

## EARTHJUSTICE BREAKDOWN OF CR BILL AND AMENDMENTS

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### **House Spending Plan and Amendments Rife with Environmental Attacks** *A series of provisions and riders would undo air, water, and wildlife protections*

**WASHINGTON, D.C.** – The U.S. House of Representatives is currently considering spending legislation that would slash not only billions of dollars from funding public health protections like clean water and clean air, but also allow polluters to undo or block programs containing key environmental protections. Earthjustice is calling on Congress to craft a Continuing Resolution that protects our environment and natural resources and is not full of anti-environmental measures designed to cater to polluters and other special interests.

Here are several provisions that are in the current spending plan, as well as several amendments that have been filed to offer to this draconian spending bill, with listed experts available for additional information:

*This is a list of many of the most harmful amendments filed as of mid-day on Tuesday, February 15, 2011. Amendments to this spending bill continue to be filed.*

### **DAMAGING RIDERS IN THE SPENDING BILL AS INTRODUCED:**

#### **Attacks on Endangered Species: On Salmon and Salmon-Related Jobs, SEC. 1475, and Wolves, SEC. 1713**

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- The House bill mandates that water used to rebuild salmon runs be redirected to industrial agriculture ventures instead. Thousands of jobs and hundreds of millions of dollars in economic activity related to the salmon industry are threatened by this proposal.
- For the first time in history, Congress is attempting to remove a species (wolves) from the Endangered Species Act based on political, rather than biological, judgments. The House spending plan calls for removal of federal protections from wolves in the Northern Rockies in contradiction to a court's finding that protections are still warranted under the law.

#### **Handout to Global Warming Polluters, SEC. 1746**

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- The House spending plan deprives EPA of funds to enforce laws currently on the books to limit greenhouse gas pollution from the nation's biggest polluters. The bill also would issue a stop-work order on common-sense rules to limit dangerous carbon dioxide pollution from the nation's biggest polluters.
- Volumes of current science show us that carbon dioxide pollution contributes to heat waves, which are not only deadly in themselves, but exacerbate smog pollution, causing asthma, lung disease, and early mortalities.

### **Aid to Water Polluters, SEC. 1747**

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- House spending plan would provide relief to major water polluters by seeking to stop the EPA from fully implementing the Clean Water Act. This jeopardizes the drinking water for 117 million Americans and may leave millions of acres of wetlands and thousands of miles of streams and rivers without Clean Water Act protections from pollution.

### **Attack on America's Public Lands, SEC. 1778**

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- The spending bill aims to strip the Bureau of Land Management (BLM) of its ability to identify and protect special wild public lands that are undeveloped. BLM's authority to protect these lands in their undeveloped state makes possible future Congressional wilderness designation, which confers permanent protection on these lands.

### **DAMAGING AMENDMENTS:**

#### **Air:**

#### **Death by Air Toxics Rider, Amendment #201**

*Filed by Rep. Labrador (R-ID)*

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- This amendment by Rep. Labrador (R-ID) seeks to block implementation of a federal rule reducing mercury and other toxic pollution from industrial boilers, which are on-site power plants at major industrial facilities. These protections could save the lives of up to 5,000 Americans every year and yield up to \$41 billion dollars in health benefits annually – so in proposing this amendment, Rep. Labrador is jeopardizing thousands of lives. Boilers are the second-largest source of mercury pollution in the country.

## **Pro-Carbon Dioxide Pollution Rider, Amendment #198**

***Filed by Rep. Carter (R-TX)***

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- Similar to the bill itself, this rider by Rep. Carter (R-TX) seeks to stop EPA from enforcing common-sense protections against carbon dioxide pollution and other greenhouse gases from big polluters.

## **Cement Blockhead Rider, Amendment #165**

***Filed by Rep. Carter (R-TX)***

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- This amendment seeks to block EPA health protections that would control mercury and other toxic pollutants emitted by cement plants, some of the worst industrial polluters of any kind. By controlling cement plants' toxic pollution, the EPA's rule will prevent up to 2,500 premature deaths, 1,000 heart attacks, 1,500 emergency room visits, and over 100,000 missed work days every year. These health protections are easily affordable by the cement industry and would yield at least \$7 in health benefits for every \$1 that they cost. By blocking these protections, Rep. Carter's amendment would cause up to 2,500 Americans to die unnecessarily every year.

## **Water:**

### **Riders for Blowing Up More Appalachian Mountains and Burying More Waters, Amendments #109, #216, #219, #220**

***Filed by Rep. Griffith (R-VA), Rep. McKinley (R-WV), and Rep. Johnson (R-OH)***

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- Four separate amendments filed by Reps. Griffith (R-VA), Johnson (R-OH) (filing two), and McKinley (R-WV) seek to stop federal agencies from protecting the American public from the environmental destruction and pollution of mountaintop removal mining. Communities across Appalachia are facing severe environmental and health harms as a result of this devastating coal mining practice.
- One of these amendments (by Rep. McKinley) aims to take away the EPA's authority to stop permits which allow unacceptable impacts on waters of the United States, including from coal mining practices.
- One of these amendments would block the three agencies involved in the permitting mountaintop removal mining projects — the Environmental Protection Agency (EPA), the Department of Interior, and the Army Corps of Engineers — from fixing recognized problems in their permitting process for these mines. The three agencies developed a joint

process in 2009, acknowledging that they were suffering from a severe lack of coordination, and that lack of coordination was contributing to possibly unlawful permitting of mountaintop removal mining projects, to improve coordination and communication between their agencies.

- This rider would also block the EPA from using today's science in their review of these destructive mining operations, as outlined by the EPA's 2010 guidance to field staff, which emphasizes the role of science in reviewing mountaintop removal mining permit applications and ensures that all Clean Water Act requirements are met before permits are issued.

### **Green Slime Rider: Aid to Major Water Polluters in Florida, Amendment #13**

*Offered by Rep. Rooney (R-FL)*

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- This amendment attempts to block new EPA water quality rules in Florida. Many of Florida's blue waters have been polluted with fertilizer, sewage and manure causing toxic algae outbreaks and turning streams, lakes, canals and coastal waters into green slime that kills fish and threatens public health. In 2008 over 1,000 miles of Florida's rivers and streams, 350,000 acres of lakes and 900 square miles of its estuaries were contaminated by sewage, fertilizer and manure pollution. In 2010 the EPA set the first-ever legal limits in Florida for nutrients like phosphorous and nitrogen to prevent water poisoning. Now the House Republicans are leading efforts to turn the clock back for water polluters and let them to pollute as they used to.

### **Waste:**

#### **Aid to Coal Ash Dumpers, Amendments #10 and #217**

*Filed by Rep. Stearns (R-FL) and Rep. McKinley (R-WV)*

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- The waste from coal-fired power plants, coal ash, contains highly toxic pollutants including arsenic, hexavalent chromium, lead, and mercury, which cause cancer and other serious health effects. This toxic waste is being dumped – unregulated – all across our country; coal ash is the second largest industrial waste stream in the nation. Recognizing the overwhelming science that shows that coal ash is poisoning our drinking water and the air we breathe, polluting our rivