965, the program has provided almost $4 billion in matching funds to States and local communities in 98 percent of American counties. The States, cities, counties, and towns that apply for and accept Federal funding from the LWCF State assistance grant program agree to match the Federal investment on a dollar-for-dollar basis, and often match significantly more than the Federal share.

PUBLIC HEALTH

Congress created the LWCF State Assistance program "to strengthen the health and vitality of the citizens of the United States," and undoubtedly these projects are playing a critical role in battling our Nation's obesity and Type 2 diabetes epidemics. Several medical studies have shown that there is a strong correlation between proximity to recreational facilities and parks and physical activity. According to the Centers of Disease Control and Prevention (CDC), which estimates 65 percent of adults and 16 percent of children are overweight or obese, even small improvements in the lifestyles of Americans would yield marked health improvements. In fact, CDC notes that the creation of or enhanced access to places for physical activity led to a 25.6 percent increase in the percentage of people exercising on three or more days per week. Investing in programs such as the LWCF State Assistance program would provide a significant return on investment through the reduction in healthcare costs.

ENVIRONMENTAL BENEFITS

The LWCF State Assistance program not only meets important national goals and delivers tangible benefits to the American public by improving health, providing recreation opportunities to all Americans, and improving communities through economic development, it also significantly contributes to protecting our environment and promoting environmental stewardship. LWCF State Assistance projects have a historical record of contributing to reduced and delayed stormwater runoff volumes, enhanced groundwater recharge, stormwater pollutant reductions, reduced sewer overflow events, increased carbon sequestration, urban heat island mitigation and reduced energy demands, resulting in improved air quality, increased wildlife habitat, and increased land values on the local level.

LWCF STATE ASSISTANCE: ADDRESSING NATIONAL ISSUES ON THE LOCAL LEVEL

The following examples, provided by the NPS, paint a picture of a Federal program, diverse in application and addressing national issues on the local level:

Focal Points of Close-to-Home Access to Health and the Outdoors in Urban Areas

In Coeur d'Alene, Idaho, Tubbs Hill Park received critical LWCF funding to help acquire and preserve a breathtaking urban forest. Today, this 135-acre forest in the middle of the city has a 2.2-mile loop trail, spectacular scenic vistas of Lake Coeur d'Alene and unparalleled access to close to home recreation in the heart of Coeur d'Alene. This park is a hub for community exercise and offered as an ideal healthy resource within the city. In this urban park, you commonly see osprey, common, and hooded mergansers, bald eagles, as well as pied-billed, eared, and western grebes.

Economic Development and Community Benefits of Parks and Access to Recreation

In Rapid City, South Dakota, a community park was built in a part of the community that did not have a public park. With the help of a LWCF grant and a matching grant from Rapid City, several developers donated money to build this community playground. Since the announcement of the park and playground project, three major housing developments have emerged in the surrounding neighborhood thereby generating additional tax revenue.

Environmental Stewardship and Conservation Projects Leverage Regional Impacts

In Ashburnham, Massachusetts, the Commonwealth of Massachusetts used $450,000 in LWCF funds to leverage an additional $675,000 to conserve 460 acres of forest lands along the New Hampshire border. The land provides public access for long-distance hiking, links conservation lands, protects the water quality of the Millers River, and preserves archaeologically sensitive sites once used by the "Harvard Shakers."

Unfortunately, in recent years funding for LWCF State Assistance has been severely diminished leaving communities with lists of unfunded projects. However, in the past year we are seeing encouraging signs by the Obama administration and Congress that LWCF State Assistance is becoming a priority within the Interior budget. With Secretary of the Interior Ken Salazar's vision to fully fund LWCF at $900 million by 2014, it is going to require significant and bold increases between now and 2014. With the more than $12 billion in unmet need ready to be funded in our State and local communities, we believe our request for $175 million for LWCF State Assistance is entirely appropriate. Adjusting for inflation, the $144 million that was appropriated to LWCF State Assistance in fiscal year 2002 would today be $175 million.

Madam Chairman and members of the subcommittee, parks and recreation agencies are not merely community amenities; they are essential services which are necessary for the economic and environmental vitality as well as physical wellness of communities throughout this country. By providing funding for LWCF which has proven itself invaluable to addressing national issues, Congress would be investing in the health and well-being of communities across this Nation from the standpoint of economic recovery, environmental protection, as well as providing safe and affordable places for recreation. Because this investment has a positive impact on the economy in the areas of job creation local economic stimulation, now is the ideal time to invest into this program that has been dismantled over the past 8 years. The lack of required Federal operations, maintenance, and staff funding of these state and local projects is yet another reason why investment is advantageous to American taxpayer.

PREPARED STATEMENT OF THE NORTH SHORE SANITARY DISTRICT

Madame Chairman and members of the subcommittee, thank you for the opportunity to discuss a vital project the North Shore Sanitary District (NSSD) is attempting to complete—the repair of the Waukegan Sewage Treatment Plant's Final Effluent Forcemain. Senator Burris has lent his support to our effort by requesting an appropriation for fiscal year 2011 of $4,974,000 from the EPA's State and Tribal Assistance Grant program.

Before discussing this project in detail, I would like to tell you about the mission of the NSSD. The NSSD works diligently to safeguard Lake Michigan and other local waterways, such as the Skokie and Des Plaines rivers, from pollutants while providing wastewater treatment service to approximately 315,000 residents in eastern Lake County, Illinois. The NSSD is the second largest wastewater agency in the State of Illinois, serving the communities of: Winthrop Harbor; Zion; Beach Park; Waukegan; Gurnee; Grayslake; Park City; North Chicago; Green Oaks; Lake Bluff, Lake Forest; Highwood; Highland Park; Bannockburn; and Deerfield. We also provide wastewater treatment services for one of the largest military installations in the United States—the Great Lakes Naval Training Station.

The NSSD collects wastewater from local sewer systems in these communities and conveys it via 125 miles of interceptor sewers and 11 pumping stations to its treatment plants in Waukegan, Highland Park, and Gurnee. These three facilities have been recognized by the National Association of Cleanwater Agencies for their excellence.

Like many agencies charged with the responsibility of keeping our waterways clean, the NSSD has major infrastructure needs that must be met if we are to continue to be effective in our important mission.

Among these challenges for the NSSD is repairing its 54 inch diameter Waukegan Sewage Treatment Plant Final Effluent Forcemain, a 5.6 mile long forcemain constructed of pre-stressed concrete pipes that connect our Waukegan Treatment Plant with the Des Plaines River. The forcemain, which is nearly 35 years old, carries treated effluent through densely populated neighborhoods in Waukegan and Gurnee, Illinois. It has already experienced two significant failures, resulting in damage to both private property and public infrastructure. Based on an inspection in 2002, 60 pipes were repaired by lining the pipe with a carbon-fiber-reinforced polymer (CFRP) wrap. In April 2008, a second inspection determined there were an additional 31 pipes exhibiting various degrees of distress since the 2002 inspection and subsequent repair. The estimated overall cost to upgrade the forcemain is approximately $14.2 million.

Due to the significant environmental benefits of this project, the NSSD is seeking this funding assistance. The Federal funding requested will be used directly in repairing the pipe. The NSSD has decided to adopt a proactive approach and repair all pipes that are in 16 general areas where the 31 pipes found to be in distress in 2008 are located. These 16 areas cover approximately 3,041 feet in length.

These repairs would not only create approximately 160 jobs for the region but would also reduce the potential of another forcemain rupture, which in addition to the causing disruption for local property owners, would require the NSSD to discharge effluent directly into Lake Michigan.

Thank you again for your consideration, and we would be glad to answer any question you might have.

PREPARED STATEMENT OF THE NATIONAL TRIBAL ENVIRONMENTAL COUNCIL

On behalf of the National Tribal Environmental Council (NTEC) and our 187 member tribes, we thank you for the opportunity to provide fiscal year 2011 funding recommendations for the Department of the Interior and other agencies under the purview of this subcommittee.

Founded in 1991, NTEC works with federally recognized tribes to protect tribal environments. NTEC's mission is to support Indian tribes and Alaska Natives in protecting, regulating, and managing their environmental resources according to their own priorities and values.

Despite having some of the most pristine habitat in the United States, tribes have been historically underfunded for wildlife and natural resource management and conservation. There are 564 federally recognized American Indian tribes and more than 300 reservations in the United States. Tribes manage 95 million acres of land, 11 million acres more than the National Park Service. Tribal lands contain more than 997,000 acres of lakes, 13,000 miles of rivers, and 18 million acres of forested lands. Tribes operate approximately 114 fish hatcheries, with many producing threatened or endangered fish species. Tribal lands provide vital habitat for more than 525 federal listed plants and animals, many of which are both ecologically and culturally significant to tribes.

BUREAU OF INDIAN AFFAIRS (BIA)

Department of the Interior Climate Change Adaptation Initiative

Increase the BIA's allocation of the Interior Department's Climate Change Adaptation Initiative to $8.55 million.

The Interior Department began a Climate Change Adaptation Initiative in September 2009, an undertaking that Indian tribes support in principle. The administration's fiscal 2011 budget request for the initiative is $171.3 million, an increase of $35.4 million more than 2010. The $136 million for the initiative in 2010 did not include any funding for tribes. Despite a substantial increase in the overall funding request, the situation for tribes is nearly as bad in the 2011 budget. Of the $171.3 million, only $200,000 goes to the BIA to involve and assist Indian tribes. This is highly inequitable, especially considering the disproportionate effect of climate change on tribes and their homelands. Sovereign Indian tribes deserve a broader seat at the table in the Climate Change Adaptation Initiative and a more equitable share of the funding.

Tribal lands comprise 4 percent of the U.S. land base (tribal lands represent a higher percentage if compared to the Federal lands involved in this initiative; tribal lands equal 95 million acres divided by 593 million acres of Federal land and tribal land equal 16 percent). Given that funding for tribal natural resources has been historically underfunded and there is no Federal program or funding that specifically supports tribal climate adaptation efforts, we request that the allocation to tribes via the BIA should be increased to $8.55 million, or 5 percent of DOI's Climate Change Adaptation initiative, for tribes to address and adapt to the impacts of climate change.

To achieve this equitable increase for tribes, the money provided to the various Interior agencies for the Initiative must be reallocated. In addition, the fiscal year 2011 BIA budget included $19 million for FBI agents, but this does not belong in the BIA budget. While we support additional funding for tribal law enforcement needs, we know that many tribes feel it is inappropriate to allocate the funding in this manner. We suggest that the $19 million be re-directed specifically for tribal law enforcement programs and to increase funding for tribal climate change adaptation efforts.

Trust Natural Resources Program (TNR)

Maintain fiscal year 2010 enacted amount of $175.62 million for BIA TNR Program.

The BIA TNR Program represents the largest amount of base, Federal funding for tribal natural resource management. Tribes have more than $356 million of unmet annual needs for natural resource management and conservation.[1] Because BIA spending on natural resources in the last 2011 years has been relatively flat compared to inflation and BIA's budget has been historically inadequate to meet the natural resource needs of Indian tribes, their needs have multiplied. In addition, the U.S. Commission on Civil Rights notes, "Native American population needs have increased at a rate faster than inflation, as problems are compounded by years of ne-

[1] U.S. Department of the Interior, Bureau of Indian Affairs, *Report on Tribal Priority Allocations*, July 1999, 52.

glect."[2] Even with the fiscal year 2010 increase to the TNR Program, the annual unmet needs of tribes for natural resource management continue to exist and grow.

The administration's fiscal year 2011 request is $17.2 million less than the fiscal year 2010 enacted level primarily due to an $18.6 million transfer of minerals and mining funding, what has been termed "efficiency savings," and modest decreases and increases to a variety of tribal programs. Due to the significant unmet annual needs for tribal natural resource management and the historic underfunding of tribal natural resource programs, we request that the aforementioned $17.2 million be reinstated and provided to BIA TNR Programs including the Tribal Management and Development Program, Wildlife and Parks Tribal Priority Allocations, Natural Resource Tribal Priority Allocations, Water Management, Planning and Pre-Development Program, Endangered Species Program, and Rights Protection Implementation. As discussed in the previous section, it would also be possible to allocate some of the $19 million currently proposed for FBI agents to make up for the shortfall in TNR funding for tribes.

U.S. FISH AND WILDLIFE SERVICE (FWS)

Tribal Wildlife Grants Program

Increase FWS Tribal Wildlife Grants Program funding to $8.4 million.

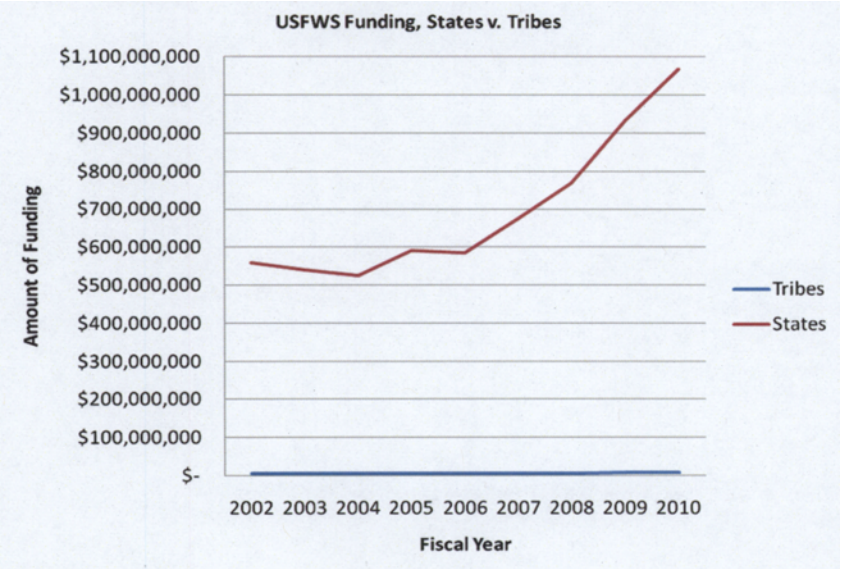
Unfortunately, tribes are not eligible for funding under Federal wildlife and fishery restoration programs such as the Federal Aid in Wildlife Restoration Act (Pittman-Robertson) or the Federal Aid in Sport Fish Restoration Act (Dingell-Johnson) that fund activities through an excise tax on hunting and fishing equipment. Although tribal members pay taxes that support this funding, they remain excluded from receiving the benefits and only States are allowed to access them.

In 2002, Congress authorized FWS to provide funding to tribes under the Tribal Wildlife Grant (TWG) and Tribal Landowner Incentive Programs (TLIP). Tribal proposals for support often total more than $30 million annually. Yet these programs combined have only provided tribes an average of $7 million annually. With 564 federally recognized tribes, competition is severe and tribes rarely receive sufficient funds to fully support important conservation efforts.

In fiscal year 2007, only 38 proposals out of 110 submitted received funding under the TWG Program. In fiscal year 2003, in the FWS Northeast Region, 9 tribes submitted TWG proposals requesting $1.4 million, but only 4 were funded for $481,554 (34 percent of the requested amount). In fiscal year 2009, FWS only funded 41 TWG proposals out of 101 submitted, awarding $7 million to tribes with a meager average award of $170,000. In fiscal year 2010, States received more than $1 billion from the Federal Aid in Wildlife Restoration Act, the Federal Aid in Sport Fish Restoration Act, and State Wildlife Grants programs. Thus, the $7 million tribes received from the TWG program was less than .007 percent of the amount States received. From 2002–2010, States received 86 times more FWS funding than tribes for fish and wildlife conservation, or $6.25 billion for States compared to $72.2 million for tribes (see chart).[3]

[2] U.S. Commission on Civil Rights, *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country* (Washington, D.C.: U.S. Commission on Civil Rights, July 2003), 11.

[3] State funding includes the FWS Wildlife and Sport Fish Restoration Programs and State Wildlife Grants. Tribal funding includes the FWS Tribal Wildlife Grants and Tribal Landowner Incentive Program.



Since the inception of the TWG Program in 2002, no more than $7 million per year has been made available on a competitive basis to the Nation's 564 federally recognized tribes. At this low level of funding, very few tribes receive any TWG Program funding; those receiving TWG Program funding typically get very little; and no tribe receives sufficient funding to sustain long-term tribal wildlife and natural resource management efforts. In fiscal year 2010, the State and Tribal Wildlife Grant Program received $90 million, a $15 million or 20 percent increase from fiscal year 2009. Nonetheless, funding for tribes via the TWG Program remained at $7 million, and continues at that level in the administration's fiscal year 2011 budget request. Tribes deserve at least the same 20 percent increase; thus we request that TWG Program funding be increased to $8.4 million.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

Multimedia Tribal Implementation Grants Program

Preserve the administration's fiscal year 2011 request of $32.9 million for the Multimedia Tribal Implementation Grants Program.

The administration's fiscal year 2011 budget request for the Environmental Protection Agency (EPA) proposes a new Multimedia Tribal Implementation Grants program to support on-the-ground implementation of environmental protection on tribal lands. This program would provide $30 million for tribes to address their most pressing environmental needs. This program would advance negotiated environmental plans and activities on a cooperative basis between tribes and EPA, ensuring that tribal environmental priorities are adequately addressed. In addition, the administration's fiscal year 2011 budget request includes $2.9 million for tribal capacity building and implementation of this new grant program. NTEC requests that these EPA programs be funded at the proposed $32.9 million level.

General Assistance Program

Preserve the administration's fiscal year 2011 request of $71.4 million for the EPA General Assistance Program.

Since 1992, the EPA's Indian Environmental General Assistance Program (GAP) has served a critical need in providing funding to tribes to build capacity for environmental management. The administration's fiscal year 2011 budget request includes a much-needed $8.5 million increase for GAP. This requested increase will help tribal environmental programs to continue to build capacity as well as advance efforts to manage tribal environments. NTEC requests that the EPA GAP Program be funded at the proposed $71.4 million level.

PREPARED STATEMENT OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION

Chairman Feinstein and members of the subcommittee, the National Trust for Historic Preservation asks that you support job creation, sustainability and smart growth by appropriating funding for the Nation's core historic preservation programs in the amounts of $55 million for State Historic Preservation Officers (SHPOs); $10 million for Tribal Historic Preservation Officers (THPOs), $25 million for Save America's Treasures (SAT), and $4.6 million for Preserve America (PA) in fiscal year 2011.

SAT, the Nation's only bricks-and-mortar preservation grant program, is proposed for elimination and the National Trust urges you to fund it at last year's level of $25 million. The proposed elimination of SAT would represent a nearly 30 percent reduction in the Historic Preservation Fund (HPF) overall, while some other programs in the Department of the Interior have seen as much as a 38 percent increase. The Trust urges you to help deliver greater equity between our cultural historic preservation programs and our natural resource programs, as they are both integral parts of preserving our Nation's rich heritage.

Over the past 10 years, SAT has been a driver of economic development and the Federal Government's most successful tool to preserve the important places that tell our Nation's story. Due to broad, bipartisan congressional support, the program has provided nearly $300 million to save 1,132 of America's most significant places in all 50 States, creating over 16,000 jobs and fostering economic development in every single project it covers. The National Trust supports a rigorous evaluation of Federal programs to ensure taxpayer money is spent wisely. SAT's decade-long track record exhibits the efficient use of these funds.

SAT stands out as a model of effective spending because every SAT grant recipient is required to raise a dollar-for-dollar, non-Federal match. It has leveraged more that $350 million in non-Federal and private funds. As a result, SAT has been enormously successful in attracting private-sector financing and creating productive and sustained partnerships with corporations, foundations, and individuals that provide matching contributions. Continued Federal funding of SAT is even more important due to currently distressed credit markets and high unemployment.

Preserve America, a sister program to SAT for preservation education and outreach, funded out of the National Recreation account, would also be eliminated in the President's fiscal year 2011 budget. The Preserve America program complements SAT's bricks-and-mortar grant projects by helping local communities develop sustainable resource management strategies and sound business practices for the continued preservation and use of heritage assets. The National Trust urges you to fund it at last year's level of $4.6 million. A 2009 report to Congress by the Advisory Council on Historic Preservation found that Preserve America is addressing many State, local, and regional heritage tourism needs with a relatively small Federal investment and like SAT, the competitive grants require a dollar-for-dollar, non-Federal match.

Tying our Nation's historic preservation activities together are the SHPOs. In addition to lying the groundwork for SAT and PA, SHPOs carry out the Federal historic preservation program that provides citizens the tools needed to revitalize, rehabilitate, and protect the places that give meaning to America. Funding for SHPOs leverages investments through local jobs, non-Federal contributions and long-term economic development. In 2009, the Rehabilitation Tax Credit, administered by SHPOs, leveraged nearly $5 billion in private investment and created more than 70,000 jobs. SHPOs also review Federal projects for their potential impact on historic sites. A recent February 2010 GAO report highlighted that SHPO staff shortages have delayed various American Recovery and Reinvestment Act (ARRA) projects. Providing $55 million for SHPOs would help fund additional staff vital to conducting ARRA reviews while still providing communities with the means necessary to revitalize and preserve their heritage.

THPOs carry out many of the same functions as SHPOs in tribal areas. There are currently 96 THPOs and as the number continues to increases, the amount of HPF funds appropriated is not keeping pace. In fiscal year 1996, there were 12 tribes that received an average of $80,000. Fifteen years later, the number of THPOs will have grown to 100, and at the President's proposed level of $8 million, each would receive an average amount of $72,500—about $7,500 less than when the program was first funded. Therefore the National Trust asks that THPOs be funded at $10 million for fiscal year 2011.

Funding these essential historic preservation programs would represent a true investment in America's treasured legacy multiplied many times over through public-private economic partnerships and ventures. Most importantly, it would create

much needed jobs and ensure the protection of historic resources nationwide that might otherwise be lost forever.

PREPARED STATEMENT OF THE NATIONAL WILDLIFE FEDERATION

On behalf of the National Wildlife Federation (NWF), the Nation's largest conservation advocacy and education organization, and our more than 4 million members and supporters, we thank you for the opportunity to provide fiscal year 2011 funding recommendations for the Department of the Interior and other agencies under the purview of this subcommittee.

We understand the administration and the subcommittee face difficult choices in these challenging economic times, and we are pleased with several of the major initiatives in the President's fiscal year 2011 budget proposal. We commend the subcommittee for its efforts to strengthen the scientific and planning capacity to address climate change impacts on wildlife through landscape-level conservation and management, rapidly increasing the capacity for appropriately sited renewable energy and transmission on public lands, and facilitating essential acquisition of key habitat through a commitment to the Land and Water Conservation Fund.

Climate Change Adaptation and Landscape-scale Conservation

The proposed budget includes a much-needed $35 million increase more than the enacted fiscal year 2010 budget to support on-the-ground adaptation at several agencies. NWF is strongly supportive of the $171 million requested for the Department of the Interior budget to help agencies assess and respond to the impacts of climate change on wildlife. We are particularly pleased to see investments in Landscape Conservation Cooperatives designed to engage and integrate agencies from across the Department and with external partners.

Promote Renewable Energy and Limit Fossil Fuel Subsidies

Transitioning to a clean energy economy is one of the great challenges facing the nation. NWF supports the New Energy Frontier initiative in the President's fiscal year 2011 budget, which invests in development of clean energy resources on public lands while acknowledging that not all lands with energy potential are appropriate for development. This initiative would invest $73.3 million in renewable energy programs, a $14.2 million increase more than fiscal year 2010. Because it is essential that applications are sited appropriately, we strongly support proposed investments in new studies of wildlife impacts, site-specific environmental studies, and regional analysis of wind energy zones. We remain concerned, however, that the Department lacks the necessary policy guidance to support the targeted build out on public lands without incurring significant impacts to wildlife and other natural resources.

NWF also strongly supports the Department's common-sense budget proposals for reducing extravagant subsidies to the oil and gas industry, including a new fee for nonproducing leases. To confront climate change, promote cleaner sources of energy, and enhance our national security, we will need to phase out tax breaks and subsidies to the most carbon intensive fuels.

U.S. Fish and Wildlife Service

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 provides state wildlife agencies and their partners with a broad suite of proactive conservation tools to allow for meaningful and cost-effective species conservation. At the heart of this program is implementation of federally approved wildlife action plans. We urge Congress to honor its commitment to this important effort and respectfully request that the subcommittee provide State Wildlife Grants funding of $100 million, an increase of $10 million more than fiscal year 2010 enacted levels.

Endangered Species Program

The Endangered Species Act (ESA) is a safety net for wildlife, plants, and fish that are on the brink of extinction. While the act has been extraordinarily successful in preventing the extinction of plants and animals, funding for its implementation has eroded significantly over the past few years. We are dismayed with the President's proposal to virtually flat-fund the program, and are particularly concerned about decreases in the listing and candidate conservation programs. We urge the Subcommittee to appropriate at least $217 million in fiscal year 2011 toward the Endangered Species Program ($38 million above fiscal year 2010 enacted) as follows: Listing ($32 million), Recovery ($95 million), Consultation ($75 million), and Candidate Conservation ($15 million).

National Wildlife Refuge System Operations and Maintenance

The National Wildlife Refuge System is a monumental part of the public lands systems in the United States. It is home to endangered species, migrating birds, rare flora and fauna, and retreat for hunters and anglers nationwide. The Refuge System will also play a crucial role for wildlife as the impacts of climate change continue to increase. Unfortunately the President's fiscal year 2011 budget reflects cuts to a system that must be able to lead the way in a warming climate. The National Wildlife Federation, in support of the Cooperative Alliance for Refuge Enhancement (CARE), recommends $578.3 million for Operations and Maintenance for the National Wildlife Refuge System.

Conservation Planning Assistance

The Conservation Planning Assistance (CPA) branch delivers on-the-ground conservation of wetlands and other high-value habitats through environmental review and technical assistance. Base funding and staff levels for this program have significantly eroded over the past 15 years, and that erosion continues, despite increased demands for CPA expertise. As a first step in restoring the agency's capacity to deliver on-the-ground habitat conservation, we urge the Subcommittee to appropriate $32.3 million in fiscal year 2011 toward the Conservation Assistance Program's "General Program Activities" account ($6 million above the fiscal year 2011 request).

Youth in Natural Resources

We greatly appreciate the subcommittee's strong support in fiscal year 2010 for Secretary Salazar's Youth in Natural Resources initiative, which will reach and educate youth from all backgrounds about our Nation's lands, waters and heritage, while providing employment opportunities to youth to protect our resources and restore our environment. We urge the subcommittee to continue to grow this program and recommend a funding level of $56.6 million (an increase of $20.5 million more than fiscal year 2010 enacted).

U.S. Geological Survey

National Climate Change and Wildlife Science Center

The National Climate Change and Wildlife Science Center is an important initiative for improving the scientific support required to successfully cope with the challenges of a changing climate. NWF is supportive of the proposed $8 million increase in funding for the center in fiscal year 2011. We would note, however, that following the issuance of the Secretarial Order on Climate Change and the establishment of several Landscape Conservation Cooperatives, there is a need to clarify and better communicate roles and responsibilities within the Department regarding climate change planning and science.

Bureau of Land Management

National Landscape Conservation System

The National Landscape Conservation System is our newest public lands system containing 26 million acres of some of the most beautiful and best places in the American West. It recently received permanent status through the Omnibus Public Lands Act of 2009; however it was created in 2000 and this year will be the 10th anniversary of the system. As its status continues to rise, the system continues to be plagued with inadequate funding and lack of budget clarity. It is becoming more difficult to meet its core responsibilities and manage the growing number of visitors. Therefore we recommend fiscal year 2011 NLCS funding of $100 million for operations, maintenance and planning.

Bureau of Indian Affairs

Trust—Natural Resources Program

The primary function of the Trust—Natural Resources Management program is to assist tribes in the management, development, and protection of Indian trust land and natural resource assets. Due to significant unmet annual needs for tribal natural resource management, and the historic underfunding of tribal natural resource programs, NWF is concerned about the proposed $17.2 million decrease in this program for fiscal year 2011, and recommends maintaining the fiscal year 2010 enacted level of $175.62 million. Of the funds requested for this program, just $0.2 million are a part of the Department's Climate Change Initiative. Given the disproportionate impact that climate change will have tribal lands in Alaska and elsewhere, we would encourage more robust BIA funding to engage the tribes in preparing for and adapting to the impacts of climate change.

U.S. Forest Service

Integrated Resource Restoration

The fiscal year 2011 budget proposal combines the Forest Products, Wildlife & Fisheries, and Vegetation & Watershed line items into a single $694 million budget item. The stated intent of this realignment is to shift away from traditional commercial forestry objectives and towards large-scale ecosystem restoration and stewardship. NWF is supportive of the intent to focus more on landscape-scale management and restoration, but has concerns about the potential for funding related to wildlife, rare plants, and habitat to be obscured through this realignment and possibly decreased during the course of program implementation. We would encourage the development of robust program monitoring and oversight to ensure continued commitment to delivery on wildlife and fisheries objectives.

Land and Water Conservation Fund

The Federal acquisition portion of the Land and Water Conservation Fund is the primary tool for the Federal Government for acquisition of land for valuable wildlife habitat and open space. The stateside portion is vitally crucial to providing a place for children and families to connect with nature. However, in recent years LWCF has been severely underfunded, in direct contrast to the intention of the original program. NWF is pleased to see this administration increasing the funding levels of this program, and we strongly recommend a budget of $425 million for Federal land acquisition, and $175 million for the stateside program.

Environmental Protection Agency

Greenhouse Gas Reductions and Inventory

NWF applauds the President's call to reduce greenhouse gas (GHG) emissions in the range of 17 percent below 2005 levels by 2020 and more than 80 percent by 2050. NWF strongly supports the fiscal year 2011 request of $43 million in new funding for EPA programs to help achieve these goals under existing Clean Air Act authority. This funding would cover regulatory development activities covering mobile and selected stationary sources, as well as technical assistance to support States' permitting activities. These efforts are critical to combat climate change, meet our emission reduction pledges under the Copenhagen Accord, and comply with the Supreme Court decision in *Massachusetts* v. *EPA*.

NWF also supports the President's request of $21 million for continued implementation of the Greenhouse Gas Reporting Rule. These activities are essential for ensuring that the agency has sufficient quality data to guide climate policy development.

Ecosystem Restoration Initiatives

America's Great Waters are the lifeblood of our nation. Sustained, consistent restoration funding is crucial for the implementation of multi-year, complex ecosystem restoration plans. NWF is fully supportive of the proposed increase of $13 million for EPA's Chesapeake Bay Program Office (fiscal year 2011 request of $63 million). We are concerned, however, about significant proposed funding decreases for several other regional efforts, and urge Congress to maintain fiscal year 2010 funding levels for the following ecosystems: Great Lakes Restoration Initiative ($475 million vs. $300 million requested); Puget Sound geographic program ($50 million vs. $30 million requested); Long Island Sound geographic program ($7 million vs. $3.8 million requested); and Lake Champlain geographic program ($4 million vs. $1.4 million requested).

National Environmental Education Act Programs

EPA's Office of Environmental Education implements highly successful, nationwide environmental education programs. Investment in these programs must ramp up quickly to prepare Americans for the clean energy economy, keep America competitive, and foster innovative thinking and solutions to global climate change. We are grateful for the subcommittee's support of environmental education in previous years and recommend a funding level of $14 million (an increase of $5 million more than fiscal year 2010 enacted).

PREPARED STATEMENT OF THE NATIONAL FISH AND WILDLIFE FOUNDATION

Madam Chairman and members of the subcommittee: Thank you for the opportunity to submit testimony regarding fiscal year 2011 funding for the National Fish and Wildlife Foundation (Foundation). The Foundation's fiscal year 2011 funding request is fully authorized and each Federal dollar appropriated will be matched by

a minimum of one non-Federal dollar. We appreciate the subcommittee's past support and respectfully request your approval of funding at the following levels:

—$8.537 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 endangered salmon;

—$4 million through the Bureau of Land Management's Management of Lands and Resources appropriation; and

—$3 million through the Forest Service's National Forest System appropriation.

Since its inception, the Foundation has leveraged nearly $500 million in Federal funds into more than $1.6 billion in on-the-ground and in-the-water conservation with less than 5 percent aggregate overhead to the Federal Government and fewer than 90 staff nationwide.

The Foundation was established by Congress in 1984 to foster public-private partnerships to conserve fish, wildlife, and their habitats. The Foundation is required by law to match each federally appropriated dollar with a minimum of one non-Federal dollar. We consistently exceed this requirement by leveraging Federal funds at a 3:1 average ratio while building consensus and emphasizing accountability, measurable results, and sustainable conservation outcomes.

With your support, fiscal year 2011 funds will support our long-standing grant programs and new partnership initiatives with the U.S. Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), and Forest Service (FS). Several of our priority initiatives for fiscal year 2011 are described below.

Fish Habitat Restoration

In cooperation with FWS, BLM, and FS, the Foundation provides community-based grants to assist rural communities, farmers, ranchers and other private landowners with restoring habitats that are essential for native fish species and their migration corridors. To the extent possible, the Foundation is also partnering with the National Oceanic and Atmospheric Administration and USDA's Natural Resources Conservation Service on these efforts, and successfully leveraging Federal support with corporate contributions for fish habitat conservation. Many of these in-stream and riparian habitat restoration projects are located on or adjacent to public lands. To complement these efforts, the Foundation has successfully implemented a water transactions program in the Columbia Basin in partnership with the Bonneville Power Administration, local water trusts, and willing landowners. All of these approaches for habitat restoration will be necessary to sustain or recover the 700 fish species in decline in North America.

The Foundation is building on our long history in fish habitat restoration to strategically target our partnership efforts toward specific species of concern in fiscal year 2011 and the next few years. Specifically, we are working with Federal, State, and local partners to coordinate efforts to restore habitat for Eastern Brook Trout in the Mid-Atlantic region and Salmon in the Pacific Northwest.

Eastern Brook Trout Restoration

Brook trout are the only trout native to much of the Eastern United States and because they persist in only the coldest and cleanest waters they are positive indicators of watershed health. The mid-Atlantic region has seen the greatest decline in brook trout populations, where they are now found only in scattered headwaters streams. Foundation grants are focusing on unique threats and opportunities in specific watersheds of Virginia, West Virginia and Pennsylvania. It is anticipated that restoration activities will meet or exceed the Eastern Brook Trout Joint Venture goals for the mid-Atlantic region.

Salmon Recovery

The Foundation is successfully engaging landowners, community groups, tribes, and businesses in stimulating smaller-scale, community-oriented habitat restoration and protection projects to aid in salmon recovery. In particular, for nearly a decade the Foundation has leveraged FWS appropriations with state and local funds to establish local grant partnerships in Washington State. We have partnered with the Washington State Salmon Recovery Funding Board to administer a statewide Community Salmon Fund program that is coordinated with the individual Lead Entity groups. In addition, the Foundation has ongoing partnerships with both King and Pierce Counties to administer county-specific Community Salmon Fund programs in those counties.

Other focal species for the Foundation's grants include: Apache trout, Colorado Cutthroat trout and native suckers and chubs in the Upper Colorado Basin, and Coho salmon and endangered suckers in Klamath Basin.

Chesapeake Bay, Great Lakes, Long Island Sound, and Puget Sound

Watershed health plays an important role in fish and wildlife conservation and has been a feature of the Foundation's grantmaking since establishing our partnership with the Environmental Protection Agency (EPA) in 1998. In the last decade, the Foundation has formed strategic public-private partnerships to restore and protect fish and wildlife habitat while improving water quality in the Chesapeake Bay, Great Lakes, and Long Island Sound. Federal partners in the programs include EPA, Department of Interior agencies, Forest Service, USDA's Natural Resources Conservation Service, NOAA, and others. The Foundation leveraged various Federal funds for these partnerships but, more importantly, attracted private contributions from corporations and other private foundations. We are employing a similar model to develop a partnership and target financial resources in Puget Sound. The Foundation's watershed grant programs continued positive results in 2009 with priority project requests far exceeding available funds.

Youth in Natural Resources

The Department of the Interior's fiscal year 2011 budget request includes $2 million, split between FWS and BLM, for the Foundation to establish a competitive grant program for youth conservation job programs. With the movement of Americans to urban areas and more indoor recreational pursuits, America's youth are developing a gap in their knowledge of fish and wildlife and the need for natural resource conservation. This gap poses a serious threat to the future of the wildlife conservation. Through this unique initiative, local organizations will develop employment programs that foster a conservation ethic, expose youth to career opportunities in the conservation community, and ultimately cultivate future generations of wildlife professionals.

The Foundation will work with FWS and BLM to develop a public-private partnership by leveraging the Federal funding with at least an equal amount of privately financed contributions. Funds will be awarded to Refuges, Fish Hatcheries, Friends groups, BLM field offices, Youth Conservation Corps, nongovernmental organizations and others who seek to develop innovative conservation employment opportunities for youth. Wildlife habitat conservation education will be an integral aspect of this grant program and the Foundation will partner with the Department of the Interior's National Conservation Training Center to develop learning goals, curricula, and other training material that can be integrated into job programs.

We request that this new $2 million initiative for Youth in Natural Resources be funded above and beyond the Foundation's fiscal year 2010 enacted levels for FWS and BLM, which were $7.537 million and $3 million, respectively.

Conclusion

NFWF has a 25-year history with the Department of Interior and has been successful in bringing together public and private partners to build strategic partnerships to address the most significant threats to fish and wildlife populations and their habitats. The Foundation has partnerships with 14 Federal agencies and more than 50 corporations and private foundations. We have a successful model of coordinating and leveraging Federal funds and attracting support from the private sector to form public-private partnerships for fish and wildlife conservation.

We are working directly with the Federal agencies and our other partners to maximize results and produce sustainable conservation outcomes. To that end, the Foundation is incorporating monitoring and evaluation into our programs to measure progress, promote adaptive management, demonstrate results, and continuously learn from project investments. We look forward to building on our partnerships with FWS, BLM and FS in fiscal year 2011 and appreciate the subcommittee's continued support of these collaborative efforts.

Background on National Fish and Wildlife Foundation

As of fiscal year 2009, the Foundation has awarded nearly 10,500 grants to more than 3,000 national and community-based organizations through successful partnerships with the Department of Interior Agencies, USDA's Forest Service and Natural Resources Conservation Service, the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, and others. This collaborative model brings together multiple Federal agencies with State, tribal and local governments and private organizations to implement coordinated conservation strategies in all 50 States.

The Foundation's grant-making involves a thorough internal and external review process. Peer reviews involve Federal and State agencies, affected industry, nonprofit organizations, and academics. Grants are also reviewed by the Foundation's issue experts, as well as evaluation staff, before being recommended to the Board

of Directors for approval. In addition, according to our Congressional Charter, 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.

Madam Chairman, we greatly appreciate your continued support and hope the subcommittee will approve funding for the Foundation in fiscal year 2011.

PREPARED STATEMENT OF THE NATIONAL WILDLIFE REFUGE ASSOCIATION

Mr. Chairwoman and Members of the subcommittee: On behalf of the National Wildlife Refuge Association (NWRA) and its membership comprised of current and former refuge professionals, Friends organization affiliates and concerned citizens, thank you for your strong support for the National Wildlife Refuge System (NWRS) including the meaningful funding increases over the past 3 years which allowed the NWRS to emerge from years of declining budgets following the 2003 Refuge Centennial. Unfortunately, the President's budget request, a $3.3 million cut, is a step in the wrong direction and if enacted, could reinstate the downsizing plans that called for a 20 percent reduction of staff on refuges nationwide. Because NWRS needs at least $15 million annually to address management capabilities (rent, utilities, staff salaries, gas, etc.) the President's proposal is in actuality an $18.3 million reduction. The NWRA appreciates the opportunity to offer comments on the fiscal year 2011 Interior, Environment, Related Agencies Appropriations bill and we respectfully request the subcommittee support the following programmatic funding allocations for programs in the NWRS and the U.S. Fish and Wildlife Service (FWS):

—$578 million for the operations and maintenance (O&M) accounts of the NWRS;
—$600 million for the Land and Water Conservation Fund (LWCF), including $150 million for the NWRS;
—$19 million for the Challenge Cost Share Program in the Department of the Interior including $6 million for the NWRS;
—$40 million for Landscape Conservation Cooperatives in the FWS;
—$25 million for Climate Change Inventory and Monitoring for refuges;
—$100 million for the NWRS construction account for large-scale restoration projects, visitors centers and energy efficiency projects;
—$5 million for Volunteer Community Partnerships for the NWRS;
—$25 million for invasive species control and eradication projects on and near refuge lands, including $5 million for large-scale projects;
—$35 million for the management of the new Pacific Marine Monuments;
—$75 million for the FWS' Partners for Fish and Wildlife Program;
—$115 million for the State and Tribal Wildlife Grants Program;
—$52.6 million for the North American Wetlands Conservation Fund;
—$6.5 million for the Neotropical Migratory Bird Fund;
—$10 million for the National Fish and Wildlife Foundation (NFWF) in the FWS' Resource Management General Administration appropriation.

Gulf of Mexico Oil Spill Response

NWRS needs strong and incremental increases to fulfill it's mission and purposes and with the tragedy unfolding before our eyes in the Gulf of Mexico with the Deep Horizon oil spill, potentially impacting up to 60 national wildlife refuges should the oil reach the Gulf Loop, funding the System adequately is more important than ever. While refuge staff is feverishly working to protect refuges and wildlife from the oil itself, the pervasive lack of funding is noticeably apparent by the lack of baseline data at each of the 25 refuges expected to be first impacted. Not one of the refuges in the immediate path of the oil spill has baseline inventories for all the resources that could be impacted by the oil. Refuges in Louisiana, Mississippi, Alabama, and Florida are scrambling to do baseline inventories of wildlife and water quality. While we thank the subcommittee for funding NWRS's Inventory and Monitoring program in the fiscal year 2010 budget, NWRS's lack of this program due to years of funding shortages has put America's wildlife at a distinct disadvantage. Unless refuges get this information now, it will be too late to prove how the oil impacted refuge resources. This baseline inventory information is not a luxury item; it's an essential tool.

National Wildlife Refuge Funding—Operations and Maintenance (O&M) and Construction

The NWRA is the chair of the Cooperative Alliance for Refuge Enhancement (CARE), a diverse coalition of 22 sporting, conservation, and scientific organizations representing more than 15 million Americans. NWRS needs at least $900 million in annual operations and maintenance funding to properly administer its 150 mil-

lion acres as mandated in the Refuge Improvement Act. To reach this reasonable goal, we respectfully request that you provide $578 million in fiscal year 2011 for NWRS O&M.

The increases in the past 3 years allowed for the suspension of workforce downsizing plans that outlined an eventual 20 percent reduction in overall staffing levels. But additional increases that build upon recent years are essential.

Within the $578 request for refuge O&M, we recommend $15 million for inflationary costs. We know the NWRS needs at least $15 million annually to maintain management capabilities which includes rent, utilities, salaries, concrete, gas, and steel—everything a refuge needs to fully function. The President's requested $3.3 million decrease is an effective $18.3 million cut due to these annual needs. Without providing adequate funding for these fixed costs, refuges will simply be unable to maintain current programs and public services, and the backlog will grow.

For example, at the Potomac River Refuges in northern Virginia, the past 3 years of funding increases allowed the complex to hire a temporary staffer to conduct public outreach and education and provide the only staff presence on the weekends deterring criminals from illegal dumping, poaching, and even prostitution. Should the President's budget cut be enacted, that staff person would likely be eliminated and conditions would return to those of only a few short years ago, when the complex was plagued with illegal squatters, turtle and fish poaching, dumping, and a prostitution ring. In many cases the simple presence of an official refuge vehicle is enough to deter would-be criminals. We must ask ourselves, is a cut to the NWRS budget really worth the consequent costs?

Within the allocation for refuge operations, we request $25 million for inventory and monitoring to help refuges cope with climate change; $25 million for invasive species removal projects including $5 million for large scale efforts; $5 million for volunteer and partnership programs and $35 million for the management of the new Pacific Marine Monuments.

We also ask the subcommittee to expand funding for NWRS's construction budget to $100 million. The FWS has more than $1 billion worth of construction needs, including the replacement of quickly deteriorating structures that are not energy efficient and are becoming more expensive to maintain. Construction funds also support large-scale habitat restoration projects such as the Salt Pond restoration efforts at the Don Edwards San Francisco Bay NWR. Funds for new visitor/administration centers will be a net benefit with regards to both efficiencies and economic impact to local communities. Refuges with a broad range of outdoor and indoor programs create more revenue, jobs in service industries, and income for local communities.

Climate Change—FWS and NWRS

The FWS and NWRS are just beginning to develop strategies to address Climate Change and are still woefully behind what is truly needed—especially with species in extreme locations such as Alaska and Hawaii on the verge of collapse. We strongly support the FWS initiative to establish Landscape Conservation Cooperatives to bring the best science to bear to help all agencies make the most educated management decisions. We recommend an allocation of $40 million to fund these LCCs in fiscal year 2011, building upon the investments made this fiscal year. We recommend $25 million for inventory, monitoring, and planning for refuges.

Invasive Species—Control and Eradication

The NWRS is succumbing to a relentless onslaught of invasive species with more than 2.3 million acres of refuge lands infested with invasive plants and 4,400 invasive animal infestations. Funding is needed to halt their progress and in some cases remove them entirely. Of the total 2.3 million plant-infested acres, the NWRS was able to treat only 14.6 percent in 2008—the same year a Government Accountability Office report found that the number one management action that had increased in cost was the management of invasive plants. We urge the subcommittee to allocate $25 million for invasives eradication efforts on refuges with $5 million for large-scale projects.

Strategic Growth and Partnerships

While providing adequate funding to operate and maintain the NWRS is of vital importance, most refuges are too small in size to fully achieve their conservation objectives. Their integrity depends on the health of surrounding lands and waters; and in turn, the health of refuge lands and waters has an enormous impact on surrounding communities. Consequently, there is a growing need to provide funding to ensure that lands and waters outside refuge boundaries are conserved. NWRA encourages a Beyond the Boundaries approach, which identifies and prioritizes crucial additions to the Nation's conservation estate while improving connectivity between

refuges and other conservation lands and encouraging partnerships to implement conservation strategies.

One of the most effect tools for effective partnering for conservation is the Challenge Cost Share (CCS) program and we strongly urge the subcommittee to fund the program at $19 million. The program was zeroed out in the administration's budget due to inadequate reporting by DOI agencies; however, the lack of reporting was in many instances due to a lack of staff resources—not because the program was not receiving a match from partners or was being used inappropriately. The program leverages taxpayer dollars, turning a $19 million investment into at least $38 million in completed projects. We support DOI efforts already underway to strengthen reporting and we hope you will work with the administration to repair the program and not eliminate it. The CCS has provided important opportunities for tens of thousands of citizen volunteers to do thousands of stewardship projects on public lands by leveraging these Federal funds in a way that cannot be duplicated through other Federal funding programs.

Another demonstrated conservation partnership is the FWS' Partners for Fish and Wildlife Program and we ask that the Subcommittee appropriate the authorized $75 million next year. Partners is a powerful tool to work with private land owners and leverage Federal dollars. A $75 million investment in the Partners program will conservatively net $300 million worth of additional conservation. On average, every $1 appropriated leverages between $4 and $10.

To strategically grow NWRS, NWRA strongly supports President Obama in encouraging Congress to fully fund the Land and Water Conservation Fund (LWCF) to its authorized annual level of $900 million in the next four years. We urge the subcommittee to allocate $150 million for the FWS to secure high-priority water rights and high-priority lands and conservation easements. Inadequate water quantity and quality represent some of the biggest obstacles for refuges to overcome and unfortunately, many refuges do not own the water rights on the refuge or they are not guaranteed an allocation of water from a river or stream.

Currently, there are roughly 8.3 million acres remaining to be acquired within approved refuge boundaries. $150 million for refuge land acquisition may seem high, but consider that if Congress appropriated the full $900 million annually only to refuges, it would still take almost 20 years before NWRS could acquire all the lands currently in acquisition boundaries.

Within this request, the NWRA encourages the subcommittee to provide funding for the following projects, which have willing sellers, are immediately available for purchase and provide increased connectivity between important public and private lands that will ultimately increase species ability to adapt:

—$4.9 million, Bear River Migratory Bird Refuge (Utah) to acquire 3,000 acres;
—$2.5 million, Blackwater NWR (Maryland) to acquire 1,515 acres;
—$4 million, Cache River NWR (Arkansas) to acquire 5,000 acres;
—$2.5 million, Charles M. Russell NWR (Montana) to acquire 2,400 acres;
—$500,000, Cokeville Meadows NWR (Wyoming) to acquire 2,200 acres;
—$2 million, Lake Wales Ridge (Florida) to acquire 800 acres;
—$2 million, Nestucca Bay NWR, Oregon to acquire 300 acres;
—$6 million, Silvio O. Conte NFWR (Massachusetts, Connecticut, New Hampshire, and Vermont) to acquire 2,050 acres;
—$3.5 million, Sheldon—Hart NWR Complex (Nevada, Oregon) to acquire 2,500 acres;
—$10 million, Stillwater NWR, Nevada to acquire 10,000 acres of water rights.

There are several additional extremely worthy refuge land acquisitions that are advocated for by refuge "Friends" organizations and refuge partners and we have provided the subcommittee with those requests in a separate document.

The NWRA also urges the subcommittee to appropriate $115 million for the State and Tribal Wildlife Grants Program to implement State Wildlife Action Plans; $52.6 million for the North American Wetlands Conservation Fund; $6.5 million for the Neotropical Migratory Bird Conservation Fund and $10 million for the National Fish and Wildlife Foundation.

In conclusion, the NWRA believes NWRS 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 NWRS.

PREPARED STATEMENT OF THE ORLEANS AUDUBON SOCIETY, INC.

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of acquiring land at Jean Lafitte

National Historical Park and Preserve in Louisiana. An appropriation of $2 million in fiscal year 2011 from the Land and Water Conservation Fund (LWCF) is needed towards National Park Service (NPS) acquisition of the Fleming Plantation property in Jefferson Parish.

The LWCF is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this committee faces, I also want to thank the subcommittee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the LWCF is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

The Orleans Audubon Society has had a long-term interest in the Jean Lafitte National Historical Park and Preserve and its unique wetlands. We testified before Congress urging the creation of the park. One of our members, Frank Ehret, Jr., is known as the "Father of the Park" for his tireless and relentless efforts to make the park a reality. We also successfully sued developers for violations of the Clean Water Act which occurred within the authorized boundary. Most recently, we lobbied to expand the boundary of the park, enlisting the help of National Audubon Society's Public Policy Office. The boundary was expanded with the passage of the 2009 Omnibus Public Lands Act.

Encompassing six separate units in south Louisiana, Jean Lafitte National Park and Preserve boasts a wealth of historical, cultural, and environmental resources. In addition to a visitor center in the famed French Quarter of New Orleans, the park units include three Acadian cultural centers. These centers share the stories and customs of the Acadians who came to be called Cajuns following their migration from French Canada to Louisiana. The Cajuns today are renowned for their music, their food, and their ability to hold on to tradition while making the most of the present.

Also located within the park is the Chalmette Battlefield, site of the January 8, 1815 Battle of New Orleans, commonly regarded as the last great battle of the War of 1812. On the battlefield grounds stands Chalmette Monument, which pays tribute to the troops who fought there. Along what remains of Rodriguez Canal is a re-creation of the rampart that protected American troops from the British army as well as cannons dating from the period and newer replicas.

A flagship unit of the Jean Lafitte National Historic Park and Preserve is the Barataria Preserve: 20,000 acres of bayous and swamps located near Marrero, just south of New Orleans. The preserve offers a multitude of recreational opportunities, including kayaking, canoeing, bird watching, hunting, and fishing. Visitors there can enjoy an historic swampland environment within a very short drive of New Orleans. They also have the opportunity to learn more about the vital role wetlands play in protecting coastal areas.

Within the recently expanded boundaries of the Barataria Preserve lies the Fleming Plantation: 4,000 acres of magnificent bayous, bottomland hardwood, and marsh. The landowner was willing to include the property in the recently passed expansion of the park and is now willing to sell it to the NPS. The Fleming Plantation was one of the region's largest and most productive 19th century sugar plantations. One of the property's most notable features is the Fleming Cemetery. Also known as the Berthoud Cemetery, it contains a large Indian shell mound hidden on the bank of Bayou Barataria near the plantation house. The Indian mound dates as far back as 500 B.C. Based on archeological research, the presumed function of this prehistoric site was that of a ceremonial center and village. In addition to the cemetery, the property has a large one-story Creole cottage that was likely one of the early plantation buildings. There are also remains of the plantation sugarhouse—a tall brick chimney, covered in vines, standing out amidst the large oak trees.

This land acquisition project has unprecedented support from local communities, government, ecotourism groups, including bird watchers, and from environmental organizations. The following support the Fleming Plantation land acquisition project: Orleans Audubon Society, Baton Rouge Audubon Society, Jefferson Parish Council of Garden Clubs, Better Swamps and Gardens, Louisiana Ornithological Society, Gulf Restoration Network, Lake Pontchartrain Basin Foundation, Coalition to Restore Coastal Louisiana, Woodlands Trail and Park, The Nature Conservancy of

Louisiana, Louisiana Wildlife Federation, Inc., League of Women Voters of Louisiana, Louisiana Audubon Council, National Audubon Society's Louisiana Important Bird Areas Program, Gulf Coast Initiative of the National Audubon Society, Baton Rouge Audubon Society, Delta Chapter of Sierra Club (Louisiana), and Mayor Tim Kerner, Town of Jean Lafitte.

Acquisition of the Fleming Plantation would preserve an important historic and ecological site and would lead to the restoration of marshland on the property to absorb storm surges. Leaving the property in its current state would perpetuate the existing threats from hurricanes to natural areas as well as to developed areas of New Orleans. The property hosts an abundance of migratory waterfowl, and within its viewshed is Myrtle Grove, the site of the State's first intended diversion project. Consequently, acquiring this land would link the State's greater coastal protection and diversion building effort. This will help protect the Louisiana coast and create marsh habitat that would reduce potential damage from hurricane storm surges.

An appropriation of $2,000,000 from the LWCF in fiscal year 2011 is needed towards the acquisition of the 4,000-acre Fleming Plantation. Adding this historic terrain to the Jean Lafitte National Historic Park would permanently protect this large environmentally and historically important property.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Louisiana, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF OPERA AMERICA

Madame Chairman 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 114 American member companies. We strongly urge you to support an increased appropriation of $180 million for the National Endowment for the Arts for fiscal year 2011. 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.

Opera is a continuously growing art form that can address the diverse needs and backgrounds of our communities. New opera companies are being established in communities that have never before had access to live performances. Seventy percent of the opera companies in existence today have been established since 1960. The growth of the field corresponds to the establishment and growth of the NEA. Over the last 20 years, a rich repertoire of American operas has been created by composers who communicate the American experience in contemporary musical and dramatic terms. The growth in the number and quality of American operas corresponds directly to the investment of the NEA in the New American Works program of the former Opera-Music Theater Program.

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 art form 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 from the NEA's 2010 Access to Artistic Excellence Program:

American Opera Projects, Inc., Brooklyn, New York, $10,000

To support the commission and developmental phase of *Rosencrantz & Guildenstern Are Dead*, by composer and librettist Herschel Garfein and stage direction by Mark Morris. Based on the 1966 play and 1990 film by Tom Stoppard, the work will be transformed into a two-act opera for six principal roles, three smaller roles, and 16 instrumentalists.

Atlanta Opera, Atlanta, Georgia, $20,000

To support a new production of Mozart's *Die Zauberflöete (The Magic Flute)*. The company will develop a program tailored for middle and high school students of area public schools and an educational touring production that will reach student and adult audiences in several Atlanta public schools.

Austin Lyric Opera, Austin, Texas, $20,000

To support performances of *L'Etoile (The Star)*, by Emmanuel Chabrier. Education and outreach activities will accompany the performances.

Boston Academy of Music (aka Opera Boston), Boston, Massachusetts, $20,000

To support Opera Boston's world premiere of *Madame White Snake*, by composer Zhou Long and librettist Cerise Lim Jacobs. The Chinese community specifically will be targeted through educational and outreach activities related to the production.

Boston Lyric Opera Company, Inc., Boston, Massachusetts, $25,000

To support a new production of *The Turn of the Screw*, by Benjamin Britten. Performances will be accompanied by community events through partnerships with area Boston cultural institutions.

Cedar Rapids Opera Theatre, Cedar Rapids, Iowa, $15,000

To support a production of *Salome*, by Richard Strauss. The production will be filmed in HD and broadcast statewide by Iowa Public Television.

Central City Opera House Association, Denver, Colorado, $20,000

To support a new production of *Three Decembers*, by composer Jake Heggie and librettist Gene Scheer. Based on an original text by playwright Terrence McNally, the musical theater work combines spoken text, soloists, and ensembles accompanied by an onstage chamber orchestra.

Chicago Opera Theater, Chicago, Illinois, $20,000

To support a new production of *Three Decembers*, by composer Jake Heggie and librettist Gene Scheer. Based on an original text by playwright Terrence McNally, the musical theater work combines spoken text, soloists, and ensembles with an onstage chamber orchestra.

Dallas Opera, Dallas, Texas, $25,000

To support a new production of Donizetti's *Anna Bolena*. Accompanying outreach activities will include lectures, panel discussions with the artists, and a radio broadcast on Classical WRR–FM.

Des Moines Metro Opera, Inc., Indianola, Indiana, $15,000

To support the Opera Iowa Touring Educational Troupe. The program will engage artists to reach students in underserved rural Midwestern schools.

Florentine Opera Company, Inc., Milwaukee, Wisconsin, $20,000

To support an audio recording and performances of Elmer Gantry, by composer Robert Aldridge and librettist Herschel Garfein. Naxos International will create a compact disc recording for release in November 2011 and digital tracks will be available for download.

Gotham Chamber Opera, Inc., New York, New York, $10,000

To support the commission, development, and premiere of *Dark Sisters*, by composer Nico Muhly and librettist Stephen Karam. The opera will serve as the centerpiece of the company's 10th anniversary season.

Hawaii Opera Theatre, Honolulu, Hawaii, $22,000

To support performances of Wagner's *Die Walküere (The Valkyrie)*. The production marks the first time that an opera from *The Ring* cycle will have been performed in the State, and it also will serve as a focal point for the company's 50th anniversary season.

Houston Grand Opera Association, Inc., Houston, Texas, $30,000

To support performances of Puccini's *Tosca*. Educational components will include pre-performance lectures, teacher workshop events, and lecture presentations

Lyric Opera of Kansas City, Inc., Kansas City, Missouri, $15,000

To support performances of Verdi's *Rigoletto*. Education and outreach activities will accompany the performances.

Madison Opera, Inc., Madison, Wisconsin, $15,000

To support a production of *The Turn of the Screw*, by Benjamin Britten. The production continues the initiative recently established by the company to present chamber opera as an expansion of the mainstage performance series.

Opera for the Young, Inc., Madison, Wisconsin, $12,500

To support artists' fees for a multi-state tour of a new production of Gilbert and Sullivan's *The Pirates of Penzance*. Diane Garton Edie has condensed and adapted the operetta into a child-friendly version without sacrificing essential story line, language, or representative musical score.

San Francisco Opera Association, San Francisco, California, $100,000

To support Wagner's *Der Ring des Nibelungen (The Nibelung's Ring)*. Educational outreach and enrichment activities will include an Insight panel discussion in San Francisco's Herbst Theater featuring members of the cast and production team and preview lectures that will be held at various venues throughout the Bay Area.

Tulsa Opera, Inc., Tulsa, Oklahoma, $16,500

To support a production of *Don Quichotte*, by Jules Massenet. Various community outreach activities will coincide with the production, such as small-scale preview performances in bookstores and churches featuring Studio Artists, pre-curtain lectures, and school programs.

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. Therefore, we urge you to continue towards restoration and increase the NEA funding allocation to $180 million for fiscal year 2011.

On behalf of OPERA America, thank you for considering this request.

PREPARED STATEMENT OF PRESERVATION ACTION

Madam Chairman and members of the subcommittee: thank you, Chairman Feinstein, Ranking Member Alexander, and other honorable members of the subcommittee, for the opportunity to submit written testimony on the fiscal year 2011 appropriations for Interior, Environment, and Related Agencies.

We are writing to request adequate funding for our Nation's State and Tribal Historic Preservation Offices (SHPOs)($55 million and $12 million respectively), the Save America's Treasures ($25 million) and Preserve America ($4.6 million) programs (permanently authorized by President Obama under Public Law 111–11 on March 30, 2009), as well as for National Heritage Areas ($14.8 million).

We are very concerned about the proposed elimination of the Save America's Treasures (SAT) and Preserve America (PA) programs and the substantial reduction for National Heritage Areas in the administration's fiscal year 2011 budget. We also wish to comment on the termination language used by the administration for SAT and PA which justifies their elimination by stating that it will enable the NPS to ". . . focus resources on managing national parks and other activities that most closely align with its core mission." In our opinion, these decisions that demonstrate a bias towards our natural resources, at the expense of our cultural resources are in error, particularly in the face of this administration's commitment to job creation, helping small businesses and the combating of climate change.

SHPOs and THPOs—The Backbone of our Historic Preservation Program (Awarded $46.5 Million and $8 Million in Fiscal Year 2010 Respectively via the Historic Preservation Fund)

SHPOs carry out the Federal historic preservation program that provides citizens the tools needed to revitalize, rehabilitate, and protect the places that give meaning to America. Funding for SHPOs leverages investments through local jobs, non-Federal contributions and long-term economic development. In 2009, the Rehabilitation Tax Credit, administered by SHPOs, leveraged nearly $5 billion in private investment and created more than 70,000 jobs. SHPOs also review Federal projects for their potential impact on historic sites. A recent February 2010 GAO report noted that SHPO staff shortages have delayed various American Recovery and Reinvestment Act (ARRA) projects. Even a modest increase for SHPOs would help fund additional staff vital to conducting ARRA reviews while still providing communities with the means necessary to revitalize and preserve their heritage.

THPOs carry out many of the same functions as SHPOs in tribal areas. There are currently 100 THPOs, compared to only 12 in fiscal year 1996 when the program was first funded. Unfortunately, the amount of funds appropriated is not keeping pace with this expansion. The addition of new THPOs each year keeps the average level of support per THPO suppressed at around $75,000, barely enough to operate a program.

Save America's Treasures (Awarded $25 Million in Fiscal Year 2010 via the Historic Preservation Fund)

The SAT program was created in 1998 by Executive order to provide matching funds for the restoration of resources significant to our national heritage. With broad bipartisan support in Congress and the leadership of the two previous administrations, SAT funds have brought new life to irreplaceable historic treasures—including buildings, documents and works of art—in every State. SAT has also pro-

vided tremendous benefit to projects and sites such as Ellis Island, Valley Forge, Thomas Edison's Invention Factory, Mesa Verde, Eleanor Roosevelt's Val-Kill Cottage, Dr. Martin Luther King's Ebenezer Baptist Church, and the Star Spangled Banner.

Since the program's creation, approximately $293.7 million has been allocated specifically for the restoration of 1,132 historic structures, many of them National Historic Landmarks. As a matching grant program, this allocation has resulted in the generation of an additional $377 million in private investment. Moreover, SAT projects resulted in the creation of more than 16,000 jobs (defined as one full-time equivalent job for 1 year), at the reasonable investment of $13,780 per job.

In addition to the obvious benefit of preserving our Nation's history, these jobs are most often created within small businesses in the construction industry, which have been hard-hit by the recession. Builders, plumbers, masons, and electricians are only a few of the trades involved in historic preservation generating local jobs and spending. In fact, dollar for dollar, building rehabilitation generates more jobs than new construction.

Further, these are "green jobs," as the restoration and rehabilitation of existing buildings prevents the disposal of already produced building materials and vastly improves energy efficiency. Approximately 48 percent of our Nation's carbon emissions come from the demolition, construction, and operation of buildings—almost twice as much as from transportation (27 percent.) Nearly half of all greenhouse gasses sent into the atmosphere come from buildings. If our Nation wants to pursue a climate change policy, then we must make every investment we can into the rehabilitation of existing buildings to reduce the flow of materials into the waste stream, increase their energy efficiency and revitalize and repopulate our cities.

Preserve America and National Heritage Areas (Awarded $4.6 Million and $17.8 Million, Respectively, in Fiscal Year 2010 From the National Recreation and Preservation Account)

Preserve America grants, administered by the National Park Service (NPS), support projects in five categories: research and documentation, planning, interpretation and education, marketing, and training. The program helps local communities develop sustainable resource management strategies and sound business practices for the continued preservation and use of heritage assets. Successful projects feature public-private partnerships and serve as models to communities nationwide for job creation in heritage tourism, historic preservation and education, as well as spurring economic development in the Preserve America communities.

Funded activities have included rural or downtown survey and documentation projects; way-finding, signage, and interpretive guides; regional tourism planning and development initiatives; marketing and promotion plans; and hospitality and docent training. Eligible applicants include designated Preserve America Communities (of which there are almost 800); SHPOs, Tribal Historic Preservation Offices, and Certified Local Governments that are in the process of applying for Preserve America Community designation.

National Heritage Areas, of which there are 49, are designated by Congress because their natural, cultural, historic, and scenic resources are considered uniquely representative of the American experience. While the NPS provides technical assistance and funding, 85 percent of the support for National Heritage Areas comes from the impacted regions through private, State, and local government sources. The Federal seed monies have spurred grassroots conservation efforts that are self-determining, self-defined and thereby reflective of their individual values in a national context. Each program is customized based upon the significance, threat, resources, and need of each community.

Tourism is a major economic development and job creation tool. In 2006, travel and tourism generated $740 billion to the U.S. economy and employed 8 million people. Approximately 55 percent of Preserve America Grants have gone directly for heritage tourism development in small to medium-size towns, 19 percent for rural heritage and preservation, and 12 percent for heritage tourism projects in larger urban areas. In National Heritage Areas, as a result of direct and indirect sales, an estimated 152,324 jobs are supported that pay $3.2 billion in wages and salaries. Overall, cultural heritage travelers contribute $192 billion annually to the U.S. economy. They contribute by paying not only for plane tickets and hotel rooms; they support the small businesses wherever they go.

The "Core Mission" of the NPS

The administration's justification of the elimination of SAT and PA is "so the NPS can focus resources on managing national parks and other activities that most closely align with its core mission" and "a need to focus resources on national parks and

lack of management" was the reason cited for the reduction for National Heritage Areas. There seems to be an assumption in this language that the NPS's primary role is to focus on managing parks and that historic preservation programs are a distraction. As such, this justification is troubling and, at best, inaccurate.

The "Organic Act of 1916" created the NPS in the Department of the Interior ". . . to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired." Over the years, the NPS's role in historic preservation has naturally grown and expanded. Since 1933, the NPS has managed the Historical American Buildings Survey, the Federal Government's oldest historic preservation program responsible for the creation of more than 556,900 measured drawings, large-format photographs, and written histories for more than 38,600 historic structures and sites. The National Historic Preservation Act of 1966, which forms the basis of our Nation's Federal historic preservation program within the Department of the Interior, further expanded the role of the NPS in the designation and maintenance of historic resources. Coupled with the fact that the NPS is the steward of more than 27,000 significant structures, 66,000 archaeological sites and 115 million objects in museum collections, one could argue that not only is historic preservation an integral part of the mission of the NPS, it helps define it.

The Historic Preservation Fund and the Land and Water Conservation Fund (LWCF)

As the sub prepares to debate appropriations for fiscal year 2011, it is important to consider the source of funding of our natural and historic resource programs—the Historic Preservation Fund (HPF) and the LWCF.

The history of the HPF and the LWCF is interconnected. The LWCF was established in 1965 for the acquisition and development of public outdoor recreation areas and facilities. The source of funding is lease revenue generated from oil and natural gas drilling on the Outer Continental Shelf (OCS). Recognizing the need to protect our cultural resources in concert with our natural resources, in 1976, the LWCF Act was amended to include the Historic Preservation Fund to carry out the purposes of the National Historic Preservation Act of 1966. Like the LWCF, the HPF is funded from OCS lease revenue.

The LWCF is authorized and receives $900 million in deposits each year, and the HPF $150 million. Subject to the annual appropriations process, however, neither has ever received full appropriations—leaving substantial balances in both funds that have yet to be used for their intended purpose. In the fiscal year 2011 budget, the President took an important and admirable step to move towards full funding of the LWCF by proposing a 31 percent increase to $620 million and has expressed his intention to reach full appropriation by 2014. In contrast the HPF, which was funded at $79.5 million in fiscal year 2010, with the elimination of the SAT program, will realize a 25 percent decrease to $54.5 million—making it the lowest appropriation in more than 10 years.

Funding for Historic Preservation Programs is in Line With This Administration's Priorities

Our Nation's cultural resources and natural resources are both important. A preference for one over the other would not only be short-sighted, but once again, it would be in conflict with our desire to create jobs, help small businesses and combat climate change.

We urge you to correct this error and restore funding at the fiscal year 2010 levels of $25 million for the SAT program, $4.6 million for PA and $17.8 million for National Heritage Areas. Further, we ask for a commitment to move toward full and permanent appropriations from the Historic Preservation Fund simultaneous with the move toward full and permanent funding from the LWCF—acknowledging that both are of importance to our Nation.

Preservation Action is a national nonprofit grassroots member organization founded in 1974 representing a broad constituency of community volunteers, Government officials and other professionals and organizations dedicated to historic preservation, smart-growth, community revitalization, and cultural resource management.

PREPARED STATEMENT OF THE PERFORMING ARTS ALLIANCE

We urge the subcommittee to designate a total of $180 million to the National Endowment for the Arts (NEA) for fiscal year 2011. Mr. Chairman and distinguished members of the subcommittee, I am grateful for this opportunity to submit testimony on behalf of the Performing Arts Alliance and its member organizations—American Music Center, Association of Performing Arts Presenters, Chorus America, Dance/USA, Fractured Atlas, League of American Orchestras, National Alliance

for Musical Theatre, National Performance Network, OPERA America, and Theatre Communications Group. The Performing Arts Alliance is a national network of more than 18,000 organizational and individual members comprising the professional, nonprofit performing arts and presenting fields. For more than 30 years, the Performing Arts Alliance had advocated for national policies that recognize, enhance, and foster the contributions the performing arts make to America.

This testimony is intended to highlight the importance of the Federal investment in the arts in order to sustain a vibrant cultural community. With more funding, the NEA's core programs could more efficiently bring the best in the arts to all Americans:

—Additional funds would allow the size of individual grants to increase, after having steadily declined since the NEA's budget was cut by 40 percent in fiscal year 1996.

—Inadequate funding has caused many high-quality grant applications to go unfunded.

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 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 finest 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.

With additional funding, the NEA could do more. The NEA has never recovered from a 40 percent budget cut in fiscal year 1996 and has resulted in the underfunding of its programs. We are appreciative of the increased support this Subcommittee provided for the NEA last year and are already seeing benefits of increased access to public performing art organizations and artists across the country. The live arts bring communities together, encourage dialogue, and provide innovation and education opportunities to generations of Americans.

THE NONPROFIT PERFORMING ARTS COMMUNITY

The following member profiles of the Performing Arts Alliance, which include national service organizations representing new music, arts presenting, chorus, dance, musical theatre, opera, orchestras, and theatre fields, exemplify the economic, educational, and quality of life benefits that performing arts organizations bring to communities across the country.

NEW MUSIC

American Music Center (AMC) is dedicated to building a national community of artists, organizations, and audiences, creating, performing, and enjoying new American music. Since its founding in 1939, AMC has been a leader in providing field-wide advocacy, support, and connection. AMC supports the community by making grants to composers and ensembles each year and by offering professional development resources for new music professionals. AMC connects the community through an array of information services and through engagement with the broader performing arts field, providing benefits and services for nearly 2,400 members in all 50 States and 25 countries around the world.

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 in major urban cities, academic institutions, artists, artist managers, agents, local arts agencies, touring artists and companies, and festivals and fairs. Arts presenters facilitate the interaction between artists and audiences, support the creation and touring of new works, and are civically engaged in their communities. The Association of Performing Arts Presenters (Arts Presenters), a national service and advocacy organization, represents an industry of more than 7,000 nonprofit and for-profit organizations, with members hailing from all 50 States and 28 countries on 6 continents across the globe. Arts Presenters' members bring performances to more than 2 million audience-goers each week and spend in excess of $2.5 billion annually, and the field of presenters serves more than 6 million audience members every week. Their membership includes a range of organizations from very small presenting groups (under $50,000 budgets) to multi-million dollar budgets and individuals who are artists or performing arts professionals, representing

a diversity of fields, which include all forms of dance, music, theatre, family programming, puppetry, circus, magic, attractions, and performance art.

CHORUS

Chorus America's mission is to build a dynamic and inclusive choral community so that more people are transformed by the beauty and power of choral singing. Chorus America strengthens choral organizations and provides their leaders with information, research, leadership development, professional training, and advocacy to help them deliver the best possible contributions to their communities and to the choral art. The more than 1,600 choruses, individuals, and businesses that are members of Chorus America speak with a strong and unified voice to increase recognition of choral singing as an essential part of society.

DANCE

There are now more than 600 fully professional dance companies in the United States. But only 15 percent of the United States' major professional dance companies are 45 years old or more. As an established art form with national identity and presence, dance has burst onto the scene almost entirely within living memory. And yet, the United States can boast some of the great dance companies in the world. The key to this spectacular achievement was the creation of a national marketplace for dance, especially in the 1970s and 1980s. When the NEA instituted its Dance Touring Program in the 1970s, great dance became accessible to every community in the United States NEA programs have continued to ensure that the best of American dance is for all of the United States and a showpiece for the rest of the world as well. In addition to the more than 600 professional dance companies, the United States has more than 1,000 pre-professional and semi-professional groups. Based on a 2008 survey conducted by Dance/USA of 145 companies with expense budgets of $500,000 or more, these 145 dance companies: employed more than 7,000 people in a mix of full-time and part-time positions, performed for total home audiences of nearly 4 million people, paid approximately $321.4 million in wages and benefits, and received $10.4 million from State, local, and government contributions, representing only 2 percent of total income.

FRACTURED ATLAS

Fractured Atlas is a nonprofit organization that serves a national community of artists and arts organizations. Their programs and services facilitate the creation of art by offering vital support to the artists who produce it, and they help artists and arts organizations function more effectively as businesses by providing access to funding, healthcare, education, and more, all in a context that honors their individuality and spirit. Their fiscal sponsorship program has grown from six local groups to more than 1,800 nationally, and in 2010 their membership topped 11,000 artists and arts organizations, with an expanded audience of 110,000 through their Open Arts Network. Fractured Atlas has been an arts industry leader in the use of technology to address challenges facing the arts community, share information and resources, and empower arts organizations with practical tools for managing their operations.

MUSICAL THEATRE

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 collectively staged more than 25,000 performances attended by more than 13 million people, employed 13,000 people, and provided education programs for more than 1 million students and teachers. 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 more than 300 writers and 200 new musicals, which have had thousands of subsequent productions worldwide.

NATIONAL PERFORMANCE NETWORK

The National Performance Network (NPN) is a group of diverse cultural organizers, including artists, working to create meaningful partnerships and to provide leadership that enables the practice and public experience of the contemporary arts in the United States. As a nationwide network, NPN functions as an applied learning community. NPN's resources currently support and connect 61 performing arts organizations, called NPN Partners, in more than 36 cities across the country. The

NPN constituency ranges from two-person operations to multi-million dollar arts centers. NPN Partners are ethnically, culturally, and stylistically diverse and reflect a cross-section of urban, suburban, and rural communities that are generally underrepresented. More than 425,000 audience members have attended NPN-sponsored performances and more than 285,000 people have participated in NPN residency activities.

OPERA

OPERA America members are found in communities all across the country—a total of 117 companies in 43 States. In the United States, more than half of these companies were established after 1970, and one quarter of the total were established since 1980, making the growth of opera throughout North America a relatively new phenomenon. 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 United States and Canadian companies during the 2007–08 season totaled more than 2.2 million people. All together, the opera companies of America provide more than 55,000 jobs each year and had expense budgets more than $826 million for the 2007–08 season.

ORCHESTRAS

In its more than 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, existing in every State and territory, in cities and rural areas alike. More than half a million individuals are involved in orchestras, including conductors, staff, board members, musicians, and volunteers. The NEA's fiscal year 2009 grants to organizations included 119 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. In addition to concerts, orchestras offer more than 40 different kinds of programs for their communities, including preschool programs, in-depth, multi-year community residencies, long-term partnerships with schools, instrumental instruction, educational classes for seniors, and programs in hospitals and libraries.

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 more than 1,900. Almost every Pulitzer Prize winning play since 1976 originated at an NEA-funded theatre. Theatre Communications Group (TCG), the national organization for the American nonprofit theatre, reports that the estimated 1,919 theatres in the United States employ more than 131,000 workers—actors, directors, playwrights, designers, administrators, and technicians—and constitute a more than $1.9 billion industry. Collectively, these theatres are estimated to have offered 202,000 performances that attracted 32 million patrons. TCG offers grants to theatres and theatre artists, conducts research on the health of the nonprofit theatre field, convenes various meetings around the country to bring theatre professionals together, serves as the U.S. Center of the International Theatre Institute to promote international cultural exchange, produces a wide array of publications about and for the theatre field, and serves as the primary national advocate for the nonprofit professional theatre field. Based on recent surveys of 196 nonprofit theatres, TCG reports that more than 1,200 outreach and educational programs are in existence today, serving more than 2.7 million people—including a large number of at-risk children.

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 $180 million to the NEA. Thank you for your consideration of our request.

PREPARED STATEMENT OF THE POCONO HERITAGE LAND TRUST

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of acquiring land at Delaware Water Gap National Recreation Area in Pennsylvania. An appropriation of $2.95 million is needed in fiscal year 2011 from the Land and Water Conservation Fund in order for the National Park Service to acquire the 167-acre Mosier's Knob property.

I am president of Pocono Heritage Land Trust, a nonprofit conservation group based in Monroe County, Pennsylvania. The land trust was founded in 1984 to preserve environmentally sensitive lands in the Pocono region of northeastern Pennsylvania, and it plays an active role in open-space protection programs funded by Monroe County and the Pennsylvania Department of Conservation and Natural Resources. As of March 2010 Pocono Heritage Land Trust owns or holds conservation easements (protection agreements) on 11 separate properties totaling more than 3,000 acres of land in Monroe and Lackawanna counties, Pennsylvania. PHLT strongly supports the effort to purchase additional acreage for the Delaware Water Gap National Recreation Area in the vicinity of Shawnee-on-Delaware, Pennsylvania.

The Delaware Water Gap National Recreation Area is a natural and recreational treasure in the mid-Atlantic section of the Appalachian Mountains. At roughly 70,000 acres, it is the largest national park unit between Maine and Virginia. The park's proximity to the metropolitan areas of northern New Jersey, New York City, and Philadelphia helps it attract more than 5 million visitors annually. Attractions include scenic viewpoints along major thoroughfares, hiking, biking, hunting, fishing, camping, and many opportunities to learn about the many historical and cultural sites in the park. The park also includes 27 miles of the Appalachian Trail.

Within the park boundary, there are a number of privately owned properties that face potential development. Acquisition of these inholdings from willing sellers allows the National Park Service to consolidate ownership and improve management of forest, habitat, and recreational resources. In fiscal year 2011, the National Park Service has the opportunity to acquire the 167-acre Mosier's Knob property in Smithfield Township, Pennsylvania.

The Mosier's Knob property is immediately adjacent to the boundary of the Delaware Water Gap National Recreation Area and situated along a ridge overlooking the Middle Delaware National Scenic and Recreational River, a designated unit of the National Wild and Scenic Rivers System. The property has abundant natural resources and wildlife habitat, which consists of forested lands that drain into Shawnee Creek to the north and the Delaware River to the south. The Shawnee Creek watershed supports wetlands, rare plants, and a wide variety of wildlife species, including amphibians, reptiles, and aquatic species that are identified by the State of Pennsylvania and nationally as species of special concern. All of these species would benefit from managing the property for conservation and open space. The property also intersects two sites identified in the Monroe County Natural Areas Inventory as important to conserving the biological diversity of the county and state. These natural area sites contain one or more species of special concern and are recognized as locations that should be managed as protected conservation lands.

Nearby recreational opportunities include picnicking, swimming, and walking the McDade Trail. Fishing and boating on the Delaware River are major recreational activities that take place throughout much of the year. A few scenic roadways run parallel to the river along the ridge of the mountain and provide amazing viewsheds of the river and landscape vistas of the park. Purchase of the property would reduce the number of additional roadways and driveways associated with any development, thereby eliminating air and water quality impacts, noise pollution, and any intrusion upon the night sky.

Residential development continues to be a concern in the area around Shawnee-on Delaware. The Mosier's Knob parcel, for example, is owned by a development company and is part of a larger development plan for the valley. Without Federal protection, it is likely the landowner will develop the property. Development on Mosier's Knob would dramatically impact one of the park's most important viewsheds. A viewshed analysis conducted by the park determined that development would be visible both day and night from the Appalachian National Scenic Trail. Residential or commercial development in the Mosier's Knob area has the potential

to degrade the water and environmental resources within the national park. Stormwater runoff and an increase in potential flooding could have devastating effects on the fragile natural resources within the Delaware Water Gap National Recreation Area.

An appropriation of $2.95 million to the National Park Service in fiscal year 2011 for the acquisition of the Mosier's Knob 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.

The Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this subcommittee faces, I also want to thank the committee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Pennsylvania, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE PELICAN ISLAND PRESERVATION SOCIETY

The Pelican Island Preservation Society, an all-volunteer group with more than 350 members, mission is to support the Pelican Island National Wildlife Refuge. Our organization is greatly concerned about the major funding deficit for operations and maintenance (O&M) facing the National Wildlife Refuge System (NWRS) and the severe impact this is having on the Pelican Island National Wildlife Refuge and other refuges in the system. Our request is that O&M funding be increased to $578 million in fiscal year 2011.

I wish to thank the subcommittee for your support over the past 3 fiscal years in recommending meaningful increases in funding for the NWRS. Those increases have served to partially stabilize a critical funding deficit which resulted in major losses of personnel and a significant loss of capability to manage refuges. While the increases have provided some relief, major funding problems still exist and sizeable annual increases in O&M funding must be forthcoming if the system is ever to reach its full potential. In fact, the administration's budget request represents a cut in O&M funding compared to fiscal year 2010. Essentially, the funding level requested by the administration represents a $18.3million step backward in terms of spending power.

Inadequate funding has historically severely hampered the ability of the Fish and Wildlife Service to effectively manage refuges. The current backlog of approximately $3.7 billion in operations and maintenance needs is a direct result of many decades of neglect in the budgetary arena. This backlog must be addressed in an aggressive manner.

On our local level, inadequate funding has significantly affected refuge management programs. A central staff currently manages three refuges—Pelican Island, Archie Carr, and Lake Wales Ridge. In 2003 the staff reached its record high level of six permanent full-time employees plus temporaries. As a result of the funding crunch, the staff was reduced to two permanent positions. Recent funding increases have allowed increasing the staff to three permanent full-time employees and two term employees. Five employees to manage three refuges, two of which are urban in nature, simply doesn't provide the manpower needed to do an acceptable job of refuge management. No one on the staff has law enforcement authority which makes it very difficult to protect refuge resources. To complicate management problems, Lake Wales Ridge is located 100 miles (a 2-hour drive) from the refuge office in Vero Beach. No one is stationed at Lake Wales Ridge.

The role that refuges can play in helping to alleviate current economic problems should not be overlooked. There are major economic factors associated with the management of refuges. The NWRS attracts 41 million visitors annually who generate over $1.7 billion for local economies, including 27,000 jobs and approximately

$543 million in employment income. Further, on the average refuges return $4 of economic activity for each $1 appropriated for their operation. Continued underfunding of refuges will result in negative impacts on local economies—something to consider during the tough economic times facing our country.

Invasive species are a major problem facing refuge managers. Despite added emphasis on identification and control, valuable wildlife habitats continue to be lost. We urge the subcommittee to continue its strong support for the control of invasive species.

I urge the subcommittee to support an allocation of $300 million to the Fish and Wildlife Service budget for land acquisition through the Land and Water Conservation Fund. The acquisition of important habitat for endangered species and other fish and wildlife has been severely reduced in recent years due to very low allocations. The increased funding level in fiscal year 2010 represents a turn in the right direction; however, we need to build on that and then maintain a sustained funding level in the area of $300 million into the future.

In summary, the NWRS is facing a severe funding deficit which should be addressed in an aggressive manner. I ask that the subcommittee support increased O&M funding for the NWRS to $578 million in fiscal year 2011. Further, I ask that the subcommittee support an allocation of $300 million from the LWCF for refuge land acquisition in fiscal year 2011.

PREPARED STATEMENT OF THE PUBLIC LANDS FOUNDATION

Senator Feinstein: We thank you for this opportunity to present your subcommittee with our views regarding the Bureau of Land Management's (BLM) budget request for fiscal year 2011. As a national, non-profit organization comprised principally of retired, but still dedicated, BLM employees, the Public Lands Foundation (PLF) has a unique body of experience, expertise and knowledge of public land management. As retirees, we believe we offer an objective and nonbureaucratic view of what is currently happening on the National System of Public Lands (NSPL). The PLF supports the BLM and its programs, but we are independent in our views and requests. We strive to improve the effectiveness of BLM by encouraging (1) professionalism of its employees; (2) increasing public understanding; and (3) proper scientific management of lands administered by BLM.

Overview

Some of the most significant management challenges for BLM stem from rapid population and urban growth in the West and accompanying increased demands for access and use of the NSPL. The BLM's customers are as diverse as the natural resources the Bureau manages.

The public lands provide the Nation with opportunities for expanding the development of renewable energy as well as traditional needs for oil, natural gas, coal, nonenergy minerals, grazing land and timber. Recreation, wildlife, wild horses, cultural resources and special places are significant attributes of those lands as well.

Management activities contribute to the vitality of State and local economies, generating an expected $4.5 billion in revenues for 2011, mostly from energy development.

Budget Overview

The PLF is pleased with several aspects of the overall budget request for the BLM. In particular we are pleased to see increases in two important areas, the National Landscape Conservation System (NLCS) and the inspection and enforcement processes associated with oil and gas development.

The NLCS is unique and comprised of treasured landscapes, designated for their outstanding cultural, ecological and scientific values. These areas range from red-rock deserts, rocky coasts, and deep river canyons to high mountains and arctic tundra. Management of the NLCS has long been underfunded.

We believe the Secretary's recently announced onshore oil and gas reforms will assist in restoring balance on the public lands, while ensuring continued production of critical energy resources. The shift toward greater funding of inspection and enforcement of oil and gas development has long been overdue. The fees proposed in the BLM's budget will help to offset the cost increasing oil and gas inspection and enforcement activities.

We are also pleased to see increases for land acquisition, renewable energy permit processing, the Youth in Natural Resources Initiative, climate change adaptation strategies and the Secretary's proposal to eliminate the sunset date for the Federal Land Transaction Facilitation Act (FLTFA) and to allow lands identified in newer BLM land use plans as suitable for disposal to be sold using FLTFA authority.

However, we have a number of concerns with other parts of this budget proposal.

Challenge Cost Share (CCS)

Historically, the BLM has used CCS to fund small, locally based, partnership work. Most CCS grants from BLM have been less than $5,000 each. Most of this money has been used to restore degraded habitats by purchasing needed materials and utilizing the labor of local communities and organizations to implement the restoration. These sorts of projects have been the backbone of efforts to restore sage grouse and other sensitive habitats.

We understand the concerns of the Inspector General, but greater emphasis and requirements for improving accounting and reporting of expenditures and accomplishments would be superior to ending this critical program.

Absorption of Fixed Costs

The absorption of $15.9 million of fixed costs will have significant impacts for all BLM programs. This type of absorption serves as a tax across all programs and significantly erodes capacity to accomplish much critical work in smaller programs.

Wild Horses and Burros

We are supportive of the Secretary's proposal as an interim solution. The proposed increase of $12 million for the program will definitely help, but we are a bit skeptical of the $42.5 million request for land acquisition in the East and Mid-West as a long-term solution. We believe that the best solution can only come from gathering individual stakeholders together and coming up with a solution in the West where the horses belong.

Land Use Planning

The reduction of $8.2 million for land use planning will have lasting impact on future decisions on public lands administered by the BLM. Designed to last for 15 to 20 years, new or revised land use plans will be few and far between. The primary tool the BLM has to affect long term change on public lands is land use planning, thus the Administration is giving up a significant opportunity to improve management direction and future decisions for units of the NLCS and other areas of the NSPL. The reduction of $1 million for travel management planning is troublesome, since this process is essential to improving management of off highway vehicles, a concern of everyone.

Alaska Conveyance

The reduction of $13 million from the Alaska Conveyance Program will be devastating to the BLM in Alaska and the U.S. Government's commitment to the State of Alaska, the Native Corporations and individual native allottees to transfer lands that have been promised to them for decades. This would be roughly a 20 percent reduction in land transfer capability and will result in reductions in force and a loss of 638 Survey Contracts for many small villages in Alaska.

Hazardous Fuels Reduction

The Department of the Interior maintains budget control for fire funding for BLM and other Bureaus. The Department's proposal to reduce funding for hazardous fuels reduction by $42.6 million and Burned Area Rehabilitation by $2 million is inconceivable to us. At a time when the Secretary proposes to focus the Department on climate change, the budget proposes to reduce the most significant tool the BLM and other Bureaus have to reduce the impacts of climate change. The spread of invasive species such as cheat grass will go unchecked. The budget also proposes to focus remaining funds on projects in the Wildland Urban Interface only. This will result in more catastrophic wild fires on the majority of public lands across the West. Fires will be larger, burn more quickly and frequently if this reduction stands.

Mr. Chairman, we hope these comments and concerns assist you in budget deliberations for the fiscal year 2011 budget for the BLM. We remain sincere in our efforts to assure proper management of the National System of Public Lands.

PREPARED STATEMENT OF THE PUBLIC TRUST ENVIRONMENTAL LEGAL INSTITUTE OF FLORIDA, INC.

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of the Thomas Creek—Northeast Florida Timberlands project in Florida. An appropriation of $3.5 million from the Forest Legacy Program is needed in order to protect the first 294 acres of a 588-acre property. I am thankful that this project was included in the President's budget request for fiscal year 2011 at a funding level of $3.5 million.

It goes without saying that the State of Florida has experienced tremendous growth in recent decades, and one of the results of that growth has been the diminution of the State's forested lands. Among the goals of Florida's Forest Legacy Program (FLP) is the mitigation of the rapid loss of environmentally important forests through the conservation of these forested communities. Statewide this effort is focused specifically on lands threatened by permanent conversion to nonforest uses and where partnerships complement existing land conservation efforts. In North Florida, FLP goals are expanded to include the support of sustainable forestry practices, a focus on riverine systems, the conservation of critical fish and wildlife habitat, and outreach to private nonindustrial forest landowners. This year the State of Florida has submitted a Forest Legacy project, Thomas Creek—Northeast Florida Timberlands, which meets these important state and regional goals.

Northeastern Florida is home to a diverse coastal ecosystem of marshes, wetlands, river corridors, forests, and uplands. The landscape has featured centuries of history through the Pre-Columbian, European colonization, and American periods. Given the presence of the large and growing population of Jacksonville in the center of the dynamic ecosystem, much of the conservation in the region is a cooperative effort among Federal, State, and local agencies, private landowners, and interested organizations. A centerpiece of this cooperative approach is the Timucuan Ecological and Historic Preserve (EHP), a unique preserve created by Congress in 1988 that extends more than 46,000 acres at the mouths of the St. Johns and Nassau rivers.

The City of Jacksonville is leading an initiative with the National Park Service, the State of Florida, and private partners to protect a 1,780-acre forested property south of Thomas Creek and adjacent to Timucuan EHP. Within this larger effort, 588 acres have been proposed for acquisition by the City of Jacksonville as part of the Forest Legacy Program. In fiscal year 2011, the President's budget includes the first 294-acre phase of this Forest Legacy property, which has a one-half mile border with Jacksonville's Bear Branch Preserve on its western side. On its northern flank lies State-owned conservation land within Timucuan EHP along Thomas Creek. The property also includes a portion of the site of the 1777 Battle of Thomas Creek, known as the southernmost continental encounter between the Americans and British during the Revolutionary War.

The City plans to manage the Forest Legacy property for recreation, wildlife habitat, water quality protection, and sustainable forestry purposes. Eight miles of existing logging trails would be available for hiking and other recreational uses such as camping and hunting. The project area includes hardwood marshes along one-half mile of Bear Branch, a tributary of Thomas Creek. The slash pine and loblolly pine found on much of the tract are currently managed as a working forest. The City will continue sustainable forestry on the tract, recognizing the importance of forestry in the economy of northern Florida.

The landscape provides habitat for many notable species including bald eagle, wood duck, hooded merganser, deer, turkey, and quail. Bobcats have been sighted in the area. The watershed is also thought to have habitat suitable for wood storks, gopher tortoises, flatwoods salamanders, and eastern indigo snakes, all Federal or State-listed threatened or endangered species. West Indian manatees are known to frequent the waters of Thomas Creek and the preservation of this land would aid in protecting the water quality for this endangered species' habitat. Additionally, a number of Species of Greatest Conservation Need, as listed in the Florida Comprehensive Wildlife Conservation Strategy, have been identified on the property, including little blue heron, snowy egret, tricolored heron, and white ibis.

Because of its links to the Nassau River watershed, the State of Florida has listed this area as a priority for acquisition and conservation through the Florida Forever Program. The project area, known as the Northeast Florida Timberlands and Watershed Reserve, covers forested watershed land in Nassau, Duval, and Clay counties. The reserve was categorized in September 2008 by the state as an "A" list priority acquisition area and as 1 of 21 projects listed as highest priority. The goal of the reserve is to provide a wildlife and recreation corridor and a growth boundary for the rapidly growing Jacksonville area.

In addition to Timucuan EHP and Bear Branch Preserve, the larger 1,780-acre property is within the vicinity of several other public facilities and sites. About a mile to the west is the 526-acre Jacksonville National Cemetery. Authorized by Congress in 2003, the cemetery opened in January 2009. Jacksonville International Airport and facilities of the Florida Air National Guard are about 1.5 miles to the south.

This key location also poses significant development threats to the area. The airport is a large economic generator in the region, and lands around it are expected to see high rates of growth in upcoming years. The property also has proximity to Interstate 95, allowing for easy access to the rest of the Jacksonville metropolitan

area. In fact, zoning is in place to convert the property into a golf course and residential community of 800 homes. But for the current downturn in the economy, this land would be well on its way to being developed within the next five years. These threats to the property will only increase in the future given its accessibility and population and economic growth trends.

An appropriation of $3.5 million from the Forest Legacy Program in fiscal year 2011 is needed to begin the protection of the recreational, historical, and natural resources of the Thomas Creek—Northeast Florida Timberlands property. The City of Jacksonville will provide $2 million to match the funds provided by the Forest Legacy Program for the first phase of this project.

I urge you to do all you can to ensure that this worthwhile program is funded adequately in fiscal year 2011 and that the Thomas Creek—Northeast Florida Timberlands project receives $4 million in fiscal year 2011.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Florida, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE PUYALLUP TRIBE OF INDIANS

Mr. Chairman, my name is Herman Dillon, Sr., Tribal Chairman of the Puyallup Tribe of Indians. We thank the subcommittee for past support of many tribal issues and in your interest today. We share our concerns and request assistance in reaching objectives of significance to the Congress, the tribe, and to 25,000+ Indians (constituents) in our urban service area.

U.S. Department of Interior—Bureau of Indian Affairs (BIA).—The Puyallup Tribe submits the following detailed written testimony to the U.S. Senate Subcommittee on Interior, Environment, and Related Agencies. We look forward to working with 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 4,004 Puyallup tribal members and the members from approximately 355 federally recognized tribes who utilize our services are included in the fiscal year 2011 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 encompasses most of the City of Tacoma, but the area is a "checkerboard" of tribal lands, Indian-owned fee land and non-Indian owned fee land. Our reservation land includes parts of six different municipalities (Tacoma, Fife, Milton, Puyallup, Edgewood, and Federal Way). The Puyallup Tribe also provides services for the 4,004 tribal members and 25,000+ Native Americans from more than 355 tribes and Alaskan Villages. The Puyallup Nation Law Enforcement Division currently has a Chief of Police, 26 commissioned officers and 2 reserve officers to cover 40 square miles of reservation in addition to the usual and accustomed areas. Due to limited Federal funding for law enforcement in Indian Country, only 2 officers are funded with Public Law 93–638 funds. The remaining Patrol Officers (26) and Detention Officers (9) positions are funded by the tribe. The total cost of law enforcement services, including facilities operations and maintenance, exceeds $5.7 million per year. These costs are paid for with tribal earned income. 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 has been 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 detainee's has been compromised due to the condition of the temporary detention facilities. These conditions have been verified by a recent inspection by the BIA. with a recommendation that no further funds be allocated to try and bring the facility up to any standard. In an effort to protect the safety and welfare of the native community the Puyallup Tribe has initiated the design and construction of a 46,697 square foot "Justice Center" to be located on the Puyallup Indian Reservation. The total construction cost of the Justice Center is estimated at $23.8 million, is being designed for a "phased" implementation and 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 17,465 square foot, 28-bed "Adult Detention facility" (phase I). The tribe was successful in securing fiscal year 2009 Department of Justice ARRA Correctional Fa-

cilities on Tribal Lands Program: Construction of Detention Facilities for Adult and Juvenile Offenders funding in the amount of $7,936,648 for the construction of the 28-bed Adult Detention facility. An additional $1.1 million necessary for the completion of phase (I) is being provided with Tribal Revenues. It is anticipated that this facility will come on-line at the beginning of fiscal year 2012 with an estimated operations and maintenance cost of $1.3 million. The Puyallup Tribe has commenced the process of submitting a Public Law 93–638 contract request to the BIA for O&M funding for the facility. In order to complete the tribe's "Justice Center" approximately $14.8 million is necessary for the construction of the Law Enforcement facility (Phase II) and the Judicial/Tribal Court Center (Phase III).

—Request subcommittee support to increase funding to the BIA Public Safety and Justice Law Enforcement at the fiscal year 2010 enacted budget level of $52 million and further request that the BIA transfer law enforcement back into tribal priority allocations (TPA);

—Support from the subcommittee on the tribe's Public Law 93–638 contract request to the BIA for operations and maintenance funding for the tribe's adult detention facility, estimated at an annual cost of $1.3 million;

—Support from the subcommittee to fund the Tribal Courts budget in the fiscal year 2011 budget at no less than $25 million and request that the subcommittee issue directive language to BIA to include increased funding for the tribal courts fiscal year 2012 budget to allow for construction/renovation of tribal court facilities.

Fisheries, Wildlife and Natural Resources Management.—The Puyallup Tribe as steward for land and marine waters in the Usual and Accustomed fish, shellfish, and wildlife areas has treaty and Governmental obligations and responsibilities to manage natural resources 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 fisherman, 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, shellfish and wildlife 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 Committee 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 numerous species. We request and concur with the Northwest Indian Fisheries Commission that increases in fiscal year 2010 rights protection implementation funding be used to establish new base management funding for fiscal year 2011. We further support the existing BIA hatchery maintenance and rehabilitation and the hatchery reform implementation be funded at the proposed fiscal year 2011 budget level;

—Steelhead numbers throughout the south Puget Sound region have diminished markedly over the past 20 years. Generally, harvest management restrictions in the form of fishing closures, wild fish release regulations and curtailed seasons and/or bag limits have been enacted to protect wild stock. To avoid possible extinction the Puyallup Tribe proposes to construct a steelhead enhancement facility to be located on a 13-acre property owned by the tribe on Wilkeson Creek in eastern Pierce County. The program will be capped at rearing 150,000 smolts on a combination of surface and pumped well water. The steelhead will be reared for approximately 15 months. This project will facilitate the Puyallup Tribe and other resource agencies involved to help stave of extinction of wild winter steelhead in the Puyallup Watershed. We request subcommittee support to appropriate $1.426 million for the Wilkeson Creek Property Steelhead Hatchery Project;

—*Washington Timber-Fish-Wildlife Program—United States/Canada Pacific Salmon Treaty*.—The TFW and the United States/Canada Pacific Salmon Treaty programs has allowed for the expansion of tribal participation in the State forest practice rules and regulations and participate in inter-tribal organizations to address specific treaties and/or legal cases which relate to fishing rights, harvest and management. We request subcommittee support to provide funding for the TFW and United States/Canada Pacific Salmon Treaty at the fiscal year 2010 enacted budget level;

—*Unresolved Hunting and Fishing Rights Program*.—Tribal Wildlife Management has been the lead agency in management activities to benefit the South Rainier elk herd since 2004. The South Rainier elk herd is the primary stock of elk har-

vested by the Puyallup Tribe. The Tribe has not only established more reliable methods for population monitoring, but has also been proactive in initiating habitat enhancement projects, research, and land acquisition to ensure sustainable populations of elk for generations. Funds that have been made available to the tribe have been on a very competitive basis with a limited amount per program via USFWS Tribal Wildlife Grants and BIA Unresolved Hunting and Fishing Rights Grants. We request subcommittee support to provide fiscal year 2011 base funding in the amount of $100,000 for the wildlife management program budget.

Operation of Indian Programs and Contract Support Costs.—The President's fiscal year 2011 budget needs increased funding for the BIA—Operation of Indian Programs. Within the Operations of Indian Programs is the TPA. The TPA budget functions include the majority of funding used to support on-going services at the "local tribal" level, including; law enforcement, natural resources management, child welfare, housing, tribal courts, and other tribal governmental services. These functions 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 have not been adequate to keep pace with inflation. At a minimum, we request your support and endorsement in the following:

—Support by the subcommittee to fund operation of Indian programs fiscal year 2011 request of $2.4 billion and fund Contract Support costs at 100 percent level;

—Tribal communities have some of the greatest needs in the areas of child abuse and neglect and mental health services. Addressing the current unmet needs in providing services to our most vulnerable and victims of abuse should be a priority of all people. The Puyallup Tribe proposes the development of a Child Advocacy Center and Domestic Abuse Center designed to provide services for children, youth and families in need of child welfare, mental health and juvenile justice services. We request Committee support to increase funding for Indian Child Welfare (TPA) by $45 million; Increase Urban Indian Child Welfare Programs by $15 million; and Increase Child Welfare Assistance, BIA by $55 million.

Education.—Under DOI, BIA's budget has historically been inadequate to meet the needs of Native Americans, resulting in unmet educational needs that have multiplied over the past decade. The Puyallup Tribe operates the pre-K to 12 Chief Leschi Schools which includes a verified 2008–2009 School student enrollment of 910+ students, including ECEAP and the FACE program. The enrollment figures represents near capacity with all classrooms being utilized on a daily basis. With an increasing number of "pre-kindergarten" enrollment, Chief Leschi Schools will exceed design capacity in the near future. We request subcommittee support in the following:

—We concur with the subcommittee's strong opposition to the President's proposed cut to Indian school construction and request that Indian school construction funding be restored to the level of $293 million;

—The proposed fiscal year 2011 budget level of $804 million for education programs is an increase of $5 million from the fiscal year 2010 level. However, this amount is inadequate, does not include any across-the-board increases for tribal and BIA schools and no inflationary adjustments. We concur with the NIEA recommendations to increase education programs in fiscal year 2011 and 2012;

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 healthcare 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. The Contract Care allocation to PTHA has been significantly inadequate to meet the needs since 2004 when the Puyallup Tribe subsidized Contract Health with a $2.8 million contribution; in 2005 PTHA shifted to a priority one status. By 2009 the tribal subsidy reached a staggering $6 million. Given that the PTHA service population is only comprised of 17 percent Puyallup Tribal members tribal budget priorities in 2009 indicate the tribe will no longer be able to make subsidies to the PTHA. Contract Health dollars are expected to run out by mid 2010. We request the following subcommittee support for the fiscal year 2011 budget;

—Fund Puyallup Tribal Health Authority Contract Health Care Fund an additional $6 million to match fiscal year 2010 tribal expenditures. Fund the Indian

Health Service Contract Health Services budget at $864 million for fiscal year 2011, an increase of $84 million;
—Fund IHS at the $428 million increase required to maintain current service levels including medical inflation, payroll increase and population growth;
—Fund Contract Support Costs at $444 million for fiscal year 2011, an increase of $46 million over the fiscal year 2010 level;
—Exempt IHS budget from rescissions. IHS health programs are subject to the same rates of medical inflation as the Veterans Administration and are deserving of the same consideration;
—The Indian Health Care Improvement Act (Public Law94– 437) provides funding for the Indian Health Services and has been pending re-authorization since fiscal year 2000. The Puyallup Tribe of Indians supports all efforts by Congress and the administration to pass the Indian Health Care Improvement Act.

PREPARED STATEMENT OF THE QUINAULT INDIAN NATION

"The Great Spirit bestowed life to all of us . . . including the animals, birds, fish, insects and plants. Our collective Native warnings and predictions were ignored in the rush to capitalize and exploit the bountiful resources of the land. Countless irreplaceable species are preserved now in museums or documents in textbooks. As the consequences of unmanaged exploitation and pollution reach irreversible proportions, the United States heeded our centuries old appeals for environmental protection. We only hope it's not too late and that Mother Nature's wounds can still be healed. We will continue to serve as the environmental conscience to the nation and the world."

JOSEPH B. DELACRUZ,
President,
Quinault Indian Nation, 1972–1993.

Thank you Senator Feinstein for the opportunity to submit written testimony on the fiscal year 2011 budgets for the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS). On behalf of the Quinault Indian Nation (QIN), we ask that this subcommittee not access unfair/disproportionate rescissions on fiscal year 2011 funding for the BIA and IHS and other Indian program funds. Our requests and recommendations are as follows:

TRIBAL-SPECIFIC PRIORITY REQUESTS

$7 million a year for Blueback Restoration—BIA (for 2011–2019); $480,000 for Resource Protection and Enforcement—BIA; and $500,000 for Substance Abuse Strategy—IHS.

LOCAL/REGIONAL REQUESTS AND RECOMMENDATIONS

Affiliated Tribes of Northwest Indians; Northwest Portland Area Indian Health Board; and the Northwest Indian Fisheries Commission.

NATIONAL AND SELF-GOVERNANCE REQUESTS AND RECOMMENDATIONS—BIA REQUESTS

Provide $82.9 million general increase to BIA Tribal Priority Allocation (TPA) for inflationary and fixed costs; provide $64 million increase for BIA Contract Support Cost (CSC), including Direct CSC; provide $5 million increase in the Indian Self-Determination (ISD) Fund; provide 100 percent of fixed costs (uncontrollable), including Tribal Pay Costs; and increase funding to the Office of Self-Governance to fully staff the office for the increase of tribes entering Self-Governance

NATIONAL AND SELF-GOVERNANCE REQUESTS AND RECOMMENDATIONS—IHS REQUESTS

Provide $474 million for IHS mandatory inflation and population growth increase to maintain existing healthcare services; $330 million increase for Contract Health Services (CHS); $122 million increase for IHS to fully fund Contract Support Cost (CSC), including Direct CSC; and a $5 million increaseto the Indian Health Service (IHS) Office of Tribal Self-Governance.

TRIBAL SPECIFIC REQUESTS JUSTIFICATION

$61 Million Blueback Restoration ($7 Million Annually From 2011–2019)

The Blueback Restoration Program is designed to halt the current habitat loss and deterioration and to repair and restore natural habitat forming processes and sockeye production on the QIN floodplain. Conditions that will result from imple-

mentation of this program will benefit other salmon stocks in the system and will serve to protect private property and public infrastructure. The program plan calls for formation of public and private coalitions and partnerships to implement restoration actions.

The QIN River Blueback (Sockeye Salmon) Restoration Program will help to restore the natural beauty and productivity of the QIN river basin to historic levels, thus making it a more attractive tourism destination. In addition, the program will provide local construction jobs during its implementation phase, and the restoration program will result in conditions that will improve and sustain commercial and sport fishing on the Quinault River. The program will also benefit local residents and businesses by reducing the likelihood of flooding and property loss and increasing local economies both in the near and long term future. Implementation of the restoration program will help avoid the burdensome and restrictive consequences of having the Quinault sockeye listed as threatened or endangered under provisions of the Endangered Species Act.

This unique and valuable stock of salmon is near collapse due mostly to degraded habitats in the upper Quinault River basin and in Lake Quinault. This habitat loss has occurred over the past century due to historic timber harvesting, property development, and infrastructure construction. Natural processes on the floodplain began unraveling in the late 1800s and the deterioration is continuing in the present time.

This is a long-term project expected to take up to 20 years to complete structure placement and enhancement, including the engineering and material procurement, with full implementation occurring in the decades following as natural processes rebuild the habitat to historic conditions. Through successful efforts of this program, it will protect and restore the livelihoods of 100 commercial fishermen and 25 sport fishing guides in Grays Harbor and Jefferson Counties and the Quinault Indian Reservation.

The program will also contribute partial support for approximately 20 jobs in the fish processing industry in western Washington, thus improve the economic status of the families living in the communities within the Quinault Indian Reservation. The program will provide employment for 10–30 laborers and equipment operators in Grays Harbor and Jefferson counties during the construction phases of individual projects.

This project will reverse adverse environmental impacts by restoring habitats and ecosystems of the Quinault River and Lake Quinault while at the same time stabilizing the river channel in efforts to protect infrastructure and property loss.

The construction phase of this plan was implemented in the fall of 2008 with the construction of 12 engineered log jams. With full funding as needed on an annual basis, the basic construction phase of this project is expected to be completed at the end of fiscal year 2019. Fertilization, data acquisition, and monitoring will continue for many years.

$480,000 for Resource Protection and Enforcement (Six Enforcement Officers)

The QIN operates many natural resource programs that are not funded to sufficient levels. We particularly are in need of funds to protect QIN and Indian resources through enforcement of regulations, infraction and trespass detection, and investigation. With a reservation area in excess of 200,000 acres coupled with the larger usual and accustomed area outside the reservation where we exercise fishing, hunting and gathering treaty rights under our self-regulatory status, we cannot possibly accomplish the needed level of detection and enforcement with current funding.

In 2010 dollars, we estimate the cost to support one enforcement officer at $80,000 per annum. This covers compensation, benefits, equipment, vehicle, supplies, and training. We are in need of reliable, continued funding to support an additional six enforcement officers to provide better protection of our fish, wildlife, and forest resources.

$500,000 SUBSTANCE ABUSE STRATEGY PLAN

The Quinault Indian Nation Substance Abuse Strategy seeks to improve, integrate, and strengthen the overall health and services to protect the communities on the reservation from the significant risks related to methamphetamine productions and use by targeting enforcement, outreach, prevention, stabilization, and harm reduction services to high risk-populations.

Methamphetamine use within the Quinault Indian Nation is a serious concern and a significant public health and social challenge. Since its introduction to the community, the government of the Quinault Indian Nation has taken a proactive approach to dealing with crystal meth. It affects a number of different groups; however, it is most prevalent among youth and young adults.

Some of the major problems contributing to the spread of meth trafficking is the size and isolation of our communities, and jurisdictional issues related to law enforcement on tribal lands. Tribal and local agencies are discovering that cooperation and collaboration represent a way to leverage resources to attack the threat of methamphetamine. Cooperative, inter-jurisdictional law enforcement efforts are the only way that Federal, tribal, and State law enforcement agencies will be able to effectively combat methamphetamine.

The Quinault Indian Nation's Substance Abuse Strategic Plan is part of a broader more comprehensive alcohol and drug strategy being developed that recognizes the need to plan for the future. The Nation has encouraged collaborative relationships among government departments, health authorities, professionals, community members, and families to create conditions that prevent drug use, treat drug users, educate the public and hold offenders accountable and control access to ingredients and supply while helping to ensure safer communities.

Most importantly, we have actively sought the guidance and wisdom of our elders and with the participation of our youth, community, churches and school districts we have undertaken a multidisciplinary approach and strategy, emphasizing prevention, enforcement, treatment and aftercare. Unfortunately, the best plans prove valuable only when the funding is available to execute and implement the strategy. We have found that at every level and in every discipline, funding to support our strategy is appallingly inadequate.

We stress the urgent need to reclaim our communities to protect our families, our elders and our next seven generations from this menacing and deteriorating drug on the Quinault Indian Nation Reservation.

We support all requests and recommendations of the Intertribal Timber Council, the National Congress of American Indians and the National Indian Health Board.

Again, thank you for this opportunity on behalf of the people of the Quinault Indian Nation.

PREPARED STATEMENT OF THE ROCKY MOUNTAIN BIRD OBSERVATORY

Honorable Senators on the Interior, Environment, and Related Agencies Appropriations Subcommittee, I am writing on behalf of the Rocky Mountain Bird Observatory (RMBO) concerning the need to increase funding to conserve our Nation's migratory birds. RMBO is a 501(c)3 nonprofit organization incorporated in the State of Colorado with a mission to conserve native birds and their habitats. Our migratory birds are a shared biological treasure that benefits all U.S. citizens, directly or indirectly, in myriad ways. From the cheerful songs that greet us in our backyards, to the economic engine that birds provide for outdoor recreation and tourism, birds are an integral part of our economy and quality of life. Unfortunately, this renewable resource is in jeopardy and requires increased attention and commitment on behalf of our society to ensure its sustainability.

We respectfully request that you increase funding for the Neotropical Migratory Bird Conservation Act (NMBCA) to $6.5 million in fiscal year 2011. While this level of funding still falls far short of what is needed to effectively conserve our Nations' bird populations, it will help slow the decline of some of our most vulnerable species by providing critical resources to ongoing conservation projects in these difficult economic times. This relatively modest investment will help reduce future costs that would likely be incurred if species were to become federally listed as Threatened or Endangered in the future. Although we would like to see appropriations for this fund increased to at least $20 million annually, we respectfully ask that at a minimum, you do not reduce funding for this important and cost-effective program that leverages three non-Federal dollars for every Federal dollar granted.

Birds are an incredibly important part of our environment that provide invaluable ecosystem services and support our economy both directly and indirectly. In 2006, more than 48 million Americans engaged in bird watching and bird feeding, contributing more than $82 billion to the U.S. economy and supporting 671,000 jobs. Birds keep our ecosystems healthy by controlling pests and disease vectors, pollinating important agricultural crops, trees and other plants, dispersing seeds of wide variety of plants, and facilitating nutrient cycling and decomposition through the consumption of carrion. Birds also excavate cavities and burrows that are essential to other wildlife. As birds migrate across the continent, they carry these ecosystem services with them. In Canada's boreal forest alone, birds provide an estimated $5.4 billion in pest control services.

Birds are our society's most accessible and sensitive indicator of environmental health and ecological change. They are ambassadors for entire ecosystems and our best means for conserving all biodiversity. NMBCA funding has thus benefited

countless other species in addition to birds, although much more needs to be done. Recent reports, including the 2009 and 2010 State of the Birds, the Partners in Flight Landbird Conservation Plan, the Partners in Flight Tri-national Vision, the Waterbirds for the America's Plan, and the U.S. Shorebird Conservation Plan, highlight the continuing decline of our Nations' birdlife and the increasing threats they face. These reports also highlight the critical need to increase funding for programs such as the NMBCA.

Since its creation in 2002, the NMBCA has provided funding for programs that protect migratory birds in the places where they most need our help, whether it is on their breeding or wintering grounds, or places in between. The NMBCA recognizes that a multi-pronged approach is needed to effectively conserve birds, including habitat protection and management, education and outreach, research and monitoring, and law enforcement. By investing in these conservation activities across the hemisphere, the NMBCA protects our collective investments in natural resource conservation in the United States. by helping to ensure that our migratory bird populations return to our backyards, forests, wetlands, and grasslands each spring.

The RMBO acknowledges all the important work being accomplished in the U.S. Senate, and recognizes the many competing needs for funding. We respectfully ask that you consider our request to modestly increase funding for the NMBCA, a unique, innovative and collaborative program for migratory bird conservation. Increased support for the NMBCA will demonstrate the ongoing leadership and commitment by the United States to biodiversity conservation at this critical point in our history.

PREPARED STATEMENT OF THE ROCKY MOUNTAIN CLIMATE ORGANIZATION

This statement is being submitted on behalf of the following representatives of Government agencies, water providers, and organizations with a stake in Colorado's water future: Nolan Doesken, Colorado State Climatologist; Eric Kuhn, General Manager, Colorado River Water Conservation District; David Little, Director of Planning, Denver Water; Brett Gracely, Water Resource Planning Supervisor, Colorado Springs Utilities; Brad Udall, Director, CU–NOAA Western Water Assessment; Stephen Saunders, President, Rocky Mountain Climate Organization; Joel Smith, Principal, Stratus Consulting; Drew Beckwith, Water Policy Analyst, Western Resource Advocates; Drew Peternell, Director, Trout Unlimited's Colorado Water Project.

We respectfully request your consideration of inclusion of additional fiscal year 2011 funding above the budget request for the following critical funding needs for climate data monitoring programs:

—*Department of the Interior, U.S. Geological Survey (USGS), Water Data Program*.—$1,440,000 for the stream gage network, and for fiscal year 2012 and years beyond, $1,264,000 per year for recurring operations and maintenance costs;

—*Department of the Interior, USGS, Water Data Program*.—$272,000 for reservoir storage monitoring, and for fiscal year 2012 and years beyond, $95,200 per year for operations and maintenance costs;

—*Department of the Interior, BLM, Remote Automated Weather Stations (RAWS) Program*.—$162,000;

—*Department of Agriculture, U.S. Forest Service (USFS), RAWS Program*.—$258,000.

Since 2007 our organizations, and others in Colorado, have been collaborating on strategies to prepare for the changes that scientists have identified as the likely impacts of climate change on the most critical natural resource in the West—the water resources that enable our people, commerce, and natural systems to thrive. Key to our ability in this region to understand and adapt to the effects of climate change on water supplies will be good information on what changes are occurring with respect to such key elements as temperatures, precipitation, snowpack, the timing of snowmelt, streamflows, and soil moisture. The data collection systems that currently exist to gather this information were not designed to track changes in climate, and so are incomplete to meet today's needs. Many of the programs for collecting and disseminating these data have deteriorated or have been diverted over the last quarter-century, with the result that many long-term climate and streamflow records have been interrupted.

The additional climate/water monitoring needs we identify are for systems in Colorado and the Upper Colorado River Basin, but they are needed for national reasons. The State of Colorado supplies 70 to 75 percent of the water in the Colorado River. About 30 million Americans, or about one-tenth of all Americans, living in

seven States—Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming—depend on Colorado River water. The largest city in each of those seven States depends on Colorado River water. Twenty-two of the 32 largest cities in those seven States depend on Colorado River water. Fifteen percent of the Nation's crops and 13 percent of the Nation's livestock depend on Colorado River water. Some of the Nation's most spectacular natural resources, including our largest concentration of national parks, depend on Colorado River water.

Yet scientists consistently tell us that a changed climate is likely to reduce the flow of the Colorado River. As this is already the most over-allocated river in the Nation, this presents a challenge of great national significance.

No less important to those who depend on them are the other rivers that originate in Colorado, including the Rio Grande, Arkansas, and North and South Platte rivers, which supply additional millions of Americans not just in our State but in downstream States. These rivers, too, may be substantially affected by the hotter and drier conditions projected to result in the interior West from a changed climate.

To be able to address these challenges, we have a pressing, critical need to know more than we now do about our water resources and how they may be affected over time. That is the purpose of our proposal for relatively modest increases in these key budget accounts:

Department of the Interior, USGS Water Data Program—Stream Gage Network

Drought information users in the Upper Colorado River Basin (UCRB) would like increased opportunity to compare current stream flow with historical conditions. They call for the re-establishment of long-term gaging stations, presently inactive, having at least 20 years of record. The USGS has identified more than 80 stations meeting these criteria just in the portion of the basin in the State of Colorado. This effort would help address the strong desire of UCRB drought information users to have and maintain gaging stations on "indicator" or "sentinel" watersheds without storage or diversions, and many years of long-term native flow. Near real-time reporting of observed flows, presented in historical context would give users the needed understanding of present natural conditions and how they compare with the past.

Our Funding Request.—Costs to establish new gages are on the order of $18,000 each, while annual O&M costs are $15,800. Our funding request is for full re-establishment of these 80 stations, totaling $1.44 million in capital investments. For fiscal year 2012 and beyond, $1.264 million per year is needed for recurring annual costs for operations and maintenance of these stations.

Department of the Interior, USGS Water Data Program—Reservoir Storage Monitoring Network

Knowledge of current reservoir levels and storage volumes is a vital component of drought monitoring in the UCRB. Only 27 of the 44 reservoirs in the basin that are systematically tracked for their levels and volumes by USGS and the U.S. Bureau of Reclamation have automated monitoring systems. For the remaining 17 reservoirs, a very labor intensive process of telephone reporting by the Department of Agriculture's Natural Resources Conservation Service is required, which can only be accomplished once a month. A major monitoring gap could be filled by adding automated reservoir level recording to these 17 reservoirs.

Our Funding Request.—The cost will be $16,000 per reservoir monitoring station, for a total capital investment funding request of $272,000 for fiscal year 2011. For fiscal year 2012 and beyond, $95,200 per year is needed for recurring annual operations and maintenance costs for these 17 stations.

Department of the Interior, BLM—RAWS Network

There are about 70 sites of the RAWS network operated by the BLM (27 stations) and USFS (43 stations). The principal purpose of the network is to monitor fire danger, though it could provide valuable drought information at low elevations as well. A shortcoming of the stations is their measurement of precipitation with tipping bucket instruments, which unfortunately do not provide useful observations in the cold season.

Our Funding Request.—Upgrading these stations to provide useful, year-round precipitation data would cost on the order of $6,000 per station. Our fiscal year 2011 funding request is for $162,000 to upgrade the 27 BLM RAWS stations in the Upper Colorado River Basin. For fiscal year 2012 and beyond, there will be a small increase in annual maintenance costs.

Department of Agriculture, USFS—RAWS Network

There are about 70 sites of the RAWS network operated by the BLM (27 stations) and USFS (43 stations). The principal purpose of the network is to monitor fire dan-

ger, though it could provide valuable drought information at low elevations as well. A shortcoming of the stations is their measurement of precipitation with tipping bucket instruments, which unfortunately do not provide useful observations in the cold season.

Our Funding Request.—The fiscal year 2011 funding request is for $258,000 to upgrade the 43 USFS RAWS stations in the Upper Colorado River Basin. For fiscal year 2012 and beyond, there will be a small increase in annual maintenance costs.

We would welcome the opportunity to discuss these requests further, and stand ready to supply additional information as needed.

PREPARED STATEMENT OF THE RAMAH NAVAJO SCHOOL BOARD, INC.

Mr. Chairman and members of the subcommittee: My name is Nancy Martine-Alonzo, and I am the president of the Board of Trustees of the Ramah Navajo School Board, Inc. (RNSB), which governs the more than community programs on the Ramah Navajo Reservation in Cibola County, New Mexico, at Pine Hill, New Mexico.

RNSB and the Ramah Navajo community people are extremely grateful for the continuing support and Federal funding we have received for the past 40 years, which has impacted the 4,000-plus members of the Ramah Band of Navajo Indians. Without the congressional funding commitment in a pioneering effort in 1970, the dreams, hopes, and reality of the RNSB's legacy for taking control of its educational responsibilities, and thus, our presence here would not have been possible.

My testimony today is on the need for Congress to appropriate funding to address the infrastructure needs of our Bureau of Indian Education (BIE) funded school and other Federal community programs in two categories. Requests "1 through 4" are for the operational funding needs of all BIE Grant Schools throughout the country, including our own Pine Hill School, and request number "5" is for our increased telemedicine capacity for our own tribal health clinic:

Increase Tribal Grant School Support Costs by $23.2 Million Above the Budget Request.—This is the account that funds administrative costs incurred by tribes that have elected to take over operation of BIE schools on their reservations. But funding for these costs has not only failed to meet the requirements of the law, it has fallen to such a low level—only 61 percent of what the law requires—that the viability of tribally operated schools is in jeopardy. The amount supplied in the fiscal year 2010 budget—$43.37 million—was even less than the amount supplied in fiscal year 2003. For the K–12 Pine Hill School, we have had to subsidize this massive underfunding of school administrative costs. We should not have to do this, but we have no choice. Our indirect costs pool presumes that we receive 100 percent of the administrative costs the law requires. When we do not, which has been the case for 19 of the last 20 years, RNSB, must make up the difference. It is clear that the Obama administration recognizes the importance to Indian self-determination of supplying needed funding for a tribe's indirect costs—called "contract support costs." For fiscal year 2010, the President and Congress joined to provide an enormous $116 million increase for the contract support costs of tribes performing Indian Health Service (IHS) Contracts. But why has not this desire to meet its commitment to tribes extended to tribally operated school programs. There is no justification for this disparate treatment. The President seeks $46.37 million for Tribal Grant Support Costs, an increase of $3 million. While we appreciate a request for a meaningful increase for the first time in 9 years, it is grossly insufficient to meet our costs and will not even enable BIE to pay 65 percent of the statutorily required amount. We calculate that full funding for Tribal Grant Support Costs will require $69.6 million. Thus, we ask the subcommittee to recommend an increase of $23.2 million above the budget request for Tribal Grant Support Costs.

Increase Indian School Equalization Funds (ISEF) Budget by $39.8 Million to a Total of $431 Million in Order To Fulfill the Federal Government's Obligation to Indian Children in the BIE School System.—These funds support our education program, which is, of course, the core function of our school. In order to pay competitive teacher salaries and maintain student-teacher ratios required by New Mexico law, our School Board has annually contributed its ISEF funds to cover support and auxiliary cost for the past several years. Without an increase to ISEF, our school could not recruit and retain high-quality personnel needed for our educational program to succeed. Key support services also require additional subsidies. For example, our food service budget, transportation, facilities and maintenance falls short of the amount needed, and we must also subsidize school security, a school nursing staff, and after-school programs. All of these costs should be the responsibility of the BIE. But the agency's budget for the ISEF chronically fails to supply the level of support

needed, and does not take into account the enhanced costs of operating a small school such as ours in a sparsely populated reservation community. Over the past 7 years, the ISEF budget has increased by only 13 percent—less than 2 percent per year. For fiscal year 2011, the administration seeks to decrease the ISEF budget by more than $500,000. Instead, we urge that the ISEF budget be increased by $39.8 million to a total of $431 million in order to fulfill the Federal Government's obligation to the 42,000 Indian children in its BIE school system.

Student Transportation for Fiscal Year 2009 (President's Request: $46,912,000).—Student transportation has a long history of being underfunded. Since 1975 until now, on the average, 90 percent of students attending the Pine Hill School travel by school buses on 450 miles of mainly unimproved roads of gravel or dirt. These road conditions result in much wear and tear on our bus fleet and are compounded during inclement weather. When fiscal year 2008 transportation funding resulted in only $2.61 per mile, this was only enough to cover 70 percent of our transportation needs, so we are forced to reprogram ISEP funds to offset this shortage for our transportation needs since students must first get to school and back home before any education can happen. Since the cost of fuel is rising, as is repair and maintenance, we request an increase in student transportation to reflect the $3.10 per mile for funding of $55,256,000. This would be getting us closer to the national average rate of $3.58 per mile. Until we receive adequate school bus funding, we will continue to have to reprogram funds from instructional programs to pay the costs of getting students to school. Also, we do not receive any funding for extracurricular and cocurricular activities that augment our school improvement efforts, such as school field trips and athletic events.

College Scholarships.—Any reduction in appropriations for college scholarships for American Indian students is an open invitation for increasing unemployment among our Indian youth. During the past several budget cycles, scholarship funding has steadily been reduced while the number of applicants increases. There is absolutely no logical reason to put programs such as "No Child Left Behind" in place with a Federal mandate when the opportunities for attaining postsecondary education is being reduced at the same time. If our country is to sustain benefits from our youth by becoming our future leaders, it needs to provide scholarship funding that parallels the ever increasing need for college educated Indians in education, business, health, natural resources, and all other professions needed by tribes throughout the country.

RNSB is also requesting $1 million for:

—*Telemedicine Capability ($1 million)*.—The Pine Hill Health Center, a tribal clinic that is part of the IHS system, has a great need for telemedicine and associated 21st century capabilities. Our current computer system was installed when there were only 35 staff members and 1,000 sq. ft. of space. Our health programs have grown over the past 35 years to meet the needs of the Navajo people in this rural area to more than 70 employees and 10,000 sq. ft. to provide medical, emergency ambulance services, pharmacy, dental, wellness, and behavioral health services. Recruitment and retention of highly qualified medical staff and proper maintenance and replacement of equipment are extremely hard to sustain in our rural isolated community.

The telemedicine needs include replacing and enlarging the computer system that handles the patient database and financial systems. Such an overhaul will include such things as installation of equipment for federally mandated electronic health record requirements, telehealth (video conferencing for specialist consultation on urgent patient questions, as well as psychiatric and mental health emergency consults), installation of a digital dental system, upgrading of radiology equipment to handle digital radiology and teleradiology capability, and the associated costs, i.e., routers, servers, uninterrupted power supplies, replacement of our financial management system, cabling and installation, and replacement and additional PCs.

Presently, providers rely on a "wet" film and no radiologist interpretation due to remoteness of area. The medical and dental providers currently have no electronic links to the patient records and information at other IHS facilities or to the non-IHS hospitals and doctors' offices where referrals are made to either send or receive important diagnostic information. We currently rely on telephone, fax and postal mail communications, which cause delays in making appropriate medical decisions and delaying patient care. Another example is a referral of one of our patients for CT exam. Because we have no connectivity to these institutions we had to rely on the CT report coming by mail. Our physicians received the report 3 weeks later with a definitive cancer diagnosis which delayed cancer treatment by approximately 1 month. Lab information is often not available until the next day, whereas electronic linkages would give results within 30–60 minutes. Having immediate access to pa-

tient care information would increase the quality of care given as well as the efficiency of services.

Our request is certainly consistent with the mission and activities of the IHS, which is expanding its efforts in the area of telemedicine. IHS has requested a $40 million increase (for a total of $135 million) in the area of health information technology for fiscal year 2011 in the Hospitals and Clinics program. We also note that the IHS medical equipment account, for which the administration requested $23.7 million (a $1 million increase), could be a source of funding for telemedicine equipment. We ask Congress to specify that the IHS provide increased funding to help meet the urgent telemedicine needs of the Ramah Navajo community.

The Ramah Navajo Community.—The main Navajo Nation Reservation is spread out over Arizona, New Mexico and Utah, but the Ramah Navajo reservation area: (1) Is geographically separated from the main reservation lying 175 miles southeast in Cibola County, New Mexico; (2) Covers approximately 300 square miles in a rural, isolated high desert area; (3) Has few paved roads, no business center, and the nearest towns are more than 60 miles away; (4) Was ignored for most of its history by Federal, State, and tribal governments; and (5) Began to realize that it must start exercising more self reliance in the late 1960s when the local public school was condemned, closed, and the State declined to rebuild it.

Efforts begun in the 1960s by Ramah Navajo grass roots leaders to obtain funding for their own school by traveling to Washington, DC, to make direct appeals to congressional leaders. These efforts were successful and the construction of the community-controlled K–12 Pine Hill School was soon begun. The new RNSB then acquired other much needed programs for the community, such as an IHS clinic, a radio station funded by the Corporation for Public Broadcasting, and other services. All of these efforts by the Ramah Navajo people—as well as a similar effort by another Navajo community—led to the passage of the "Indian Self-Determination and Education Assistance Act" of 1975 (Public Law 93–638), the most important congressional law in modern American Indian history.

RNSB is celebrating its 40th Anniversary in 2010 in community self-determination since its founding in 1970. RNSB and the Ramah Navajo Chapter have established and continue to maintain: (1) Authority from the Navajo Nation to directly contract programs from Federal and State governments; (2) Recognition by the Bureau of Indian Affairs to contract on a government-to-government relationship; and (3) Our own BIA Ramah Navajo Agency.

Today, RNSB not only operates a K–12 BIA grant school, but also more than 30 other programs for the Ramah Navajo community, including, among others, a Health Clinic, Social Services, four preschool programs (Head Start, FACE, Early Intervention, and Day Care), Behavioral Health Services, Wellness Center, a Workforce Investment Act program, Adult Education, GED program, School Farm, Fair Grounds, and a Radio Station. RNSB, therefore, provides most major services for the community. We have an annual operating budget of about $17,500,000, of which roughly 80 percent is used for personnel costs.

PREPARED STATEMENT OF THE SIERRA FOOTHILLS AUDUBON SOCIETY

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony on behalf of the Sierra Foothills Audubon Society in support of acquiring land at Tahoe and Eldorado National Forests in California. An appropriation of $5.5 million is needed in fiscal year 2011 from the Land and Water Conservation Fund in order for the Forest Service (USFS) to acquire an assemblage of properties totaling 3,187 acres.

The Sierra Foothills Audubon Society is located next to the Tahoe National Forest and is very concerned about the birds and other wildlife of the forest. The irrational checkerboard ownership pattern in the central Sierra Nevada is one of the most significant challenges facing USFS land management. Incompatible uses on private parcels interspersed with public lands degrade wildlife habitat, water quality, recreational access, and scenic views on the public lands and complicate forest management and fire control. Disruption of north-south habitat connectivity, essential to wildlife migration in the Sierra Nevada, will have much more serious effects as climate change significantly shifts wildlife habitats. For these reasons, the USFS has made consolidation of public ownership in checkerboard areas an acquisition priority in California. Acquiring all the private lands in the checkerboard region with significant wildlife, watershed, scenic, and recreational values will be a very long-term effort; consistent progress is essential.

We are asking you to support funding for parcels in six areas, all but one of which are in the region of checkerboard ownership. These parcels are the Tahoe and Eldo-

rado National Forests' highest acquisition priorities in fiscal year 2011. The merits of the parcels in each area are briefly described below.

Castle Peak Area (Tahoe National Forest, Checkerboard Region)

Our highest priorities for acquisition are parcels in the Castle Peak area on the Sierra Crest in Tahoe National Forest. Most of the Castle Peak area is included in the Castle Peak Proposed Wilderness. The Castle Peak area is highly scenic and is a very popular year-round recreation area for the large populations of northern California and western Nevada. Thousands of acres in the Castle Peak area have been purchased in recent years, thanks in part to your support, but the acquisitions are not yet complete.

The White Rock Lake parcel, most of which is roadless, is on the northern edge of the proposed wilderness. Including the roadless portion of the parcel in the proposed wilderness would make its boundary more logical and defensible. Acquisition of the parcel would consolidate public ownership of the White Rock Lake watershed, better protecting the Lake and its population of Federal endangered mountain yellow-legged frogs.

Two parcels southwest of Castle Peak and close to the proposed wilderness have significant recreational values. Acquisition of these parcels would make possible an improved routing of the popular Hole in Ground bicycle trail onto public lands. These parcels, which are near already subdivided lands, are potential locations for second-home development, which makes their acquisition more urgent.

Sagehen Creek Watershed (Tahoe National Forest, Checkerboard Region)

The University of California's Sagehen Creek Field Station has used the Sagehen Creek watershed as an outdoor classroom and site for wildlife, forestry, and hydrology research since 1951. Recognizing this use, the USFS has designated the public lands in the watershed as the Sagehen Creek experimental forest.

Consolidated public ownership of the experimental forest would ensure that incompatible activities on private land in the watershed do not confound research data and restrict educational activities. Acquisition of sections 13 and 15 on the southern and western boundaries of the experimental forest would significantly decrease the private lands in the Sagehen Creek watershed. Acquisition would also add to the public lands in the north-south wildlife corridor on and near the Sierra Crest, in which ownership is significantly fragmented.

Lacey Valley Meadows and Webber Lake (Tahoe National Forest, Checkerboard Region)

The 1,500 acres of beautiful subalpine meadow in Lacey Valley south of Webber Lake are an outstanding feature of a 3,000-acre property in the vicinity of the Lake that will be available for acquisition. Two sections in the upper end of the Valley are available in fiscal year 2011.

The meadow and riparian areas of Lacey Valley are habitat for waterfowl and for the willow flycatcher, which is on the State endangered list. The meadow and the surrounding uplands provide habitat for deer and numerous species of raptors and predators.

Though meadows are only a small percentage of the lands within Tahoe National Forest, they contribute disproportionately to the forest's scenic, wildlife, and recreation values. A large proportion of meadows within the forest are privately owned; early settlers valued the resources of meadows and their suitability for settlement. Now meadows are attractive locations for second-home and resort development which seriously degrades their ecosystems and denies the general public access. Promptly responding to opportunities to acquire meadows is essential because meadows are so attractive to residential and resort developers. Acquisition of the forested ridges surrounding the Lacey Valley meadows ensures protection of the meadows and creeks.

English Mountain (Tahoe National Forest, Checkerboard Region)

Purchase of this parcel would help consolidate very fragmented public ownership immediately northeast of English Mountain by acquiring the remainder of a checkerboard section. The parcel contains most of the northeastern slopes of English Mountain and also Secret Lake, a small alpine tarn, and its outlet stream. Purchase of the section is the beginning of the highly desirable eventual consolidation of public ownership of beautiful English Meadow and other meadows along the Middle Yuba River. The Grouse Lakes Potential Wilderness, which includes the summit of English Mountain, is immediately to the south of the parcel. Though part of the section has been logged, some mature mixed conifer forest remains.

Big Avalanche Cave (Tahoe National Forest, Checkerboard Region)

Public ownership of the parcel would protect and guarantee public access to this regionally significant limestone cave system with 1,500 to 2,000 feet of passages. In the opinion of northern California speleologists, Big Avalanche Cave, where extensive exploration of easy passages with minimal resource impacts is possible, is the most important recreational cave in the northern Sierra Nevada. A colony of Townsend's Big-eared Bats, a species of concern in California, occupies a summer roost a few miles away. The cave is a suitable and likely winter hibernation site for this colony. Both the Western Cave Conservancy and the National Speleological Society support this acquisition.

Martin Meadow (Eldorado National Forest)

The volcanic ridge east of Silver Lake, between Silver Lake and the Kirkwood Ski Area, is a striking scenic backdrop for Silver Lake. This parcel is on the west slope of the ridge, within a potential addition to the Mokelumne Wilderness, surrounded on three sides by Forest Service land. Public ownership of the parcel will preserve its wilderness character and the wilderness character of surrounding national forest lands.

Conclusion

Your past support of appropriations to purchase private lands with significant wildlife and recreational values in Tahoe and Eldorado National Forests has been invaluable. Sierra Foothills Audubon Society urges you to continue your past support by supporting this $5.5 million appropriation for fiscal year 2011.

PREPARED STATEMENT OF THE SQUAXIN ISLAND TRIBE

On behalf of the tribal leadership and members of the Squaxin Island Tribe, I am submitting our funding requests and recommendations for the fiscal year 2011 budgets for the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS). The Squaxin Island Tribe requests that if a mandatory rescission is applied to all Federal programs, we ask that Indian programs not be required to absorb a disproportionate loss of funds with a double rescission on these funds.

TRIBAL-SPECIFIC REQUESTS

$750,000 for Northwest Indian Treatment Center Residential Program in IHS; $850,000 for public health and safety of the Squaxin Island Community in the BIA; increase Tribal Historic Preservation Program funding; $100,000 Squaxin Shellfish Expansion and $750,000 for Shellfish Enhancement Program; and $5 million to fulfill the final payment to the Puget Sound Regional Shellfish Settlement.

REGIONAL REQUESTS AND RECOMMENDATIONS

Northwest Portland Area Indian Health Board; Affiliated Tribes of Northwest Indians; and the Northwest Indian Fisheries Commission.

SELF-GOVERNANCE (SG) AND NATIONAL REQUESTS AND RECOMMENDATIONS

BIA

Provide $82.9 million general increase to BIA TPA for inflationary and fixed costs; provide $64 million increase for BIA CSC, including Direct CSC; provide $5 million increase in the ISD Fund; increase Office of Self-Governance (OTSG) budget to fully staff to meet the needs of the increase in tribes entering SG; and provide 100 percent of fixed costs (uncontrollable), including tribal pay costs.

IHS

Provide $474 million for IHS mandatory inflation and population growth increase to maintain existing healthcare services; $330 million increase for Contract Health Services; $122 million increase for IHS to fully fund Contract Support Cost (CSC), including Direct CSC; and increase $5 million to the IHS OTSG.

We support the requests of the National Indian Health Board and the National Congress of American Indians.

SQUAXIN ISLAND TRIBE BACKGROUND

The Squaxin Island Tribe, a signatory of the 1854 Medicine Creek Treaty, is located in Kamilche, Washington in SE Mason County. The 2009 year-end tribal member enrollment was of 1,015. Squaxin has an estimated service area population of 2,767, a growth rate of about 10 percent, and an unemployment rate of about 30

percent, according to the BIA Labor Force Report. According to the Mason County Economic Development Council, Squaxin is the largest employer in Mason County.

TRIBAL-SPECIFIC REQUESTS JUSTIFICATIONS

$750,000—"D3WXbi Palil" meaning "Returning from the Dark, Deep Waters to the Light" Northwest Indian Treatment Center (NWITC) has not received an adequate increase in its base IHS budget since the original congressional set-aside in 1993. An increase of $750,000 would restore lost purchasing power and the need to add mental health and psychiatric components to treatment. This increase would allow NWITC to continue its effective treatment of Native Americans.

The Squaxin Island Tribe operates the NWITC located in Elma, Washington (6th Congressional District). NWITC is a residential chemical dependency treatment facility nationally recognized as a "Center of Excellence" and was developed to serve unmet needs of rural populations that were not being provided by other urban residential treatment centers in the Northwest. The facility is clinically designed to serve American Indians who have chronic relapse patterns related to unresolved grief and trauma 75 percent of whom have co-occurring mental health and substance abuse disorders. Addiction treatment is supplemented with mental health assessments and treatment, mental health groups, post-treatment planning, medication management, resource coordination and cultural and spiritual activities to help patients re-anchor in their traditions and reclaim their identity.

NWITC is accredited by the Commission on Accreditation of Rehabilitation Facilities, an international accrediting organization for behavioral health programs. It is also certified and licensed by the Washington State Department of Health. The NWITC residential program serves the tribes of Washington, Oregon, and Idaho and sometimes tribes from the Southwest.

The residential portion of the facility houses 24 patients in a circa 1900 single-family residence which was converted in the 1930s into a retirement home. In 2006, a new Counseling and Cultural Center building was constructed using both the Department of Housing and Urban Development Indian Community Development Block Grant and tribal funds that replaced two rented modular buildings that were in extremely poor condition. In 2009, we received $140,418 in American Recovery and Reinvestment Act (ARRA) funding from the IHS for maintenance and improvement to address urgently needed deficiencies. The project included design, construction and installation for the Center's life safety, general safety, ADA compliance, mechanical, roof, structural, and architectural needs.

Treatment has changed over the years in response to meth addiction and its effects on the brain and the individual's capacity to recover. Now NWITC provides evaluations for psychotropic medication, mental health counseling and treatment oriented to unresolved trauma in addition to other traditional forms of treatment. There has also been an expansion of cultural components of treatment. These elements have been required to maintain effectiveness, but they also increase the cost of treatment.

$850,000 for the Squaxin Island Department of Public Health and Safety to hire six additional FTE officers for 24-hour coverage in order to ensure the safety of the community and a public defender: public safety is a high priority for the Squaxin Island Tribe. The Squaxin Island Tribal Public Safety and Justice Department is dedicated to protecting lives, maintaining peace, and ensuring that the property and resources of the Squaxin Island Tribe are protected through the enforcement of the laws and regulations set forth by the Squaxin Island Tribal Council. Law enforcement officers patrol the reservation, South Puget waterways and usual and accustomed hunting areas, protecting human life and natural resources upon which tribal members rely on for cultural and economic sustenance.

The Squaxin Island Public Safety and Justice Department has continued to operate on funding levels insufficient to meet the needs of this Department and our community. This has resulted in operating a program at minimum capacity, which has placed a negative impact on the service level provided to the Squaxin Island Community. The process of protecting the public is hampered by the lack of officers to provide the 24-hour coverage, which is very critical in life and death situations.

The Public Safety Department successfully manages the Squaxin Island Tribal Court, which consists of three divisions: a tribal court, an appeals court, and an employment court. The Department also manages a shellfish and geoduck harvesting monitoring program. Officers are trained in scuba diving and assist with compliance and safety issues.

A public defender is needed for the justice program. Currently the tribe is under contract to provide legal representation to the community members. The court caseload and number of police calls continue to grow at an increasing rate. Current

funding is inadequate to meet the needs of the growing community, protect natural resources, and to fully participate in regional and homeland security programs and initiatives.

The tribe is enhancing the shellfish habitat and production programs, which has increased the demand on the water enforcement program to address issues of illegal harvesting. With current funding and staffing levels, it will be almost impossible to adequately protect the tribe's investment in enhancing natural resources. The Squaxin Island Tribe is seeking both long-term and immediate assistance.

Increase Tribal Historic Preservation Program Funding.—$12 Million for Tribal Historic Preservation Officers (THPO). In 1992, Congress adopted amendments to the National Historic Preservation Act (Public Law 102–575) that allow federally recognized Indian tribes to take on more formal responsibility for the preservation of significant historic properties on tribal lands. Specifically, section 101(d)(2) allows tribes to assume any or all of the functions of a State Historic Preservation Officer with respect to tribal land. In 2002, funding was decreased by approximately 50 percent because of insufficient monies in the Historic Preservation Fund (HPF) to support current and additional THPOs at the earlier funded levels. In 2010, there are 100 THPOs and the HPF funding is not keeping pace with the expansion.

In 2009, we received approximately 150 requests from agencies preparing to do land projects that required our THPO to perform research of the land with only a 30-day window. Funding does not support a full-time archeologist, as required by the statute or assistants to perform the paperwork. Tribal resources supplement this office because it is critical to the Squaxin Island people to protect our sites and our lands.

The President's proposed level of $8 million in fiscal year 2011 will continue to increase the shortfall that THPOs are experiencing, yet the program continues to expand. There were 21 new programs in fiscal year 2009 which keeps the average level of support per THPO suppressed and underfunded. We support the request of the NTHPO for $12 million in fiscal year 2011. We further recommend that future program expansion be funded with increased appropriations for the program in order not to impact the funding of existing THPO programs.

$850,000 SQUAXIN SHELLFISH EXPANSION AND ENHANCEMENT PROGRAM

The Squaxin Island Tribe fully supports the funding of the Shellfish Grower's Settlement Agreement Account. These funds will help assure that, over the long run, the tribes maintain their access to shellfish resources consistent with the rights they reserved by treaty.

In order to implement the shellfish decisions in the *U.S.* v. *Washington* litigation, the tribe offers the following perspectives and funding requests for the highest-priority activities needing funding now. The tribe is committed to working cooperatively with noncommercial tideland owners in order to access the tribal share of naturally occurring shellfish on their lands. These are shellfish beds that are not included in the provisions for the settlement lands. Our program would identify and locate tidelands, contact their owners, survey shellfish populations consistent with the Federal court defined process, and manage harvests of the treaty share by tribal members. The costs to improve our coverage of this activity will be about $100,000, primarily for personnel.

Consistent with the implementation of the Shellfish Grower's Settlement Agreement fund, the tribe needs to improve our infrastructure for enhancement of shellfish on tidelands acquired with the settlement funds. As we purchase available tideland properties with the Shellfish Grower's Settlement Agreement funds, these beaches will need to be restored and enhanced into full productivity to provide clams and oysters for tribal harvest. Funding would include beach substrate restoration, seeding beaches with juvenile shellfish, maintaining predator protection gear, surveying shellfish age class and population structure, and coordinating harvest. Funding of $250,000 annually would provide for personnel, purchased clam seed, predator protection gear and equipment to improve 7 acres of tidelands per year.

The Squaxin Island Tribe also foresees the necessity of initiating enhancement of geoduck, a large shellfish bivalve found in the waters of the northwest. This species is long-lived—more than 50 years in some cases—and regularly grows to between 1 and 2 pounds per individual. Due to the long recovery time for harvested beds of this species, enhancement techniques have been developed to replant geoducks in substrate where they will grow to maturity sooner than through natural recovery. We propose to enhance 5 acres annually at an expense of $500,000, which covers personnel, geoduck seed (immature geoduck), predator protection devices and other equipment. We believe this expenditure is necessary to supplement the existing harvest of naturally occurring geoduck and reduce pressure on natural stocks.

On behalf of the Squaxin Island Tribal Council and tribal members thank you for this opportunity.

PREPARED STATEMENT OF ST. MARKS REFUGE ASSOCIATION, INC.

Madam Chair and members of the subcommittee: On behalf of the St. Marks Refuge Association, Inc. and its 300+ members, we thank you for supporting the National Wildlife Refuge System (NWRS). We urge you to continue carrying the flag for America's wildlife, wild lands, and for the people who work on the Nation's refuges because every refuge matters.

We are asking for your positive vote on these four matters that desperately need funding:

—Fund $578 million for operations and maintenance accounts. The NWRS needs $900 million annually to adequately manage its 150 million acres; a funding allocation of $578 million in fiscal year 2011 will put the NWRS on the road towards full funding. This money will go along way toward making buildings and roads safe for visitors and refuge employees.

—Fully fund the Land and Water Conservation Fund (LWCF) at $900 million, including $300 million for strategic land and easement acquisitions by the NWRS. NWRA urges Congress to pass S. 2747, legislation to permanently fund the LWCF. There is no better time than right now, with sinking real estate prices, to make sure that acreage from willing sellers can be added to refuges.

—*Fund the Department of the Interior's Challenge-Cost Share Program*.—The program was created to leverage funding through strategic partnerships to obtain greater conservation objectives that would not be achieved by the Federal Government on its own.

—*Restore the $4 Million cut to the Visitor's Services Program*.—As a longtime (26 years and counting) volunteer for St. Marks National Wildlife Refuge, I know how much refuges depend on volunteers on a variety of fronts. Our environmental education program would not reach as many children (more than 7,000). We would not be able to serve our visitors so well (after a recent lighthouse challenge event for four lighthouses in our area, we were cited as the best organized and most knowledgeable of all). St. Marks, like many refuges, is located in a rural county. Visitors and volunteers contribute mightily to the local economy, a boost that is sorely needed at this time.

We know you have a tough job in Washington, and we know you have a lot of difficult decisions to make. We assure you that increased funding for refuges is a sure bet investment in America's future.

We appreciate you and thank you for your time.

PREPARED STATEMENT OF THE STATES OF COLORADO, NEW MEXICO, AND WYOMING

I am requesting your support for fiscal year 2011 appropriations 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. The President's recommended budget for fiscal year 2011 included FWS funding at the levels I am requesting for these programs. The State of Wyoming supports action by the subcommittee to:

—Appropriate $709,000 in "Recovery" funds (Resource Management Appropriation; Ecological Services Activity; Endangered Species Subactivity; Recovery Element; with the $85,611,000 item entitled "Recovery") to the U.S. Fish and Wildlife Service (FWS) for fiscal year 2011 to allow FWS to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program. The same level of funding was included in the President's recommended budget for fiscal years 2008 through 2010.

—Appropriate $485,000 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the $50,307,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operations at this facility are integral to the Upper Colorado Recovery Program's stocking program.

—Allocate $200,000 in "Recovery" funds for the San Juan River Basin Recovery Implementation Program for fiscal year 2011 to meet expenses incurred by FWS's Region 2 in managing the San Juan Program's diverse recovery activities.

The Upper Colorado and San Juan recovery programs are highly successful collaborative conservation partnerships working to recover the four species of endemic Colorado River fish on the Federal endangered species list; while at the same time water use and development has been able to continue in our growing Western communities. These programs are unique efforts involving the States of New Mexico, Colorado, Utah and Wyoming, Indian tribes, Federal agencies and water, power and environmental interests. They are achieving Endangered Species Act (ESA) compliance for water projects and fully complying with interstate river compacts and the participating States' water law.

Since 1988, the two programs, collectively, have provided ESA section 7 compliance (without litigation) for more than 1,850 Federal, tribal, State and privately managed water projects depleting more than 3.7 million acre-feet of water per year. The Department of the Interior recognized these programs with its nationwide Cooperative Conservation Award in April 2008 as outstanding collaborative partnerships accomplishing substantial on-the-ground conservation results. Substantial non-Federal cost-sharing funding exceeding 50 percent is embodied in both programs.

We once again request the subcommittee's assistance in assuring fiscal year 2011 funding to allow the FWS to continue its vitally important participation and financial support of these two multi-state, cooperative, recovery programs. We recognize and appreciate that the past support and assistance of your subcommittee has greatly facilitated the success of these ongoing efforts.

PREPARED STATEMENT OF SUZANNE ROY

Dear members of the Interior, Environment, and Related Agencies Appropriations Subcommittee: As a taxpayer, I urge you to critically evaluate Secretary Salazar's request for an increase in the budget for the Bureau of Land Management's (BLM) highly controversial and troubled Wild Horse and Burro Program.

Currently, the BLM program relies on mass roundups and removals of wild horses in numbers that far exceed adoption demand. As a result, the BLM has now stockpiled more wild horses in Government holding facilities (33,000+) than are left on the Western range. This inefficient and inhumane policy costs taxpayers $44 million a year, and the price tag continues to grow as more and more horses are captured and removed from their natural habitats. (12,000 wild horses are targeted for capture and removal in fiscal year 2010 alone.)

Allocating even more funds to this poorly managed program without serious requirements for reform would be fiscally irresponsible. Please ensure that any appropriations for BLM's Wild Horse and Burro program include these requirements:

—A suspension of roundups in all but truly emergency situations;
—A prohibition on the use of any funds to euthanize healthy horses or sell horses directly or indirectly to slaughter;
—Phasing out long-term holding and shifting BLM resources toward managing horses on the range in a humane and minimally intrusive manner as Congress intended; and
—Suspension of any plan for the relocation of wild and free roaming horses and burros until Congress has a chance to review the program.

Thank you for your attention to this issue.

PREPARED STATEMENT OF THE STANDING ROCK SIOUX TRIBE

On behalf of the Standing Rock Sioux Tribe, I am pleased to submit testimony concerning the President's fiscal year 2011 budget for the Bureau of Indian Affairs (BIA) and Indian Health Service (IHS). I want to express my appreciation to this subcommittee, its Chairman and members for their strong support of Indian tribes.

The Standing Rock Sioux Tribe is situated in North and South Dakota. The reservation comprises 2.3 million acres, of which 1.4 million acres is tribally owned and tribally owned allotted lands. About 10,000 tribal members and nonmembers reside on the reservation in eight communities and in smaller towns. The tribe's primary industry is cattle ranching and farming.

The tribe is working steadily to expand opportunities for economic development to provide jobs for our members and improve the standard of living on our reservation. We operate the Standing Rock Farms, a Parts on Demand operation, two tribal casinos, and a sand and gravel operation which help us supplement services and programs for our more than 14,000 enrolled members. Despite the measures we are undertaking locally to improve living conditions on our reservation, we have persistent unemployment above 50 percent, a high drop out rate among our high school

students, and more than 40 percent of Indian families on our reservation live in poverty.

Living conditions on Standing Rock are difficult. According to statistics of the Department of Housing and Urban Development (HUD), in 2009, more than 1,113 member households on Standing Rock had family incomes between 30–80 percent of median family income in the area. Of this figure, 464 households, 4 in every 10 homes, earned less than 30 percent median income. Four in every 10 homes are overcrowded. The majority of our tribal elders suffer from diabetes, heart disease, and hypertension. Only one-half of 1 percent (0.5 percent) of our members are above the age of 65. Accidents are the leading cause of death among our members. We must reverse these harmful trends. All Americans, including the Nation's first Americans, deserve an opportunity to compete successfully in today's global economy.

On January 27, 2010, I declared a State of Emergency on the Standing Rock Sioux Reservation. Our reservation was still recovering from storm and flood damage to our communities and roadways that occurred in 2008–2009 when our reservation was hit with severe winter storms beginning on December 23, 2009, January 4, 2010, and January 22, 2010. These storms brought blizzard conditions and strong winds that knocked down thousands of electrical poles and power lines and brought heavy snows that stranded our members in their homes without heat and electricity for days. We have expended nearly 75 percent of our annual allocation of BIA Road Maintenance Program funds to cover heavy equipment rentals, fuel, repair costs and overtime labor expenses to keep our roadways open.

In order to move our community forward, I urge the Congress provide increased funding for infrastructure and economic development, healthcare, public safety, and education.

Economic Development and Infrastructure Needs.—More than 20 years ago, another committee of Congress dedicated to improving the living conditions on Indian reservations made the following observation:

"The conditions for successful economic development on Indian lands are essentially the same as for any other predominantly rural community. There must be community stability, including adequate law enforcement and judicial systems and basic human services. There must be adequate infrastructure including roads, safe water and waste disposal systems, and power and communications utilities. When these systems and services are in place, tribes are in the best position to implement economic development plans, taking into account the available natural resources, labor force, financial resources and markets."

The Senate Committee on Indian Affairs made this statement in 1988 in their report that accompanied sweeping legislative to the Indian Self-Determination and Education Assistance Act. Public safety and an efficient judicial system are pre-conditions to building strong, stable governments. For several years, we have sought funds to plan a comprehensive police, tribal courts, and detention facility, but the BIA has inadequate funds for planning, design, NEPA environmental studies and construction. We should not have to be waitlisted for years to secure planning and construction funding for such important governmental programs. Our existing facilities are outdated and inadequate to modern public safety and criminal justice needs. Our tribal courts operate with 24 staff working in 17 offices spread out over 3 buildings.

We are very appreciative of the Recovery Act funding that Congress made available for Indian tribes. This level of investment in infrastructure, however, must be continued by Congress for Indian country. Construction projects create jobs locally and put our members to work. We object to the inadequate annual funding of $26 million for the BIA Road Maintenance Program. This program has remained at roughly the same level for more than 20 years. Road maintenance is a public safety program. Poor road conditions contribute to the unacceptably high levels of serious injury and death on Indian reservation roads each year.

We urge Congress to fund this program at $150 million as recommended by NCAI. Many tribes and BIA regions need millions of dollars just to replace outdated and obsolete maintenance equipment, purchase and store fuel, buy replacement parts for serviceable equipment, and stockpile maintenance supplies. We are still paying off a 2004–2006 $26 million community streets project that paved streets, installed curbs, gutters, sidewalks and street lights throughout our reservation. In order to protect this multi-million investment, we need funds to carry out routine road maintenance (crack sealing, pot hole repairs, etc.) to ensure that we realize the full useful life of these routes. Maintaining these routes saves us millions.

Congress should also increase appropriations for Office of Indian Energy and Economic Development programs within the Interior Department and for the construc-

tion budgets of the BIA and the IHS to help tribes build, rehabilitate and maintain schools, police departments, courts, hospitals and clinics, and wellness centers. We also urge Congress to appropriate fiscal year 2011 funding for the Tribal Work Experience Program to help our members obtain the job skills they require to compete in a competitive labor market.

Public Safety Needs.—We have far too few public safety officers patrolling our 8 districts and small communities on our 2.3 million-acre reservation. In the spring and summer of 2008, following the deaths of several of our members, the BIA began "Operation Dakota Peacekeeper" as part of the Interior Department's Safe Indian Communities initiative to reduce crime, target illegal drug activities and provide much needed investigative support to prosecute domestic violence and crimes against children. A total of 56 BIA officers were detailed from their reservations to Standing Rock over a 7-month period. This more than quadrupled our normal BIA Police force. Before the surge, we had only ten BIA public safety officer positions filled. This was enough for only 2 officers per 24-hour shift to patrol a 2.3 million acre reservation encompassing 4 towns, 8 separate communities, 2,500 miles of roads, and a population of 10,000 residents. In the month of June, police made a total of 541 arrests. Of these, 341 arrests, about two-thirds of all arrests, were made by surge officers.

The public safety surge was a big success. Our members, especially our tribal elders, felt safe in their homes and began leaving doors unlocked and windows open at night. It also highlighted the glaring need for greater numbers of patrol and other public safety personnel on our reservation. Recently, the tribe volunteered to be one of four tribes participating in the Interior Department's 24-month Reduction in Crime Initiative.

We support the President's increases in the fiscal year 2011 budget to add $19 million above the fiscal year 2010 enacted level for the BIA to reimburse the Justice Department so that agency may hire 45 FBI agents to investigate crimes but more public safety officers are needed.

The Standing Rock Sioux Reservation lies in BIA District 1 which encompasses the eight State region of the Dakotas, Nebraska, Minnesota, Iowa, Wisconsin, Illinois, and Michigan. A 2006 Gap Analysis performed for the BIA identified that District 1 had 108 law enforcement officers, but needed 483 officers, a gap of 375 officers or 78 percent unmet staffing need. District 1 had 30 detention staff, yet needed 177 corrections officers, a gap of 147 or 83 percent unmet staffing need. A 1997 Justice Department study found that Indian Country had 1.3 officers for every 1,000 inhabitants, versus 2.9 officers in non-Indian jurisdictions. BIA District 1 is among the areas with the greatest need. While the BIA has made some improvements in the number of law enforcement and detention officers, the gap has not been closed. This places our communities at risk.

BIA equipment and technology is outdated, including police cruisers, radios and communications infrastructure. We do not even have access to computerized law enforcement statistics. We have no 9–1–1 service on the Reservation. In emergencies, tribal members residing on the South Dakota portion of the reservation who dial 9–1–1 reach the McLaughlin or Mobridge police departments.

To address these shortfalls, we recommend that BIA Criminal Investigations and Police Services should be funded $25 million above the fiscal year 2010 enacted level. BIA Detention/Corrections should be increased by $10 million. We recommend the BIA Public Safety and Justice Facilities Improvement and Repair program be funded above the fiscal year 2010 enacted level, and we request an additional increase of $20 million for the Tribal Justice Support Program to improve tribal courts. Congress must also provide funds for BIA facilities and construction for short-term and long-term housing for public safety officers as a recruitment and retention tool. These increases should continue incrementally each year until the recommendations of the Gap report are met.

We strongly support the administration's efforts to work with the United Tribes Technical College in Bismarck, North Dakota to provide a "bridge program" to State-certified public safety officers to meet mandatory minimum training requirements for Federal law enforcement service. There is still a need, however, for a Northern Plains BIA Law Enforcement Academy so that more officers can be trained and tribes in the Great Plains, Rocky Mountain, Midwest and other proximate BIA Regions can send members to a training academy closer to their home reservations.

Education Needs.—According to NCAI, Native Americans attain bachelor and higher education degrees at half the rate of their non-Indian counterparts. At Standing Rock, our tribe has provided $3 million over 3 years to support a scholarship program to provide more than 300 students with grants of between $3,000–$3,500/semester which allow them to pursue degrees from accredited colleges, uni-

versities and vocational schools. BIA financed scholarships total about $500,000 per year (meeting 25 percent of need). By providing scholarships to our students, they are able to remain in school and obtain a degree and education that can open doors to life-time careers. Education is so critical to the future of our members and can lift them out of poverty. We cannot do this alone and require increased funding for this vital program. We are pleased to report that in a joint venture with the BIA and IHS, the tribe built a new elementary school and our children are excited to move into the new structure next month.

Healthcare.—According to the Senate Committee on Indian Affairs' Views and Estimates letter concerning the fiscal year 2010 budget, the need for Contract Health Services (CHS) for Native Americans exceeded $1 billion. The President's fiscal year 2011 budget proposes an $84 million increase in CHS from $780 million to $864 million. This would still represent at least a 15 percent shortfall in CHS needs. By any objective measure, healthcare funding for Native Americans is far too low. This deprives so many of our members a healthy and long life.

Throughout Indian country and certainly here on Standing Rock, many members go without needed healthcare services each year because of inadequate CHS dollars. As Congress enacts sweeping healthcare reforms, we urge Congress to increase CHS appropriations and increase the IHS' hospitals and clinics funding generally, so that tribes and the IHS may more comprehensively address the healthcare needs of our members.

We also supports increased funding to cover the BIA and IHS contract support cost (CSC) obligations that exist under self-determination contracts, including our tribe's contracts. Although we support the President's impressive proposed increase of $45 million for IHS contracts, that sum will only cover the CSC obligations associated with the proposed fiscal year 2011 program increases. The increase therefore will not begin to touch the recurring $105 million shortfall that currently exists. To the extent budgetary concerns foreclose tackling this entire shortfall in 1 year, we support added increments of $35 million for each of the next 3 years to finally get these contracts paid in full. For similar reasons, we support the President's proposed increase in CSC funding for the BIA, and hope that by adding $23 million more in fiscal year 2012 and fiscal year 2013 the BIA's shortfall will at long last similarly be resolved.

Thank you for providing our tribe the opportunity to present testimony.

PREPARED STATEMENT OF THE SAWTOOTH SOCIETY

Madam Chairman and honorable members of the subcommittee: I appreciate the opportunity to present this testimony in support of protecting land in the Sawtooth National Recreation Area in Central Idaho. An appropriation of $2 million is needed in fiscal year 2011 from the Land and Water Conservation Fund toward the acquisition by the Forest Service of a negotiated conservation easement on the 160-acre Rodeo Grounds Ranch property.

The conservation of the abundant natural resources of the Sawtooth Mountains in Central Idaho has been a national goal for over a century. In May 1905, President Theodore Roosevelt designated a nearly 2 million acre forest reserve that was eventually named the Sawtooth National Forest. Seven decades later in 1972, Congress passed Public Law 92–400 to prevent subdivision development in the heart of the Sawtooths, "to assure the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values," and to enhance public recreation in a new Sawtooth National Recreation Area (NRA). The Sawtooth NRA encompasses approximately 775,000 acres that include some of the most iconic and beautiful high-mountain forests and valleys in the American West.

These mountains form the headwaters of six important rivers—the Middle Fork Boise, the North Fork Boise, the South Fork Payette, the Big Wood, the East Fork Salmon, and the Salmon—that ultimately feed the Snake River and offer vital habitat for four threatened and endangered salmonid species. More than 1,000 lakes and glacial tarns are also found inside the recreation area. The area's clear waters and the lands that surround them offer some of the finest and most renowned outdoor recreation in the world including fishing, white-water sports, hiking, Nordic skiing, rock climbing and backcountry camping. With a proud ranching tradition stretching back for over a century, traditional land uses have long been interwoven with the public values here, and the stewardship of these natural and recreational assets has been outstanding.

Recognizing the conjoined needs to maintain these historic uses and to protect this remarkable landscape for public recreation, the legislation creating the recreation area placed limits on outright Federal land purchases in the Sawtooth NRA

while explicitly encouraging the use of conservation easements to retain the area's outstanding rural character, working ranches, and recreation opportunities. The resulting easement-oriented acquisition program is thereby critical and has been fueled by congressional appropriations from the Land and Water Conservation Fund since 1972. To date, this investment has brought easement protections to some 17,000 acres of private land within the Sawtooth NRA. However, vitally important parcels remain to be protected.

Available for acquisition at the Sawtooth NRA in fiscal year 2011 is a conservation easement on the 160-acre Rodeo Grounds Ranch. This easement is one of the very top priorities for Region 4 of the Forest Service and is located just 5 miles from the historic town of Stanley. The property is a key component of the viewshed along Idaho Route 21—the Ponderosa Pine Scenic Byway—that connects Sawtooth NRA to Boise. The ranch also has substantial frontage on Valley Creek, a major Salmon River tributary, which is vital to critical fisheries. Valley Creek provides habitat for all four fish species listed as threatened or endangered in Sawtooth NRA: Chinook salmon, sockeye salmon, bull trout, and steelhead. The Forest Service has identified Valley Creek as one of the most important tributaries in the Upper Salmon River watershed for the recovery of Chinook salmon, especially for rearing and spawning habitat.

The conservation easement on Rodeo Grounds Ranch will allow for recreational access by anglers to Valley Creek. This access would likely be lost if the property were to be developed, converted from existing use, or fragmented into smaller holdings. The easement will protect the historic ranch structures on the property and the scenic landscape of the valley. Several surrounding tracts have already been protected through similar conservation easements.

An appropriation of $2 million from the Land and Water Conservation is needed in fiscal year 2011 toward this conservation easement purchase to protect the fisheries, recreational, and scenic resources of the ranch and enhance the public enjoyment of the Sawtooth National Recreation Area.

The Land and Water Conservation Fund is our Nation's premier Federal programs to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds and improving wildfire management. Recognizing the many demands this subcommittee faces, I want to thank the committee for impartially considering these requests and your important work to ensure these limited and much-needed funds are allocated to those projects which will most leverage Land and Water Conservation Fund principles. I fully believe an investment in the Rodeo Grounds Ranch conservation easement is such an investment and one that will permanently pay dividends to the American people and to our great natural and historical heritage.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Idaho, and I appreciate your consideration of this funding request.

The Sawtooth Society, formed in 1997, is a nonprofit and nonpartisan organization dedicated exclusively to: serving as an advocate for the SNRA; preserving open space in the SNRA; and enhancing recreation facilities and services in the SNRA.

PREPARED STATEMENT OF THE SKOKOMISH TRIBE OF WASHINGTON STATE

My name is Joseph Pavel, I am Vice-Chairman of the Skokomish Tribe of Washington State. I would like to thank the subcommittee for the opportunity to testify and would like to welcome Chairman Moran to Indian country. I know that Congressman Dicks would very much welcome a visit to my reservation and the 6th Congressional District of Washington State.

The Skokomish Indian Reservation is a rural community located at the base of the Olympic Peninsula with a population of more than 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 increased funding in areas that are key to the continuing development of tribal communities.

BUREAU OF INDIAN AFFAIRS (BIA) PROGRAMS

Law Enforcement.—The Skokomish Tribe respectfully requests increased funding for our law enforcement programs within the BIA.

Since 1997, the Skokomish Department of Public Safety has grown from one untrained officer, to six Washington State certified/Washington State equivalency

trained or BIA-certified law enforcement officers (this includes our two conservation law enforcement officers). Our officers provide day-to-day law enforcement services on the reservation. They are also responsible for patrolling the 2.2 million acres that make up our treaty protected fishing and hunting areas. 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 80 percent below what is needed to safely serve our community.

In a recent report, the Skokomish Reservation was reported as having a violent crime rate that is five times higher than the national average. Between 2006–2010, there were 501 "Part One" offenses—manslaughter, rape, domestic violence, child abuse, assault with a weapon, burglary, and arson. For the same period, there were an additional 2,210 offenses for lesser crimes, like assault with no weapon, drug selling or manufacture, and vandalism. This means that at least 50 percent of the people who live on the Skokomish Reservation are likely to have been a victim of a crime and in many instances the victim of a violent crime. As result of this, the Skokomish Tribal Council has made addressing public safety needs a priority and have directed staff to find the resources and programs necessary to respond to this overwhelming law enforcement need.

In light of this significant tribal need, we are deeply concerned that the BIA has not sought an increase in funding for tribal law enforcement personnel funding. Instead, the BIA has requested $19 million to fund 45 FBI agents in Indian country. We recognize that there is a deficit of FBI agents serving Indian country, but we doubt that using the BIA's limited resources to fund what is a Department of Justice function is a wise use of these resources. Crime in Indian country is going to be addressed by having trained law enforcement personnel living and working in our communities. It will not be addressed by staffing FBI agents in Seattle, Minneapolis, or Denver.

Moreover, we remain deeply concerned that the BIA continues to ignore the needs of tribally operated law enforcement agencies and has directed the increases of the last 2 years to its BIA operated law enforcement agencies. Specifically, in the 13 years that the tribe has operated its law enforcement program, we have not received a BIA programmatic increase in our law enforcement funding. While we do not doubt that the BIA has serious needs, so do the tribal law enforcement departments, which make up 78 percent of the law enforcement agencies in Indian country. We urge that any increase in law enforcement funding be allocated proportionately among the BIA and tribally operated law enforcement agencies.

Tribal Courts.—Increased law enforcement creates a commensurate need for increased funding for tribal courts. Having a fair and qualified judiciary is the bedrock of any government's justice system. Skokomish has long understood this. In 1963, the Skokomish Tribe was the first tribe in the Northwest (and one of the first in the country) to institute a tribal court to address fishing violations on the Skokomish River. The first tribal judge was my mother, a 33-year-old nurse and mother of five (at that time), Anne Pavel. My mother was not law trained nor had she received any judicial training. She was, however, a dedicated tribal member, who understood the importance of regulating fishing on the Skokomish River. She held her first hearing in a building heated by a coal stove, with her brother as her court reporter.

While the responsibility and scope of tribal courts have greatly increased in the nearly 50 years since my mother's first hearing, the BIA has not provided these important institutions with the commensurate level of funding. Today, tribal courts handle huge criminal, civil and juvenile dockets, which could not be handled by the already overburdened State and Federal courts. At Skokomish alone we have 458 open criminal cases. Unfortunately, even though we participate in the Northwest Intertribal Court System—an inter-tribal organization that my mother started, which allows tribes to work cooperatively and a cost effective manner address our justice systems needs—we can still only afford for our tribal judge and our prosecutor to work 3 days a month. Most of our courts cannot afford to provide public defenders and many do not have law trained prosecutors. Fortunately, through the dedicated work our tribal leaders most of our judges are now law trained.

While the Department did not propose any cuts in tribal courts, it did not propose any increases. Moreover, for the tribes in the Northwest Region, last year's $10 million increase in tribal court funding did not translate into any increased funding for our tribal courts systems. We urge the subcommittee to direct the Department to allocate tribal court funding in a way that is fair and ensures that all tribal court systems receive an appropriate share of the funding.

ENVIRONMENTAL PROTECTION AGENCY (EPA)

The Skokomish Tribe would like to thank the subcommittee for your commitment to maintaining funding for key environmental programs. In particular, the subcommittee's funding in fiscal year 2010 of $50 million for Puget Sound Restoration efforts, we urge the subcommittee to reject the EPA's proposed $30 million cut to this program for fiscal year 2011. This funding is critical to the collaborative efforts to the restore the health of the Puget Sound, and in particular the Hood Canal—the Jewel of the Puget Sound—and to the tribe's efforts to manage and protect our treaty protected resources in the Hood Canal.

The Hood Canal is threatened by the Low Dissolved Oxygen levels (LDOL), which means this vital ecosystem is essentially suffocating. LDOL is caused by many things, but the primary cause is the sewage that is discharged directly into the Hood Canal. LDOL has caused a number of fish kills in the Hood Canal and the Hood Canal to be closed to other seafood harvesting throughout the year. Last summer, the Tribe had to close our shellfish harvest on one of our beaches, because of fecal contamination. Through the tribe's work it was learned that this contamination was primarily the result of the conduct of sports fishermen, who elected to use our sacred resources as their lavatories.

The impact of this closure on the economy of the Skokomish Tribe and our members was severe. More than 90 percent of the families on the Skokomish Reservation are supported by Treaty harvesters, men and women who exercise their treaty rights to gather resources to provide for their families. When our beaches are closed, it means that 90 percent of the families on the reservation do not get a paycheck until they are open.

Beyond the impacts on the tribe's and the region's economy, the health of these water resources is at the very heart of the Skokomish tribe's culture. The Hood Canal is the place where we have for centuries gathered and prayed. In recent times this has not always been possible due to necessary closures. This is unconscionable and the dedicated effort to address this issue must continue.

INDIAN HEALTH SERVICE (IHS)

The Skokomish Tribe strongly supports the $354 million increase requested for the IHS. In particular, the Tribe appreciates the $84 million increase for contract health care. However, 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 we have a tribally operated ambulatory clinic staffed with dedicated professionals, we do not have access to an IHS hospital. Consequently, anyone needing in-patient treatment, physical therapy, or diagnostic services must be referred out. This means that our contract health program is always taxed and frequently we do not have the resources to refer people out. The reported shortfall for contact healthcare is $1 billion. Thus, while we appreciate the $84 million increase it is woefully inadequate.

We commend the IHS for the requested $9 million increase for dental healthcare. Studies have shown that poor dental care and chronic tooth decay is related to heart disease, and other serious chronic health conditions. The IHS reports that only 25 percent of Alaska Native and Indian people have access to dental care, the lack of access results in preventable tooth extractions, poor juvenile care, and in some instances death.

We also commend the IHS for its focus on alcohol and substance abuse. However, the targeted $4 million increase is not enough. I suspect every reservation in the country has substance abuse treatment needs that are not being addressed. In particular, we are experiencing an increasing dependency on "prescription drugs." Our data shows that prescription drug use has nearly doubled in the last 2 years; and at the same time our data is showing that methamphetamine use, which was on a decline, is now back on the rise. It is important to note that this data is from individuals who have contact with the tribe. It does not reflect the many people who are using but with whom the tribe has no contact.

While the statistics demonstrate the problem in very stark terms, we are experiencing the problem of substance abuse in heart breaking losses. In the last two weeks in December, we buried two young men who lost their lives due to addiction. These young men were sons, brothers, nephews and cousins, but as a tribal leader these losses represent the potential loss of my tribe's future. We will not survive as a people if our young men and women continue to leave this earth sooner than they should. I implore the subcommittee to provide at least a $19 million increase for alcohol and substance abuse programs nation wide.

TRIBAL HISTORIC PRESERVATION PROGRAMS

In 1995, Congress began encouraging tribes to assume historic preservation responsibilities as part of self-determination. 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. Paradoxically, the more successful the program becomes, the less each tribe receives to maintain professional services, ultimately crippling the programs. In fiscal year 2001, there were 27 THPOs with an average award of $154,000. In fiscal year 2011 it is estimated that there will be 95 tribes operating the program, receiving less $50,000. We join the National Congress of American Indians in seeking a $4 million increase in funding for this program.

CONCLUSION

I want to thank the subcommittee for the opportunity to present testimony on these important issues.

PREPARED STATEMENT OF THE ST. VINCENT NATIONAL WILDLIFE REFUGE

Madam chairman and honorable members of the subcommittee: I, Landy Luther, am the current president of the supporters of St. Vincent National Wildlife Refuge (NWR). Our organization was established to promote better understanding, appreciation, and conservation of the natural history and environment of St. Vincent National Wildlife Refuge (NWR). Our goals are: Increase public awareness of the refuge, provide financial support to the refuge, and to support refuge projects. We feel that our mission and goals are consistent with the acquisition of the property that is the subject of this testimony.

I appreciate the opportunity to present this testimony in support of acquiring land at St. Vincent NWR in Florida. An appropriation of $1.25 million is needed in fiscal year 2011 from the Land and Water Conservation Fund (LWCF) in order for the U.S. Fish and Wildlife Service (FWS) to acquire the 3.21-acre property to provide the agency permanent access to the barrier island refuge.

The St. Vincent NWR encompasses a 12,500-acre undeveloped barrier island lying opposite the mouth of the Apalachicola River, in the Gulf of Mexico. Located just off the Florida panhandle in western Franklin and Gulf counties, the island is 4 miles across at its widest point and 9 miles long. This triangular island is larger and wider than most of the northern Gulf Coast barrier islands. Prior to becoming a refuge, St. Vincent was used primarily as a private hunting and fishing preserve. Established in 1968, the refuge was originally intended as a sanctuary for waterfowl, the majority of which are resident wood ducks and migrating blue winged teal. Since then, however, the refuge mission has been broadened to include the protection of habitat for endangered species and to provide a variety of recreational activities.

St. Vincent NWR provides a sanctuary for a number of threatened, endangered, and recovering species. Loggerhead sea turtles come ashore to nest on the island's pristine beaches. Indigo snakes inhabit gopher tortoise burrows in the dunes. Wood stork and peregrine falcons stop on the island during their seasonal migrations, and bald eagles nest in the pines near the island's freshwater lakes and marshes. In 1990, St. Vincent became one of several Southeastern coastal islands where endangered red wolves are being bred. Once weaned, the wild pups raised here are taken to reintroduction sites such as Alligator River NWR in North Carolina. These solitary animals once roamed the Southeast, but predator control programs and habitat loss have decimated their populations.

St. Vincent serves as an important stop-off point in the Gulf of Mexico region for neotropical migratory bird species. Seaside sparrows nest in huge numbers and various other neotropical birds stop for food and shelter during spring and fall migrations. More than 260 bird species have been logged on the refuge and Christmas bird counts by the Audubon Society typically include more than 100 species. Wildlife is attracted to the island's diversity of habitat types. Ten separate habitat types ranging from tidal marsh to scrub oak and pure stands of cabbage palm have been identified on the island. Plants on the island include 15 that are listed as threatened by the State of Florida.

Currently, the refuge staff travels to and from the undeveloped and uninhabited island using a boat that is docked on a mainland marina at Indian Pass. The dockage rights are subject to a month-to-month lease from a private landowner who has recently indicated an intent to sell and/or develop the property. Faced with the loss of this facility, the refuge staff must find another location to dock the boat, as it

is critical for the management of the refuge to secure appropriate access to the island. Available for acquisition in fiscal year 2011 is the 3.21-acres Schoelles tract. Located close to the refuge's administrative offices in the City of Apalachicola, the site includes a boat ramp and marina to accommodate the refuge boat. Properties available for purchase with pre-existing facilities are rare in this area. It is very difficult to obtain permitting for new marinas and ramps in Florida, making this property prime for development if it is not obtained by the refuge. Not only will the property's existing wet-slip marina and boat ramp provide immediate access for the refuge staff's motorized boat, it will also allow access to nonmotorized boats such as canoes and kayaks.

Conserving this property will prevent its development into a coastal residential subdivision. Limiting coastal development is critical to reducing the costs associated with storm and hurricane damage as well as to protecting the quality of adjacent waters. Bounded to the north by Highway 30A and to the south by St. Vincent Sound, the inclusion of the parcel within refuge boundaries would provide a small buffer zone along the sound, designated a Class II Florida Outstanding Waterway. St. Vincent Sound supports endangered species communities, important recreational and commercial fisheries, and sea grass beds that provide significant waterfowl habitat. The significance of these waters is underscored by the fact that they are protected as part of the Apalachicola National Estuarine Reserve.

A $1.25 million appropriation from the LWCF in fiscal year 2011 will maintain necessary access to St. Vincent Island for FWS staff; improve access to St. Vincent Sound for fishermen, oystermen, and recreational boaters; and protect additional natural resources along the mainland shore.

The LWCF is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this committee faces, I also want to thank the committee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the LWCF is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

I want to thank the chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Florida, and I appreciate your consideration of this funding request.

LETTER FROM BY THE MOUNTAINEERS

MARCH 24, 2010.

Hon. DIANNE FEINSTEIN,
Chairman, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

DEAR CHAIRMAN FEINSTEIN: The Mountaineers is one of the oldest and largest conservation organizations in the Pacific Northwest. We have a long history of involvement with the Endangered Species Act (ESA) and the protection of both fish and wildlife species and their habitat, stretching back to the act's inception. Our involvement has entailed written comments, oral testimony, lobbying and where necessary, litigation, at State, regional, and Federal levels. The Mountaineers would like to thank you for consenting to consider our comments on ESA funding for fiscal year 2011 after the deadline of Friday March 19, 2010. We respectfully submit the following suggestions.

We are very concerned that this landmark legislation have adequate funding to realize its objectives, especially as it pertains to the listing of species. For decades Congress has inadequately funded the implementation of the ESA. We urge you to move aggressively to redress this historical shortfall by taking the following measures in the designated listing-related contexts.

Candidate Conservation.—We recommend a doubling of staff in this program, which provides interim protection for species while they await listing. Since the ESA wait list was enacted, 64 species have gone extinct, seven times the number that have done so under the ESA's full protection. A candidate species must await listing for almost two full decades. We consider this prima facie evidence that the act, as envisioned, is failing, badly and that a funding shortfall is a factor, if not the major

reason why. Today a staggering 249 domestic and 20 species await listing, vulnerably exposed to extirpation.

Recovery.—The primary purpose of the ESA is to recover listed species, not merely to preclude them from going extinct. Current estimates of funding levels to recover species approximate $100 million. We urge that the Congress fund recovery of species at a level of no less than $95 million for fiscal year 2011.

Consultation.—Current estimates of the shortfall for funding in this context range as high as $122 million. The number of consultations has increased markedly in recent years simultaneous with a shortfall in personnel. We urge that funding be provided in amounts adequate to address these problems. We also request that consultation-dedicated funding be granted for use in the context of Habitat Conservation Plans (HCP) only to the extent it advances recovery and facilitates HCP implementation and the critical monitoring of that implementation over time. We specifically urge that Congress not permit this consultation funding to be used for expansion of the use of HCP's and Incidental Take Permits, as it has been, previously.

ADDITIONAL ENDANGERED SPECIES PROTECTIONS

Cooperative Endangered Species Fund.—Given that 65 percent of federally listed species are found on non-Federal lands, it is critical that State endangered species conservation activities be adequately funded. A total of at least $160 million is needed. We request a total appropriation of $100 million in fiscal year 2011 including 20 million for conservation grants to States, an increment of $15 million more than prior levels.

Landowner Incentive and Private Stewardship Grants.—We request that these programs be restored to their fiscal year 2007 levels of $23.7 million for the private landowner and tribal lands grants and $7.3 million for the stewardship grants. Recovery of our Nation's imperiled species is not likely, perhaps even impossible without the cooperation of private landowners and tribes. These critical programs should be resurrected, fully, but not at the expense of those items designated above.

Bureau of Land Management (BLM) Wildlife and Fisheries Management and Threatened and Endangered Species Management.—We request an increase of $25 million more than fiscal year 2010 levels to begin meeting this program's needs, for a total appropriation of $65.4 million in fiscal year 2011 for wildlife and fisheries management and $32.6 million for threatened and endangered species management. The role of the BLM in species recovery is critical. In the past, large sums of money intended for this purpose have been diverted to other BLM objectives. We urge Congress also to exert much stronger oversight in the way its funds are expended by BLM. The agency is understaffed in this context, and woefully underfunded. It is estimated that BLM only gets ten percent of what they actually need for threatened and endangered species.

In making these requests The Mountaineers would observe the broad and deep support the ESA continues to receive among the public at large. Huge revenues are derived from the enjoyment of watching wildlife species, that eclipse revenues derived from consumptive uses like hunting and fishing. The ESA can operate as a powerful tool to protect species and preserve a priceless heritage—but only if it is adequately and consistently funded by the Congress.

We again, would like to thank the subcommittee for consideration of these remarks after the deadline.

Sincerely,

MARTINIQUE GRIGG,
Executive Director.

PREPARED STATEMENT OF THE NATURE CONSERVANCY

Madam Chairman and members of the subcommittee, I appreciate this opportunity to present The Nature Conservancy's recommendations for fiscal year 2011 appropriations. My name is Thomas J. Cassidy, Jr. and I am Director of Federal Land Programs.

The Nature Conservancy is an international, nonprofit conservation organization working around the world to protect ecologically important lands and waters for nature and people. Our mission is to preserve the plants, animals, and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive. We are best known for our science-based, collaborative approach to developing creative solutions to conservation challenges. Our on-the-ground conservation work is carried out in all 50 States and more than 30 foreign countries and is supported by approximately 1 million individual members. We have

helped conserve nearly 15 million acres of land in the United States and Canada and more than 102 million acres with local partner organizations globally.

Land and Water Conservation Fund (LWCF).—Thank you for your leadership in restoring critically important funding for LWCF in recent years. We are gratified by the President's commitment to fully fund LWCF and look forward to working to implement and secure funding to support the President's America Great Outdoors Initiative.

We support the President's funding level of $384 million for Federal LWCF and $50 million for the stateside. This year, the Conservancy is specifically recommending 32 biologically rich land acquisition projects totaling $88.7 million. Priorities include Oregon's Hells Canyon NRA, California's Smith River NRA (Six Rivers National Forest), Wisconsin's Chequamegon-Nicolet National Forest and Pennsylvania's Cherry Valley NWR, the Nation's newest refuge. We also support continued investments in large landscape-scale projects in New England's Silvio O. Conte NFWR, and Montana's Rocky Mountain Front Conservation Area and the Montana Legacy Project.

Forest Legacy.—We support the President's request of $100 million for this program, and are specifically proposing 6 projects totaling $20.4 million. We hope this year to complete the phased acquisition of the 127,000-acre Northern Cumberlands project, Tennessee's largest conservation project since the creation of Great Smoky Mountains National Park. Other priority projects include Kentucky's Big Rivers Corridor, Montana's Clearwater Lands and the second phases of both New York's Follensby Pond and Texas' Longleaf Ridge.

Climate Change.—The Conservancy welcomes the President's commitment to address the global climate challenge and supports the administration's fiscal year 2011 proposed increases for climate-specific programs and activities. We also appreciate this subcommittee's leadership in highlighting climate change adaptation and science funding, including the USGS National Climate Change and Wildlife Science Center. We particularly look forward to working with the FWS and other Department of the Interior bureaus to support and implement the work of the Landscape Conservation Cooperatives. The Conservancy is committed to advancing landscape scale conservation projects, and protect large, interconnected, and ecologically significant habitat. Coupled with robust funding to complementary conservation programs, the administration's science-based investments will help address the critical challenges to people and nature in a world whose climate is changing.

Wildland Fire Management.—We appreciate the subcommittee's continued attention to high-cost wildfire and proactive management to reduce fuels and protect communities from damaging fire. We have three recommendations for wildland fire. First, increase hazardous fuels reduction funding by 10 percent more than enacted to $395.3 million for the Forest Service (USFS) and $208.2 million for DOI as a necessary investment to reduce threats to communities and abate costs of future wildlife. Second, increase to $78.2 million funding for National Fire Plan State Fire Assistance and increase to $7.7 million funds for Department of the Interior Rural Fire Assistance. These investments are needed to improve community safety and build local capacity for controlled burning as fuels reduction treatment. Finally, we support full funding of fire suppression needs for 2011 through the fire suppression budget, Federal Land Assistance, Management, and Enhancement (FLAME) Fund and Contingent Reserve Fund as necessary to safeguard critical conservation programs from "fire borrowing."

Integrated Resource Restoration.—The Conservancy strongly supports the President's fiscal year 2011 proposal for the U.S. USFS's integrated resource restoration budget. First, we recommend full funding of $40 million for the Collaborative Forest Landscape Restoration Program, which with the support of the Chairman and many members of the subcommittee, was authorized last year and funded by this subcommittee at $10 million. Second, we support creation of the Priority Watershed and Job Stabilization Initiative to provide $50 million on a competitive basis for projects that improve watershed conditions and provide employment in restoration, wood energy and value-added processing. Third, we support creation of the integrated resource restoration budget with $694 million by combining programs that were formerly separate functions of wildlife and fisheries habitat management, vegetation and watershed management, and forest products. Separate funding for these activities has led to disparate, uncoordinated activities in wildlife, fisheries, timber, and watershed improvement that did not necessarily contribute to restoration goals. The new budget structure will break new ground by measuring activity accomplishment by ecological outcomes and effects on watershed condition, rather than acres of habitat or miles of stream restored, and by promoting increased use of stewardship contracts and timber sales where they make fiscal sense. We trust that this new budget will better enable the USFS to provide important ecosystem services such as clean

and abundant water, renewable energy from biomass, restored wildlife and fish habitat, carbon sequestration and healthy forests and grasslands.

Forest Health Management.—America's forests are threatened by existing and a growing number of non-native pests and diseases. The Conservancy appreciates the subcommittee's leadership in consistently providing funding above the President's request. The Forest Health Management program should receive an increase to $145 million to effectively address economically and ecologically damaging pests, including the Asian Longhorned Beetle, Emerald Ash Borer, Hemlock Woolly Adelgid, Sudden Oak Death, thousand-canker disease (threatening walnut trees), and the gold-spotted oak borer.

USFS Research Program.—We recommend an increase of $3 million above enacted for the "Invasives R&D" line item within the USFS Research Program. This would permit maintaining at current levels research to improve detection and control methods for the Emerald Ash Borer, Hemlock Woolly Adelgid and other non-native forest pests and diseases.

Endangered Species.—The Conservancy supports an increase for the FWS's Cooperative Endangered Species Conservation Fund (CESCF) to $100 million. The Conservancy and its partners, including multiple State and county governments, have used the Habitat Conservation Plan (HCP) and Recovery Land Acquisition Programs to secure key habitat for numerous threatened, endangered and at-risk species. In recent years, CESCF funds have been used to provide permanent habitat protection throughout California, including recent grants for the San Diego MSCP and the East Contra Costa County HCP/NCCP. The recent MT Clearwater Lands Project grant leverages other investments in the Forest Legacy Clearwater Lands Project and the USFS Montana Legacy Project. The recent planning grant for an HCP in Tennessee's Cumberlands Region complements the Forest Legacy North Cumberlands project. Last year's recovery land grant for a conservation easement on private lands in Northern Idaho's Kootenai Valley protected a critical link between higher elevation public lands of the Selkirk Mountains and low-elevation State and private lands. We also support continued funding for the Upper Colorado River Endangered Fish Recovery Program, the San Juan River Basin Recovery Implementation Program, and fish hatchery needs associated with the recovery plans in this region.

State Wildlife Grants.—The Conservancy endorses the Teaming with Wildlife Coalition's funding recommendation of $100 million. Strong Federal investments are essential to ensure strategic actions are undertaken by State and Federal agencies and the conservation community to conserve wildlife populations and their habitats. We also support a $5 million competitive grant program as a subset of the State Wildlife Grant Program.

National Wildlife Refuge System.—The Conservancy applauds the subcommittees' significant increases in recent years for operations and maintenance of the National Wildlife Refuge System, a cornerstone of our commitment to fish and wildlife resources throughout the Nation. As a member of the Cooperative Alliance for Refuge Enhancement (CARE) coalition we are supporting a request for $578 million in fiscal year 2011 for the operations and maintenance of the system.

Migratory Bird Programs.—The subcommittee has consistently provided vitally important investments for a number of migratory bird programs. Such investments are essential to reverse declines in bird populations through direct conservation action, monitoring and science. We urge the subcommittee to increase funding over the President's request and fiscal year 2010 enacted for such established and successful programs as NAWCA and the Joint Ventures, and the Migratory Bird Management Program.

Partnership Programs.—We recommend funding levels of the President's request or fiscal year 2010 enacted for the FWS Coastal Program and Partners for Fish and Wildlife Program and request $10 million for the National Fish Habitat Initiative.

International Programs.—The Conservancy, as part of an alliance of major international conservation groups, supports $15 million to the FWS' Multinational Species Conservation Funds. We and the alliance also strongly support $21 million for the FWS office of international affairs which includes Wildlife Without Borders; $6.5 million for the FWS' Neotropical Migratory Bird Conservation Fund; and $16 million for the USFS's International Programs.

Bureau of Land Management Climate Change, Ecoregional Assessments & Resource Management.—The Conservancy supports the administration's recommended funding for BLM's Climate Change Adaptation Initiative. This will enable focus upon completing ecoregional assessments, a key information tool for the agency to respond to the growing challenges of climate change and energy development. Evaluation of ecoregions and comparison of assessments across multi-State regions will provide information to guide future planning and management decisions.

Ecoregional assessments are a critical contribution to the Landscape Conservation Cooperatives which link science with conservation planning to address broad-scale challenges of a changing climate to species and habitats. We also recommend robust funding for BLM resource management and transportation planning activities. These funds are needed to complete a significant number of ongoing planning efforts and to initiate new planning efforts in key places, without which the agency cannot make informed mitigation and siting decisions for traditional and renewable energy proposals and take the management actions necessary to improve priority wildlife and aquatic habitats, ensure water quality, control invasive species and manage off-road vehicle use. BLM should also be encouraged to use existing data sets when available so that funding can be focused on critical data needs instead of creating duplicitous data sets.

USGS—Water Resources.—We support increased funding levels for the National Streamflow Information Program and the Cooperative Water Program. These programs provide scientific data needed by multiple public and private water managers and their partners. As climate change, drought and population growth increase the demands on water resources, it is critical to invest in the integration of State and Federal water resource data and to better understand water needs of human communities and the environment.

Environmental Protection Agency.—The EPA Geographic programs provide critical leadership, technical support and funding for on-the-ground actions to improve water quality and restore aquatic ecosystems. We support $300 million for the Great Lakes Restoration Initiative. We also support $103 million for the implementation of the various programs and activities defined in the President's Chesapeake Bay Executive order, including funding EPA's Chesapeake Bay program. We support $50 million to support implementation of the Puget Sound Partnership's Action Agenda and $20 million for implementation of the Long Island Sound program.

Thank you for the opportunity to present The Nature Conservancy's recommendations for the fiscal year 2011 Interior, Environment, and Related Agencies appropriations bill.

PREPARED STATEMENT OF THE TOWN OF OPHIR, COLORADO

Madam Chairman and honorable members of the subcommittee: We appreciate the opportunity to present this testimony in support of acquiring land at Uncompahgre National Forest in Colorado. An appropriation of $4.3 million is needed in fiscal year 2011 from the Land and Water Conservation Fund (LWCF) in order for the Forest Service (USFS) to complete the acquisition of the 445 acres in Ophir Valley. We are pleased that the fiscal year 2011 President's budget included $1 million for this project; however, it can be completed this year with an appropriation of $4.3 million.

Located in the heart of southwestern Colorado's San Juan Mountains, the Ophir Valley project area in the Uncompahgre National Forest is one of the San Juans' hidden gems. A short detour of only a mile off of Highway 145—part of the nationally acclaimed 236-mile San Juan Skyway Scenic Byway—brings visitors into a compact valley ringed by 13,000 foot peaks and serrated ridge lines.

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 valley supports habitat for the Canada 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 Howard Fork, a key tributary to the San Miguel River, which The Nature Conservancy has called "one of the last naturally functioning rivers in the West." The San Miguel sustains a globally rare narrowleaf cottonwood-Colorado blue spruce/black twinberry plant community.

While much of the Ophir Valley is in public ownership, the region's mining heritage also created hundreds of privately owned patented mining claims scattered across the landscape like matchsticks. These private inholdings once were vital to sustaining 19th-century efforts to find and extract mineral wealth. Now, however, at a time when hard rock mining in southwestern Colorado appears increasingly less viable economically, many former mining districts, such as Ophir, are seeing these private inholdings develop into sites for second homes. As a result, more and more of the Ophir Valley's subalpine and alpine environments are at risk of being developed, potentially creating significant management issues for the USFS, fragmenting wildlife habitat, and spoiling the scenic splendor and recreational opportunities so important to residents and visitors.

Currently, the USFS has the opportunity to acquire all of the remaining acres out of a total 1,145 acres of patented mining claims that had been under one ownership in the Ophir Valley. Prior to this acquisition effort, these claims represented approximately 90 percent of the valley's privately owned inholdings. Federal appropriations provided in previous years have allowed the USFS to begin acquiring these mining claims, and the requested $4.3 million in fiscal year 2011 will allow the agency to purchase the final 445 acres. This project resolves many land use and access conflicts that stem from the development of private inholdings within public lands, while promoting effective land management practices by the USFS. In particular, the ongoing acquisition protects critical habitat, maintains high-quality recreational opportunities on public lands, protects water quality, and helps maintain the quality of life of the region's residents.

This protection effort is a natural extension of the successful Red Mountain project, located just to the north and east of the Ophir Valley along a different portion of the San Juan Skyway. It will also complement other land protection and recreation enhancement efforts along and adjacent to the San Juan Skyway, one of only 27 All-American Roads in the National Scenic Byway program. In recent years, for example, Great Outdoors Colorado Trust Fund has pledged $5.7 million for land protection in the area. In fiscal year 2011, an appropriation of $4.3 million is needed to enable the USFS to complete the protection of these critical inholdings.

The LWCF is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget and we support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this subcommittee faces, we also want to thank the subcommittee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the LWCF is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

We want to thank the chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Colorado, and we appreciate your consideration of this funding request.

PREPARED STATEMENT OF 10 TANKER AIR CARRIER, LLC

10 Tanker Air Carrier (10 Tanker), a privately owned aerial firefighting company, respectfully requests that this written statement be added to the record of the hearing before the Senate Committee on Appropriations Subcommittee on Interior, Environment, and Related Agencies Concerning Oversight of Fire Policy that was held on May 26, 2010.

We commend the outstanding leadership and public service of Chairman Feinstein, Ranking Member Alexander, and the members of this subcommittee in holding this hearing. We also commend our professional fire fighter colleagues at the U.S. Forest Service (USFS), Bureau of Land Management, and the many State and local fire fighters who work tirelessly and with significant personal risk to prevent and to suppress wildfires.

We have reviewed the written testimony and the video of this hearing. Significant portions of the hearing focused on the Station Fire of 2009 in southern California. We are surprised that there was no mention of the use of the two DC–10 aircraft operated by 10 Tanker in containing that very large fire.

The fire started on August 26, 2009, and, as has been well documented in other testimony, it grew rapidly for a variety of reasons. 10 Tanker was dispatched through the California Department of Forestry and Fire Protection (Cal Fire) contracts (not USFS) from August 29 through September 7, 2009. 10 Tanker flew a total of 31 missions dispensing approximately 350,000 gallons of line-building retardant that had a significant impact on fire containment, property protection, and personnel safety.

The hearing emphasized the necessity for rapid initial attack to prevent the widespread damage caused by the Station Fire. We note that, while the fire started on August 26, 10 Tanker assets were not dispatched until August 29. While the majority of 10 Tanker missions on the Station Fire were to build extended lines to permit ground personnel to access those areas necessary to contain the fire, through our experience with more than 340 missions flown over more than 45 named fires, we

have proven to ground commanders that we also have significant potential in direct suppression applications. We have also proven that the DC–10 tanker can be fully integrated into a suppression effort without impeding the activities of the other aerial and ground members of the team. We are over the drop zone for less than 2 minutes; our gravity feed system is no hazard to ground crews at our 200–300 feet drop altitude; our aircraft performance permits turn radii commensurate with that of any other fixed-wing aircraft; we can provide one or more drops in a single mission; we can operate from most of the airports that the USFS has in its strategic plan plus any other airport that has 8,000 feet of runway; and we can apply in one air mission the same amount of suppressant as five or more of the other aircraft available to any agency's ground commander. 10 Tanker's niche is in any wildfire contingency where the ground commander determines he needs to accomplish in one mission at jet speed what might otherwise take six other aircraft and significantly more time. Due to its capacity, jet speed, and rapid turn-around capability, there is no other aerial fire-fighting asset in existence that can provide such massive deliveries in time-critical situations.

There was also a discussion in the hearing about replacement of aging firefighting tankers. While the discussions in the hearing centered on future "large tankers" such as the C–130 MAFFS, the DC–10 is classified by the USFS as a "very large tanker." 10 Tanker has invested tens of millions of dollars in private capital to create a modern firefighting tanker to address the urgent needs of State and Federal agencies for innovation, modernization, and availability of air tankers. We have partnered with the Federal Aviation Administration, the USFS and the other Federal agencies to demonstrate our safety and our significant increase in capacity, speed of delivery, and cost effectiveness in aerial firefighting. They, in turn, have taken all the prudent steps to assure public safety and utility of our tanker, and have formally approved its use on wildfires on public lands.

While we recognize the need for a variety of fixed and rotary wing assets in effective wildfire management, we would urge responsible legislators and agency personnel to reinforce the need for this proven, cost-effective asset at the Federal level. Only Cal Fire, not USFS, has made the commitment with an exclusive use contract with 10 Tanker. With Federal commitment to traditional exclusive-use contracts in the future, this world-class firefighting asset can be immediately available to any ground commander throughout the United States. Furthermore, there is sufficient private capital to fund additional DC–10 assets with as little as 6 months' notice. Then the citizens of all States would be protected by this modern firefighting tanker.

PREPARED STATEMENT OF TROUT UNLIMITED

Madam Chairman and honorable members of the subcommittee: On behalf of Trout Unlimited's more than 140,000 members nationwide and more than 1,100 members in the great State of Vermont, I appreciate the opportunity to present this testimony in support of acquiring land at Green Mountain National Forest in Vermont. An appropriation of $800,000 is needed in fiscal year 2011 from the Land and Water Conservation Fund in order for the Forest Service to complete the acquisition of the 660-acre Deerfield River property. This project is part of a larger request of funds for the national forest.

The Green Mountains of Vermont are one of the northeast region's most popular and heavily visited areas, which each year draw millions of tourists attracted to its scenic beauty. The forest is within a day's drive for Vermont residents and visitors from the surrounding states of New York, New Hampshire, Massachusetts and Connecticut, and provides easy access to an outstanding recreational area. The Green Mountains region contains outstanding natural resources such as wildlife habitat for black bear, deer, and neotropical songbirds, as well as extensive timber resources. The area boasts excellent trout streams and encompasses the watersheds that provide drinking water for many Vermont communities. The acquisition of properties in the Green Mountain National Forest protects recreational opportunities that have long been important to residents and visitors alike, such as camping, hiking, hunting, and cross-country skiing. Federal appropriations in recent years have allowed the Forest Service to acquire and protect critical watershed properties in the northern section of the forest as well as excellent recreation and habitat lands in the Taconics region.

Two properties totaling 660 acres that lie along the Deerfield River in Readsboro offer substantial aquatic resources and intact forest contiguous to existing Green Mountain National Forest (GMNF) lands. The properties' northern hardwood and conifer forest, 95 acres of wetlands and 1.4 miles of frontage on the Deerfield River

provide excellent opportunities for continued forest management, recreation, wildlife habitat protection, and watershed conservation—all of which are U.S. Forest Service strategic goals for land conservation. Due to the quality of the habitat, ecological and aquatic features, and connectivity with existing GMNF ownership, the properties are a conservation priority of the GMNF. These parcels would complement existing U.S. Forest Service lands and improve access for management and public recreation, and are part of a larger land acquisition program underway at the GMNF in fiscal year 2011.

Trout Unlimited's mission is to conserve, protect and restore North America's coldwater fisheries and their watersheds. Our vision is, by the next generation, to ensure that robust populations of native and wild coldwater fish once again thrive within their North American range, so that our children can enjoy healthy fisheries in their home waters. Due to cool temperatures, excellent water quality, consistent food supply, and high oxygen content, the West Branch of the Deerfield River and its tributaries located within the boundaries of these parcels serve as refugia for wild and native Brook Trout, and have served as a site for Atlantic salmon restoration efforts. Protecting the larger ecological context in which the existing populations of these fish survive is one of the four pillars of the Trout Unlimited conservation framework. Both Trout Unlimited and the Eastern Brook Trout Joint Venture have identified the West Branch subwatershed for highest conservation priority. Against a backdrop of climate change and increased development pressure in Vermont, the Vermont Council of Trout Unlimited views the conservation of these parcels as mission critical.

Additional benefits would accrue to the citizens of and visitors to Vermont. The clean and scenic Deerfield River is a popular recreation destination, used by kayakers, fishermen, and wildlife watchers. By connecting previously unconnected tracts of GMNF, there is an opportunity to link existing hiking and snowmobiling trails and create new trailheads to provide easier public access. The GMNF plans to encourage hunting, hiking, skiing, and other nonmotorized recreation, with snowmobiling on designated trails. Home to moose, deer, turkey, and other game species, the property will be a valuable resource to local hunters who have seen access to land decreasing in recent years, as new owners subdivide and post properties that have traditionally been open for hunting. Conservation of this forest will encourage and strengthen the region's forest industries and growing tourism economy by preserving the rural character of Readsboro and providing increased public recreational opportunities.

The forested plateaus, ridges, swales, and drainages provide for diverse ecological assemblages as well as forest structure and function. Black bear, deer, and moose use the properties as forage habitat as well as for their connectivity to existing protected forest. In addition to the dominant birch-beech-maple stands are several conifer stands which offer wintering areas for deer and moose. The 95 acres of wetlands and two miles of headwater streams located on the properties provide habitat for beaver, migratory waterfowl, and other aquatic species.

A Wildlife Habitat Suitability Analysis by Vermont Fish & Wildlife Department showed these properties as highly valuable for black bear and rated this section of Route 100 as an important wildlife corridor. These critically located Deerfield River properties are at risk of development and fragmentation due to their frontage on Route 100 and proximity to conserved land. A recent USFS publication (A Sensitivity Analysis of Forests On The Edge, 2009) shows the Deerfield River watershed to be among the top 10 percent in the country with the highest projected rates of change in housing density between 2000 and 2030.

In fiscal year 2011, an appropriation of $800,000 from the Land and Water Conservation Fund for the Green Mountain National Forest would allow for the protection of these important natural resource properties, ensuring wildlife habitat connectivity, water quality protection, and public recreation opportunities in a threatened landscape.

The Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this committee faces, I also want to thank the committee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the Land and Water Conservation Fund is one that will permanently

pay dividends to the American people and to our great natural and historical heritage.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Vermont, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE WILDERNESS SOCIETY

The Wilderness Society (TWS) represents more than 500,000 members and supporters who share our mission to protect wilderness and inspire Americans to care for our wild places. We thank the subcommittee for the opportunity to submit comments on the fiscal year 2011 Department of the Interior, Environment, and Related Agencies appropriations bill.

We applaud the leadership and members of this subcommittee for increasing appropriations in fiscal year 2009 and 2010 for essential public land conservation programs and reversing the near decade-long pattern of severe funding cuts to numerous conservation programs. Despite this progress, conservation programs continue to suffer from underfunding. Additionally, the effects of climate change are impacting public lands nationwide and have only begun to be addressed by land management agencies.

Protection and proper stewardship of these lands buffer the effects of flooding and wildfire, conserve water, support healthy fisheries and wildlife populations, and sequester carbon. Our forests currently sequester an estimated 14 percent of all U.S. greenhouse gas emissions and mitigate the impacts of climate change. Additional protections for these important carbon stores should be considered.

Conservation programs are also pivotal to the success of the outdoor recreation industry, which contributes $730 billion annually to the economy while supporting nearly 6.5 million jobs across the country. According to a recent Department of the Interior study, conservation activities are a driving force to create jobs, as every $1 million taxpayers invest in ecosystem restoration projects creates 30 jobs, and every $1 million invested in recreation projects produces 22 jobs.

We urge bold, immediate action in making additional investments for fiscal year 2011. TWS recommends:

Land and Water Conservation Fund

Our 682 million acres of Federal land and waterways provide a critical opportunity to address the unprecedented challenges that climate change poses to our forests, fish and wildlife, and riparian resources. The strategic acquisition of key inholdings, buffer areas, and wildlife migration corridors within and adjacent to existing public lands enhances adaptation efforts and fosters intact landscapes. These natural areas also store carbon, buffer flooding, conserve water, and support healthy fisheries and wildlife populations. Hand-in-hand with mitigating the deleterious impacts of our environment from burning fossil fuels is the need to respond to climate change with a foresighted investment in land protection and natural resource adaptation across the Federal public lands. President Obama has indicated that LWCF should be fully funded by 2014, and we support a significant funding increase that will lead to his goal. TWS' fiscal year 2011 recommendation for the LWCF is $600 million ($425 million for Federal and $175 million for State grants).

Bureau of Land Management (BLM) Onshore Oil and Gas Policy

The administration proposes the following laudable reforms of the BLM's oil and gas program:

—A proposed fee on onshore Federal operators designed to bring in $10 million per year for the I&E program.

—Continuation of the $6,500 APD fee in fiscal year 2011 which was approved by Congress for fiscal year 2010 (estimated revenues—$45.5 million).

—A $4 per-acre fee on nonproducing onshore leases (needs authorizing legislation).

—Repeal of section 365 of EPACT which diverted lease rental revenues to fund the "Permit Streamlining Pilot Offices", and prohibits the BLM from charging APD fees (the latter provision in effect overridden by Congress in the fiscal year 2010 appropriations bill).

—Initiation of a new rule to raise royalty rates for Federal onshore oil and gas leases, with a goal of raising oil and gas revenues by $1 billion over 10 years (royalty rates under consideration are not discussed in the budget proposal, however).

TWS supports all of these proposals. The BLM is moving forward with important management reforms of the onshore program that should, when fully implemented,

lead to a better balance between oil and gas developed on western public lands, and the protection of the many natural resource values that have been impaired by the previous administration's oil and gas policies.

BLM's National Landscape Conservation System (NCLS)

The BLM's NCLS comprises some 26 million acres of congressionally and presidentially designated lands and waters, such as National Monuments and National Conservation Areas. Stewardship of the NCLS's many units provides jobs for thousands of Americans while supporting vibrant and sustainable economies in surrounding communities. The NCLS provides immeasurable public values in return for modest investments: outstanding recreational opportunities, wildlife habitat, clean water, wilderness, and open space near fast-growing cities. The NCLS also provides a living laboratory where the challenges of climate change can be studied and landscape level habitat restoration can take place. Recent changes have improved clarity in the NCLS's budget, but the NCLS still suffers from a lack of prominence in the BLM's budget structure and there is a real need for subaccounts that reflect the diversity of the NCLS's many units.

—TWS' fiscal year 2011 recommendation is full budget clarity for the NCLS—two new subactivities and funding of $100 million, a modest increase of approximately $25 million more than the fiscal year 2010 enacted level.

—Restore the Challenge Cost Share Program at full funding of $19 million. This is a cross-cutting program within Department of the Interior, which provides a 1:1 match for volunteer activities.

Renewable Energy

TWS is a strong proponent of transitioning our country to a sustainable energy economy by developing our renewable energy resources quickly and responsibly. We believe renewable energy is an appropriate use of the public lands when sited in areas screened for habitat, resource, or cultural conflicts. As such, we are supportive of the request for a $14.2 million increase for renewable energy programs across Department of the Interior, bringing the fiscal year 2011 request to $73.3 million. TWS is pleased that Department of the Interior's request is consistent with the principle of both protecting lands and installing energy facilities, as seen in the proposed $3 million increase over the $16.1 million enacted in fiscal year 2010, for project-level environmental review. With these expanded resources, TWS hopes the Department of the Interior will see fit to clearly document policies for thorough and expedient environmental review, suitability screening, energy zone identification, and fair return for taxpayers.

National Wildlife Refuge System (NWRS) Funding

An analysis compiled by the Cooperative Alliance for Refuge Enhancement shows that the NWRS needs at least $900 million in annual operations and maintenance funding to properly administer its 150 million acres, educational nature programs, habitat restoration projects, and much more. We appreciate the subcommittee's vision and leadership while providing funding increases in fiscal year 2008-fiscal year 2010. We urge the Congress to build upon these important steps toward restoring the NWRS by considering our request in the fiscal year 2011 budget. To reach this goal, TWS recommends providing $578 million in fiscal year 2011 for the operations and maintenance of America's NWRS.

National Forest Funding

TWS supports the overall funding levels in the proposed Forest Service (USFS) budget; however, we recommend adjusting the funding levels of several programs. For example, important and fundamental programs like inventory and monitoring and land management and planning should have funding levels of $180.5 million and $80 million, respectively, in fiscal year 2011. This is especially important in a year when the administration is undergoing a national forest planning rulemaking and when climate change requires that we perform more research. TWS additionally recommends that the Forest Inventory and Analysis Program receive $76 million, the Wildlife and Fisheries Habitat Program be restored and receive $163 million, and Recreation, Heritage and Wilderness Program receive $408 million.

TWS is pleased that the administration is working on shifting forest management from timber-based to more restoration-based. However, we do have concerns about a proposal that would eliminate three important programs, and thus important measurements of the health of our national forests. Additionally, the USFS must be provided with direction from Congress to "right-size" its massive and decaying road system, which is a major threat to the drinking water of more than 3,400 communities and has resulted in ecosystem degradation and a more than $8 billion road maintenance backlog. The Western Governors' Association, the U.S. Conference of

Mayors, major sportsmen groups, and others have also urged the USFS to bring its roads system down to a sustainable size. To achieve forest restoration goals in fiscal year 2011, TWS recommends:

—The USFS receive congressional direction to develop a restoration plan that is rooted in the latest science and includes input from the public;
—The Collaborative Forest Landscape Restoration Program is fully funded and moved into the National Forest System budget;
—Congress continues its commitment to reduce fire risk to communities by funding the two State Fire Assistance programs at $150 million, collectively; and
—Congress funds the Legacy Roads and Trails program at $120 million, $30 million of which for the minimum roads system analysis (pursuant to 36 CFR 212.5(b)).

Acquiring land for conservation purposes is a critical duty for the USFS. The Forest Legacy Program (FLP) helps to preserve working forestlands threatened by conversion and development. To date, this program has protected more than 1.9 million acres in 42 States and territories. A total of $444 million of Federal funds have been matched by $484 million in non-Federal funds and donations, making the Federal share only 44 percent of overall project costs. TWS' fiscal year 2011 recommendation for the FLP is $150 million, an increase of $70.5 million more than the fiscal year 2010 enacted level of $79.5 million.

The Community Forest and Open Space Conservation Program, established in the 2008 Farm Bill, will give communities, tribes and nonprofits 50/50 matching funds to help purchase economically, ecologically and culturally important forestlands to create community forests. The program also ensures technical assistance through state forestry agencies to help implement outstanding forest management. TWS' fiscal year 2011 recommendation for Community Forest and Open Space Program is $10 million, an increase of $9.5 million more than the fiscal year 2010 enacted level.

The Federal Land Assistance, Management, and Enhancement (FLAME) Act of 2009 requires the USFS to complete a Cohesive Wildfire Management Strategy by the end of fiscal year 2010 to identify the most cost-effective means for allocating fire management budget resources, employ the appropriate management response to wildfires, and assess the level of risk to communities and the impacts of climate change on wildfire, among several other factors. While the agency has recently begun this process, we believe they will be able to produce a better product if given additional time. TWS recommends for fiscal year 2011:

—Congress provide the USFS with an additional year to ensure a more comprehensive strategy;
—TWS recommends allocating $2 million for the agency to convene a panel of scientists to inform the development and allow for a public review process.

Fire Funding—USFS and Department of the Interior

TWS is pleased that the administration proposes funding the USFS and Department of the Interior FLAME funds. However, it is unclear that the USFS and the Department of the Interior require four emergency funds through the additional proposed contingency reserve budgets for each department. The FLAME fund is intended to fund suppressing high-cost fires during the fire season and be accessible when annual suppression funds are nearly exhausted. The FLAME fund also requires the administration to report to Congress quarterly on the status of the fund, which would provide appropriators the opportunity to replenish the fund as needed. The purpose of the fund is to eliminate the need for the USFS to transfer funds from non-fire programs—a practice that has too often led to disruptions in program implementation. TWS recommends that the proposed funding in the USFS and Department of the Interior contingency reserve accounts be transferred to their respective FLAME funds. Additionally, Congress must continue to stress to the USFS the need to replace the 10-year rolling average estimate with a more predictive statistical modeling approach for calculating emergency and annual suppression estimates.

Council on Environmental Quality

CEQ serves as the principal environmental policy advisor to the President. CEQ has broad statutory responsibilities for advising the President in the development of environmental policies and legislation; assessing and reporting trends in environmental quality and recommending appropriate response strategies; and overseeing implementation of NEPA. CEQ is severely understaffed. CEQ's staff ranged from 50–70 in the 1970s and 1980s in both Republican and Democratic Administrations, but it is currently staffed by only 24 FTEs. Additional resources are critical and TWS recommends an increase to $4,694,093, which would allow for approximately 30 staff.

PREPARED STATEMENT OF THE WILDLIFE SOCIETY

The Wildlife Society (TWS) appreciates the opportunity to provide comments on the fiscal year 2011 budget for the Department of Interior, Environment, and Related Agencies Subcommittee. TWS was founded in 1937 and is a nonprofit scientific and educational association representing more than 9,000 professional wildlife biologists and managers, dedicated to excellence in wildlife stewardship through science and education. Our mission is to represent and serve wildlife professionals—the scientists, technicians, and practitioners actively working to study, manage, and conserve native and desired non-native wildlife and their habitats worldwide.

U.S. Fish and Wildlife Service

The State and Tribal Wildlife Grants Program is the primary program supporting implementation of comprehensive wildlife conservation strategies, known as State Wildlife Action Plans, and it is the only Federal program that supports States in preventing wildlife from becoming endangered. Each State creates plans which detail conservation actions including land protection, invasive species management, research and survey work, and more; these actions create or sustain thousands of jobs that preserve lands important to all sorts of wildlife enthusiasts. Funding assistance for these State wildlife agencies is therefore one of the highest-priority needs for wildlife in order to prevent further declines in at-risk wildlife populations in every State. We recommend that $100 million be appropriated for State Wildlife Grants in fiscal year 2011. We also ask that Congress support a reduction in the non-Federal match requirement from 50 percent to 30 percent, relieving some of the onus of providing adequate matching funding from severely cashed-strapped States.

The Cooperative Alliance for Refuge Enhancement (CARE) is a diverse coalition of 22 wildlife, sporting, conservation, and scientific organizations representing more than 14 million members and supporters. A comprehensive analysis by CARE determined that our National Wildlife Refuge System (NWRS) needs $900 million in annual operations to properly administer its nearly 150 million acres, educational programs, habitat restoration projects, and much more. Many years of stagnant budgets have increased the operations and maintenance backlog, and forced plans for a dramatic 20 percent downsizing of the workforce. NWRS visitors often show up to find visitor centers closed, hiking trails in disrepair, and habitat restoration programs eliminated. Invasive plant species are taking over, requiring $25 million per year to treat just one-third of its acreage, and illegal activities such as poaching are on the rise, requiring an additional 209 officers ($31.4 million) to meet law enforcement needs. We request that you provide $578 million in fiscal year 2011 for the operations and maintenance of the NWRS.

The North American Wetlands Conservation Act is a cooperative, nonregulatory, incentive-based program that has shown unprecedented success in restoring wetlands, waterfowl, and other migratory bird populations. This program has remained drastically underfunded, despite its great demonstrated effectiveness. We recommend a $10 million increase, to $52.6 million in fiscal year 2011 so that act may reach the goal of full funding of $75 million by fiscal year 2012.

The Neotropical Migratory Bird Conservation Act (NMBCA) provides a broad-spectrum approach to bird conservation. TWS recommends that Congress fund the NMBCA at its full authorization of $6.5 million in fiscal year 2011.

TWS supports adequate funding levels for all subactivities within the Endangered Species Program. Endangered species recovery efforts can ultimately lead to delisting actions that result in significant benefits to species through State management efforts. Currently, all subactivities are understaffed while the costs for management of listed species continue to rapidly escalate. We recommend that Congress match the President's request for the Endangered Species Program and provide $181.33 million in funding in fiscal year 2011.

The voluntary Partners for Fish and Wildlife Programs provides financial and technical assistance to landowners to restore degraded habitat on their property. With more than two-thirds of our Nation's lands held as private property, and up to 90 percent of some habitats lost, private lands play a key role in preserving our ecosystem. We urge Congress to provide $60 million in support of the Partners for Fish and Wildlife Program in order to allow landowners to help contribute to land and wildlife preservation.

Through its international programs, FWS works multilaterally with many partners and countries in the implementation of international treaties, conventions, and projects for the conservation of wildlife species and their habitats. International trade, import, and transportation of wildlife species can have a huge impact on America's security, economy, and environment and careful regulation and implementation of international policies is an important task. We ask Congress to support

FWS in protecting our economy, our environment, and our national security by providing a necessary $22 million in support of FWS International Affairs.

Finally, we ask Congress to provide additional funding to fight White Nose Syndrome (WNS) in bats. The current loss of bats from WNS is one of the most precipitous wildlife declines in the past century in North America, and will likely have significant ecological and economic consequences throughout the United States. Expert scientists have recommended that $45 million will be needed over the next 5 years to study and combat WNS, however last year Congress only appropriated $1.9 million for WNS in the Recovery of Listed Species Program. In order to meet the growing urgency to fight this disease, TWS asks you to provide an additional $5 million for fighting WNS in fiscal year 2011.

Bureau of Land Management (BLM)

The diverse habitats managed by BLM support more than 3,000 species of wildlife, more than 300 federally proposed or listed species, and more than 1,300 sensitive plant species. However, the BLM has only 1 biologist per 591,000 acres of land and estimated costs for recovery of threatened and endangered species on BLM lands are $300 million annually over the next 5 years. In addition, the Wildlife and Fisheries Management (WFM) and the Threatened and Endangered Species Management (TESM) programs have been forced to pay for the compliance activities of BLM's energy, grazing, and other nonwildlife related programs, eroding their ability to conduct proactive species and habitat conservation activities and efforts to recover listed species. This diversion of funding must be stopped, or additional funding provided to both programs to make up for the deficiency. Therefore, given the significant underfunding of the BLM's wildlife programs, combined with the tremendous expansion of energy development across the BLM landscape, an increase to $65.4 million for the BLM Wildlife and Fisheries Management Program is warranted. This will allow BLM to maintain and restore wildlife and habitat by monitoring habitat conditions, conducting inventories of wildlife resources, and developing cooperative management plans.

Increased funding is also needed for the Threatened and Endangered Species Management Program to meet its responsibilities in endangered species recovery plans. BLM's March 2001 Report to Congress called for a doubling of the current Threatened and Endangered Species budget to $48 million and an additional 70 staff positions over 5 years, however, this goal has yet to be met. In view of this, we strongly encourage Congress to increase overall funding for the BLM Endangered Species Program to $33 million in fiscal year 2011.

Finally, TWS applauds the positive action that is being taken to solve the problems associated with wild horse and burro management, and supports Secretary Salazar's $75.9 million request for this issue. However, given that horses and burros have been maintained above the appropriate level for many years, we believe that additional funding should be requested to correct the habitat damage that has occurred due to overpopulation of these animals. We recommend that an additional $3 million be provided ($78.9 million total) in fiscal year 2011 to remediate habitat degradation from wild horses and burros.

U.S. Geological Survey (USGS)

The basic, objective, interdisciplinary scientific research that is supported by the USGS is necessary for understanding the complex environmental issues facing our Nation today. This science will play an essential role in the decisionmaking processes of wildlife, land, and other natural resource managers as we adapt to climate change, and it will help protect our water supply, preserve endangered species, and strengthen our national defense. More investment is needed to strengthen USGS partnerships, improve monitoring, produce high-quality geospatial data, and deliver the best science to address critical environmental and societal challenges. TWS supports funding of at least $1.334 billion for USGS in fiscal year 2011.

The Cooperative Fish and Wildlife Research Units (CFWRUs) are a jointly funded Federal/State partnership that provides the funding for personnel and establishment of the units at a university. In fiscal year 2001, Congress fully funded the CFWRUs, allowing unit productivity to rise to record levels. Since then, budgetary shortfalls have caused an erosion of available fiscal resources, resulting in a current staffing vacancy of nearly one quarter of the professional workforce. In order to fill current scientist vacancies, restore seriously eroded operational funds for each CFWRU, and enhance national program coordination, the fiscal year 2011 budget for the CFWRUs should be increased to $22.5 million. This would restore necessary capacity in the CFWRU Program and allow it to meet the Nation's research and training needs. Also, the CFWRUs are crucial to successfully addressing the natural resource management challenges posed by climate change, energy development,

invasive species, infectious diseases, and fire. We also ask that you establish a competitive matching fund program within existing CFWRU legislative authority that would make available $20 million annually in new funds beyond base operational costs, starting with a $5 million appropriation in fiscal year 2011.

TWS appreciates the funding for the National Climate Change and Wildlife Science Center in last year's omnibus, and the fiscal year 2010 increase to $11 million for the Center. This center will play a pivotal role in addressing the impacts of climate change on fish and wildlife. In order for this role to be fully realized, funding must increase. TWS recommends that Congress fully fund the President's request of $23 million in fiscal year 2011.

U.S. Forest Service (USFS)

Our national forests and grasslands are essential to the conservation of our Nation's wildlife and habitat, and are home to about 425 threatened and endangered, and another 3,250 at-risk species. Many programs within the USFS are essential to protecting these species and require careful consideration during the appropriations process. In fiscal year 2011, the USFS is proposing to combine several programs and their budgets, including vegetation and watershed management, wildlife and fisheries habitat management, and forest products into a single integrated resource restoration activity budget. we are concerned with this merging of resources because it makes accountability to stakeholders and Congress difficult. However, with these reservations noted, we urge Congress to support the request of $693.722 million for the Integrated Resource Restoration Program in fiscal year 2011.

Integral to management of our natural resources is a deep understanding of the biological and geological forces that shape the land and its wildlife and plant communities. The research being done by the USFS works at the forefront of science to improve the health of our Nation's forests and grasslands and will play a key role in developing strategies for mitigating the effects of climate change. Research is the basis for sound policy decisions and sustained and increasing funding is needed. We urge Congress to fund the President's request of $312 million for forest and rangelands so we can continue to support this high-quality research.

Last August, Secretary Vilsack announced his desire to develop national forest planning regulations that are new, meaningful, and climate-smart. Along with this need for new regulations, there is also a tremendous backlog of forest plans that require revision; therefore, an increase in funding for land management within the USFS is urgently needed. Based upon funding estimates for sustaining current plans, as well as additional funds for planning new regulations, we ask Congress to provide $80 million for land management in fiscal year 2011.

PREPARED STATEMENT OF THE UPPER PENINSULA PUBLIC ACCESS COALITION

Dear Chairman Feinstein and Senator Alexander: On behalf of the Upper Peninsula Public Access Coalition (UPPAC), I appreciate the opportunity to present this testimony in support of acquiring land at the Ottawa and Hiawatha National Forests in Michigan. Over the past 4 years we have worked towards protecting these properties and now, our dream can become a reality. An appropriation of $4.8 million is needed in fiscal year 2011 from the Land and Water Conservation Fund in order for the Forest Service to acquire three tracts totaling 3,454 acres. This project was recognized in the President's Budget as a Forest Service priority at an amount of $1.3 million. However, the full $4.8 million is needed to acquire these critical properties.

UPPAC is a totally volunteer organization comprised of concerned citizens dedicated to the protection and preservation of the region's environmental quality and way of life. The common thread that connects us all is our appreciation for the aesthetic beauty of undisturbed shorelines as well as our use, enjoyment and deep concern for the lakes, streams, rivers, and woodlands of Michigan's Upper Peninsula.

With its pristine rivers, winding streams, and vast wilderness areas, Michigan's Upper Peninsula shapes the rugged character of the upper Great Lakes region. Ensuring the lasting protection of this region's diverse ecosystems, preserving sensitive wildlife habitat, and securing lasting recreational opportunities are important conservation objectives identified by the U.S. Forest Service that help address the goals of the Great Lakes Restoration Initiative, established by Presidential Executive order in February 2009.

The Great Lakes, Great Lands—Upper Peninsula conservation project proposed for funding in fiscal year 2011 would greatly advance these objectives by incorporating more than 3,500 acres of private land in the Upper Peninsula into the Ottawa and Hiawatha national forests. In collaboration with regional landowners and

nonprofit partners, the forests are working to protect wetland ecosystems, conserve open space, and expand public access in the Upper Peninsula—all while promoting sustainable forest management of the region's timber resources.

Acquisition of these properties will keep a significant portion of the Upper Peninsula's pristine landscape intact, which in turn supports efforts to address the threat of global warming, as forested landscapes play an increasingly important role in sequestering carbon. Successful implementation of this landscape-scale project will help ensure the integrity of the wilderness experience and the protection of a truly unique natural resource area in the Upper Peninsula.

Ottawa National Forest—Prickett Lake Phase II

Prickett Lake, located within the Kenton Ranger District of the Ottawa National Forest, was the highest-ranked fiscal year 2010 acquisition priority for the Eastern Region of the Forest Service and received partial funding through the Land and Water Conservation Fund in the fiscal year 2010 appropriations cycle that will allow for a portion of the property to be protected.

Upstream and downstream of Prickett Lake are designated sections of the Wild and Scenic Sturgeon River, which flows directly into Lake Superior. The Prickett Lake property is immediately adjacent to the iconic Sturgeon River Gorge Wilderness and includes a portion of the remarkable North County National Scenic Trail, which stretches more than 4,600 miles from New York to North Dakota and is the Nation's longest national scenic trail.

The wilderness areas surrounding Prickett Lake host a diverse range of wildlife habitat for gray wolves, Canada lynx, ruffed grouse, bald eagles, minks, woodcocks, foxes, black bears, white-tailed deer, and a variety of fish. Prickett Lake is upstream to one of the last remaining productive spawning areas for lake sturgeon in the entire Lake Superior watershed. This area's pristine water quality helps protect the overall health of the Sturgeon River watershed. In fiscal year 2011, $1.3 million is needed from the Land and Water Conservation Fund to complete this key priority of the Great Lakes, Great Lands—Upper Peninsula initiative.

Ottawa National Forest—Victoria Lake

Available for acquisition in the Ottawa NF are the 370-acre Victoria Lake tracts, which lie along the south and eastern shores of Victoria Reservoir and the West Branch of the Ontonagon River. These tracts are part of an intact forested landscape that stretches for miles both north and south of the reservoir. Acquiring the Victoria Lake properties would advance the Great Lakes Restoration Initiative by protecting the water quality of the West Branch Ontonagon Wild and Scenic River—a Congressionally designated recreational wild and scenic river for nearly a third of a mile within the project area. Like the Prickett Lake property, the Victoria Lake tracts are also traversed by a portion of the North County National Scenic Trail.

The Victoria Lake properties also provide significant opportunities for the conservation, restoration, and improved management of a number of quality wildlife resource values, including bald eagle and wetland habitat. These parcels would add to the connectivity of wildlife habitat already managed as public land in the area. The steep, north-facing slopes above the reservoir and river are uncommon in the area and provide ideal surroundings for boreal species to persist in the face of changing climatic conditions. Should vulnerable species begin to disappear across much of this landscape as a result of increasing heat and drought conditions, surviving populations are expected to endure in the moist north-facing coves of these parcels. Acquisition of the Victoria Lake parcels will help the Forest Service maintain intact forest landscapes that are resilient to climate changes and contribute to ongoing carbon-sequestration efforts. In fiscal year 2011, $1 million is needed to permanently protect the lands around Victoria Lake.

Hiawatha National Forest—Hiawatha Watershed Health Project Phase I

The Hiawatha Watershed Health Project is a landscape-scale conservation project focusing on the restoration and maintenance of watersheds that serve the central and eastern portions of the Upper Peninsula. As part of the Hiawatha Watershed Health project, the Hiawatha National Forest proposes to begin the acquisition of important resource lands from Plum Creek Timber Company, an effort that when completed will significantly consolidate Federal ownership and help ensure the protection and conservation of three separate watersheds that drain into the northern Great Lakes. The conservation of these watersheds and extensive wetland areas would help support the objectives of the Great Lakes Restoration Initiative.

Consolidation of Federal lands associated with the Hiawatha Watershed Health Project would also enhance recreational opportunities and protect habitat for a number of species facing extinction. Acquisition of several parcels near the Bay de Noc to Grand Island Trail would improve management and protection of the visual and

scenic qualities of this popular hiking trail, which is listed on the State Register of Historic Places. The tracts offer secluded older forest habitat that favors the recovery of the endangered Eastern gray wolf, the threatened Canadian lynx, and other sensitive species, including the northern goshawk and the red-shouldered hawk. Acquisition of these parcels would preclude further subdivision of the land and the conversion to alternative uses, such as rural residential development. The impact of conversion on natural resources and public access would likely be significant if these lands are subdivided and sold to multiple landowners. An appropriation of $2,500,000 from the Land and Water Conservation Fund in fiscal year 2011 for the purchase of 2,500 acres of these important resource lands will protect critical watershed areas in the Upper Peninsula and support the objectives of the Great Lakes Restoration Initiative.

The Great Lakes, Great Lands—Upper Peninsula project represents a substantial step toward achieving landscape-scale conservation that will provide significant watershed protection, safeguard substantial wildlife habitat, and address the threat of climate change. A total appropriation of $4,800,000 from the Land and Water Conservation Fund is needed in fiscal year 2011 to achieve this extraordinary conservation goal.

In closing, the Land and Water Conservation Fund is our Nation's premier Federal program to acquire and protect lands at national parks, forests, refuges, and public lands and at State parks, trails, and recreational facilities. These sites across the country provide the public with substantial social and economic benefits including promoting healthier lifestyles through recreation, protecting drinking water and watersheds, improving wildfire management, and assisting the adaptation of wildlife and fisheries to climate change. For all these reasons, the President has included meaningful increases to the program in his fiscal year 2011 budget, and I support the administration's commitment to fully funding the program in the near future. Recognizing the many demands this committee faces, I also want to thank the committee for its recent effort to restore much-needed funding to this depleted program. This wise investment in the Land and Water Conservation Fund is one that will permanently pay dividends to the American people and to our great natural and historical heritage.

I want to thank the Chairman and the members of the subcommittee for this opportunity to testify on behalf of this nationally important protection effort in Michigan, and I appreciate your consideration of this funding request.

PREPARED STATEMENT OF THE UNITED TRIBES TECHNICAL COLLEGE

For 41 years, United Tribes Technical College (UTTC) has provided postsecondary career and technical education, job training, and family services to some of the most impoverished Indian students from throughout the Nation. Unemployment among the Great Plains tribes, where 75 percent of our students are from, typically run at about 75 percent. Nearly half who are employed are living under the poverty line (2005 BIA Labor Force Report). We are governed by the five tribes located wholly or in part in North Dakota; we are not part of the North Dakota State college system and do not have a tax base or State-appropriated funds on which to rely. We have consistently had excellent retention and placement rates and are a fully accredited institution. Bureau of Indian Education (BIE) funds represent about half of our operating budget and provide for our core instructional programs. These funds are authorized under title V of the Tribally Controlled Colleges and Universities Act.

The requests of the UTTC Board for the fiscal year 2011 BIE/BIA budget are:

—$6.4 million in BIE funding for UTTC for our Indian Self-Determination Act contract, which is $2 million more than the fiscal year 2010 enacted level. This is our base funding.

—$4.375 million toward phase I of a planned Northern Plains Indian Police Academy located at UTTC.

—$3 million for phase II of our Science and Technology Building.

—$3 million for student housing on our south campus to accommodate an increasing student population and also for anticipated needs related to a law enforcement academy.

—$23 million increase over the budget request for Administrative Cost Grants for BIE-funded elementary and secondary schools for a total of $69 million; this is not funding for our college, but rather for tribally operated elementary and secondary schools.

Base Funding.—UTTC administers its BIE funding under an Indian Self-Determination Act agreement, and has done so 33 years. Funds requested above the fiscal

year 2010 level are needed to: (1) maintain 100-year-old education buildings and 50-year-old housing stock for students; (2) upgrade technology capabilities; (3) provide adequate salaries for faculty and staff (who have not received a cost of living increase this year and who are in the bottom quartile of salary for comparable positions elsewhere); and (4) fund program and curriculum improvements, including at least three 4-year degree programs.

Acquisition of additional base funding is critical as UTTC has more than tripled its number of students within the past 6 years, but actual base funding for educational services, including Carl Perkins Act funds has increased only 25 percent in that period (from approximately $6 million to $8 million). Our BIE funding provides a base level of support allowing the college to compete for discretionary contracts and grants leading to additional resources annually for the college's programs and support services.

Indian Police Academy.—We have been working toward the establishment of a police training academy on our campus. We have done this with the encouragement of our congressional delegation and tribes, especially those in the Northern Plains. To that end we signed a Memorandum of Understanding in 2008 with the BIA and the American Indian Higher Education Consortium to provide supplemental in-service training to BIA and tribal police officers as maybe agreed upon by the BIA. In fiscal year 2010, $250,000 was appropriated to the BIA and designated as special initiative of the Indian Police Academy in New Mexico to work with UTTC on law enforcement training matters. That is a good first step but we need to move to establishment of a full-fledged police training academy for BIA and tribal police in the Northern Plains. The only Indian police academy now is in Artesia, New Mexico which, while doing excellent work, can train only 3 classes of 50 persons annually. There is an attrition rate of 47 percent, thus graduating on average 80 officers each year. Of those graduates, one-half will leave law enforcement as a career or move to an agency outside of Indian Country. The BIA estimates that tribal police officers are staffed at only 58 percent of need.

Our specific request for $4.375 million is for phase I of the police academy facility, which will include the basic building for instruction of 35,000 sq. ft., enough to train up to 165 law enforcement officers per year. We have entered into discussions with Federal, local, and State officials to ensure the facility and the training we offer will meet all requisite standards, and to coordinate what part of the facility should be placed at UTTC and which parts may be placed elsewhere, in order to share the cost.

UTTC testified before the Senate Committee on Indian Affairs on March 18, 2010, regarding law enforcement training, recruitment, and retention needs in Indian country. We will make available to you our testimony from that hearing.

Math and Technology Building.—UTTC provides education for more than 1,000 students in 100-year-old former military buildings (Fort Abraham Lincoln), along with one 33-year old "skills center" which is inadequate for modern technology and science instruction. We have completed phase I of the building and now look to complete phase 2. We have raised $5 million, including $1 million in private funding, $3 million from the Department of Education and $1 million in borrowed funds, and anticipate an additional $1 million from the Department of Education title III funds. The total project cost is expected to be around $12 million. Our current facility lacks laboratories with proper ventilation and other technologies which are standard in science education. We lack a modern auditorium/lecture hall with features such as computer Internet access and electrical outlets and a library with appropriate computer stations. Our present library has been cited by the accrediting agency as being inadequate.

Student Housing.—We are constantly in need of more student housing, including family housing. We want to educate more students but lack of housing has at times limited the admission of new students. With the expected completion of a new science and math building on our South Campus on land acquired with a private grant, we urgently need housing for up to 150 students, many of whom have families. New housing on the south campus could also accommodate those persons being trained in our Northern Plains Police Academy.

While UTTC has constructed three housing facilities using a variety of sources in the past 20 years, approximately 50 percent of students are housed in the 100-year-old buildings of the old Fort Abraham Lincoln, as well as in duplexes and single family dwellings that were donated to UTTC by the Federal Government along with the land and Fort buildings in 1973. These buildings require major rehabilitation. New buildings for housing are actually cheaper than trying to rehabilitate the old buildings that now house students.

Administrative Costs Grants for Elementary/Secondary Schools.—As noted above, we recommend a $23 million increase over the administration's request for ACGs

for BIE-funded, tribally operated elementary and secondary schools. We have such a school on our campus—the Theodore Jamerson Elementary School. While Congress has, thankfully, recently increased funding for BIA and IHS Contract Support Costs for tribal governments, it has not done so for the tribally controlled BIE-funded elementary and secondary schools. The equivalent to CSC for these schools is ACGs.

Below are some important things we would like you to know about our UTTC:

UTTC Performance Indicators.—UTTC has:

—An annual 80–90 percent retention rate.

—A placement rate of 94 percent (job placement and going on to 4-year institutions).

—A projected return on Federal investment of 20-to-1 (2005 study comparing the projected earnings generated more than 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. We are also 1 of only 2 tribal colleges accredited to offer accredited on-line (Internet based) associate degrees.

—More than 20 percent of graduates go on to 4-year or advanced degree institutions.

Our Students.—Our students are from Indian reservations from throughout the Nation, with a significant portion of them being from the Great Plains area. Our students have had to make a real effort to attend college; they come from impoverished backgrounds or broken families. They may be overcoming extremely difficult personal circumstances as single parents. They often lack the resources, both culturally and financially, to go to other mainstream institutions. Through a variety of sources, including funds from the BIE, UTTC provides a set of family and culturally based campus services, including: an elementary school for the children of students, housing, day care, a health clinic, a wellness center, several on-campus job programs, student government, counseling, services relating to drug and alcohol abuse and job placement programs. We are currently serving 168 students in our elementary school and 169 youngsters in our child development centers.

UTTC course offerings and partnerships with other educational institutions. We offer accredited vocational/technical programs that lead to 17 2-year degrees (Associate of Applied Science and 11 1-year certificates, as well as a 4-year degree in elementary education in cooperation with Sinte Gleska University in South Dakota. We intend to expand our 4-year degree programs. While full information may be found on our Web site (www.uttc.edu), among our course offerings are:

Licensed Practical Nursing.—This program results in great demand for our graduates; students are able to transfer their UTTC credits to the North Dakota higher educational system to pursue a 4-year nursing degree.

Medical Transcription and Coding Certificate Program.—This program provides training in transcribing medical records into properly coded digital documents. It is offered through the UTTC's Exact Med Training program and is supported by Department of Labor funds.

Tribal Environmental Science.—This program is supported by a National Science Foundation Tribal College and Universities Program grant. This 5-year project allows students to obtain a 2-year AAS degree in Tribal Environmental Science.

Community Health/Injury Prevention/Public Health.—Through our Community Health/Injury Prevention Program we are addressing the injury death rate among Indians, which is 2.8 times that of the U.S. population. This program has in the past been supported by the IHS, and is the only degree-granting Injury Prevention program in the nation. Given the overwhelming health needs of Native Americans, we continue to seek resources for training of public health professionals.

Online Education.—Our online education courses provide increased opportunities for education by providing Web-based courses to American Indians at remote sites as well as to students on our campus. These courses provide needed scheduling flexibility, especially for students with young children. They allow students to access quality, tribally focused education without leaving home or present employment. We offer online fully accredited degree programs in the areas of Early Childhood Education, Community Health/Injury Prevention, Health Information Technology, Nutrition and Food Service and Elementary Education.

Criminal Justice.—Our criminal justice program leads many students to a career in law enforcement, and as noted elsewhere in this testimony, we are working toward establishment of a police training academy at UTTC.

Computer Information Technology.—This program is at maximum student capacity because of limitations on resources for computer instruction. In order to keep up with student demand and the latest technology, we need more classrooms, equipment and instructors. We provide all of the Microsoft Systems certifications that translate into higher income earning potential for graduates.

Nutrition and Food Services.—We help meet the challenge of fighting diabetes and other health problems in Indian country through education and research. As a 1994 Tribal Land Grant institution, we offer a Nutrition and Food Services AAS degree in order to increase the number of Indians with expertise in nutrition and dietetics. There are few Indian professionals in the country with training in these areas. We have also established a Diabetes Education Center that assists local tribal communities, our students and staff to decrease the prevalence of diabetes by providing food guides, educational programs, training and materials.

Our BIE and Perkins funds provide for nearly all of our core postsecondary educational programs. Very little of the other funds we receive may be used for core career and technical educational programs; they are competitive, often one-time supplemental funds which help us provide the services our students need to be successful. We cannot continue operating without BIE funds. Thank you for your consideration of our requests.

PREPARED STATEMENT OF WELLINGTON, FLORIDA

Madam Chairman and members of the subcommittee: On behalf of The Village of Wellington, Florida, I am pleased to submit this statement for the record in support of our fiscal year 2011 request of $1.5 million for Wellington's Water and Wastewater Utilities Systems Expansion and Improvement Project. This vital project is a major component of the Village's overall environmental infrastructure program that also includes a Best Management Practices (BMPs) and Mitigation Program.

PROJECT EXECUTIVE SUMMARY

Since its incorporation, Wellington has been a leader in environmental initiatives. Following in the footsteps of its landmark approach for compliance with the 1994 Everglades Forever Act (EFA), which established water quality goals for the restoration and preservation of the Everglades Protection Area, Wellington forged a partnership with Federal, State, and regional agencies in its effort to restore and preserve the environment while providing responsive, high-quality services to its residents. To that end, we are seeking funding to supplement our current funding commitments for construction and improvements of 4.75 MGD, $23 million wastewater treatment plant providing treatment capacity to support our economic development efforts, 100 percent reuse minimizing water resource impacts/energy use and 100 percent environmentally friendly Class AA bio-solids as well as construction of 3.6 MGD, $9 million water treatment plant providing treatment capacity to support job growth, ultra-efficient treatment processes to minimize energy use and ensure compliance with water quality standards.

Specifically, Wellington is seeking $1.5 million in Federal funding to help support its flagship project to improve and repair the aging water and wastewater systems to meet Federal regulatory requirements and public safety levels of service. Two hundred twenty-five new jobs will be created as a result. The four key projects undertaken by the Village of Wellington, almost totally at local taxpayers' expense, is $35.8 million. They include:

—*Wastewater Treatment Plant Expansion Project*.—This is a $22 million project to install new technology for treatment of waste effluent for wastewater utility operations. Additional treatment and reuse capacity and provisions for future bio-solids processing are required to meet increases in population and regulatory requirements.

—*Water Treatment Plant*.—This is a $9.6 million project to replace out-of-date and inefficient water systems and expand the reverse osmosis system to provide more effective systems. Currently this project has been deferred due to lack of funding. This is a critical component in our overall responsible environmental stewardship as it provides us the ability to utilize the Floridian Aquifer as a water supply source in lieu of the surficial aquifer system currently utilized.

—*Reuse Transmission Lines*.—This is a $2.8 million project to install reuse transmission and distribution piping throughout major corridors of Wellington.

—*Storage and Re-pump Renewal and Replacement*.—This is a $1.4 million project to repair, replace, and renew existing storage and re-pump facilities throughout

Wellington. Repairs are needed to provide a reliable source of potable water service and fire protection service.

Prior to embarking on our ambitious infrastructure project, we have invested $20 million public funds in conjunction with the Acme Basin B Discharge project as part of 1 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 and more than 60,000 residents. 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.

Wellington, Florida has 60,000 residents and is a unique mixture of urban, rural, equine, and agricultural land uses each having varying impacts on our storm water quality. Through regulations controlling animal waste, fertilizer use and application and specialized development standards, Wellington has demonstrated its commitment to protecting and improving our water resources.

Since 1999, Wellington has played a leadership role in the development and implementation of storm water quality improvements. To date, Wellington has invested more than $20 million and has partnered with regional, State and Federal agencies toward the mutual goal of improving water quality in south Florida and, ultimately, in the Everglades. Some of the projects include a complete re-plumbing of its storm water canal system which eliminated discharges to portions of the Everglades. In addition, a 320-acre preserve was designed and constructed to store and treat stormwater runoffs prior to leaving Wellington. Wellington is also the first community in south Florida to adopt and enforce comprehensive Best Managements Practices (BMPs) to reduce nutrient concentrations. By 2006, Wellington met the south Florida mandate of phosphorus discharge of 50 ppb into the Everglades.

While Wellington has labored for more than a decade developing and implementing its comprehensive stormwater projects and programs, others have stood by and watched with great interest. As we now look to the new rules being promulgated by the Environmental Protection Agency (EPA) designed to create "numeric water quality standards" applicable throughout Florida, Wellington has proactively and independently proposed new BMP regulations and operational protocols designed to further reduce nutrients in our storm water systems.

For Wellington to maintain its leadership role, we are also undertaking a $2.2 million program to refine further our Best Management Program and continue Wellington's commitment to environmental protection, including preservation of our water resources.

The Best Management Practices and Mitigation Program is a $2.2 million project that will develop new Best Management Practices (BMP Phase II) designed to further enhance flood attenuation, improve water quality and provide additional storage of surface water. The project's goal is to further reduce nutrient concentrations and other pollutants that potentially may enter the regional storm water systems. This goal is consistent with and complimentary to, other State and Federal efforts to improve water quality in south Florida and the Florida Everglades.

Wellington's efforts have been recognized as innovative and effective. Our experience can serve as a benchmark for others.

FUNDING NEEDS

For fiscal year 2011, Wellington, Florida is seeking $1.5 million from the EPA through the Appropriations Subcommittee on the Interior, Environment, and Related Agencies for its Water and Wastewater Utilities System Expansion and Improvement Project.

On behalf of the Village Council and the citizens of Wellington, Florida, thank you for your consideration of our request.

LETTER FROM BY THE WESTERN INTERSTATE ENERGY BOARD

MARCH 17, 2010.

Hon. DIANNE FEINSTEIN,
Chairman, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

Hon. LAMAR ALEXANDER,
Ranking Member, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

DEAR CHAIRMAN FEINSTEIN AND SENATOR ALEXANDER: On behalf of the coal mine reclamation agencies in the States of Colorado, Montana, New Mexico, Utah, and Wyoming, we are writing to convey our concerns with the administration's proposed 15 percent ($11 million) reduction in State regulatory grants in fiscal year 2011 authorized under the Surface Mining Control and Reclamation Act (issued by the Office of Surface Mining Reclamation and Enforcement). More than one-half of the Nation's coal is mined in our States.

In fiscal year 2010, Congress approved an additional $5.8 million increase for State title V grants over the fiscal year 2009 enacted level, for a total of $71.3 million. Congressional action helped avert serious problems in the funding of Western State regulatory programs as outlined in a report we prepared in November 2006, "An Impending Crisis for Coal Supplies" (http://www.westgov.org/wieb/reclamation/2006/12-01-06finalrpt.pdf). Congressional action was essential to restoring the Federal share of State regulatory programs and reversing a 12-year period during which OSM costs were adjusted for inflation but State regulatory grants were not.

The administration's proposed fiscal year 2011 budget threatens to undo the progress made by Congress. The administration's proposal to cut State regulatory grants—a proposal that is based on the unsupported assumption that State permit fees can be quickly raised to fill the budget hole—is completely unrealistic. The most likely outcome of the administration's proposal is serious erosion of State program capabilities as positions go unfilled, personnel are laid off, and needed equipment purchases are deferred. As State program capabilities erode, so do our abilities to orderly review and enforce coal mine permits and to protect the public from any potential health and environmental impacts of coal mining.

We appreciate the support Congress has provided State regulatory programs through title V grants and the funding of critical OSM training and technical assistance programs. We urge you to block the administration's proposals that would undercut effective regulatory of coal mining by the States and maintain the constructive course Congress has been on in the last several years.

Sincerely,

DOUGLAS C. LARSON,
Executive Director.

LETTER FROM THE WYOMING STATE ENGINEER'S OFFICE

MARCH 15, 2010.

Hon. DIANNE FEINSTEIN,
Chairman, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

Hon. LAMAR ALEXANDER,
Ranking Member, Subcommittee on the Interior, Environment, and Related Agencies, Washington, DC.

Re: Support for Funding of $5,900,000 in fiscal year 2011 within the Bureau of Land Management's (BLM) 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 ALEXANDER: This letter is sent in support of fiscal year 2011 funding for the 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 to engage in land management activities that will accomplish salt loading reduction in the Colorado River Basin.

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 nonpoint 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 describing the Program's components, including specific salinity control projects to remove salt from the River system. Pursuant to the Clean Water Act, the water quality standards for salinity are reviewed at least once each three years. At those intervals, the plan of implementation is jointly 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 basin-wide Water Quality Standards for Salinity's 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 continued success of the Colorado River Basin Salinity Control Program. The BLM's fiscal year 2010 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 of 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 2011 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 2011 Budget Justification document. At its recent October 2009 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 2011 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 2011.

As one of the five principal Soil, Water and Air Program priorities identified by the BLM, projects directly accomplishing Colorado River salinity loading reductions should be funded. In the past, the BLM has used Soil, Water and Air Program funding for specific salinity control project proposals submitted to BLM's salinity control coordinator by BLM staff in the seven Colorado River Basin States. Through this competitive proposal consideration process, 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). The Colorado River Basin Salinity Control Forum's testimony to this subcommittee requests designation of $1,500,000 for this purpose. As Wyoming's Forum members, we 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.

Respectfully submitted,

PATRICK T. TYRRELL,
Wyoming State Engineer, Member, Colorado River Basin Salinity Control Forum.

DAN S. BUDD,
Commissioner, Interstate Stream Member, Colorado River Basin Salinity Control Forum.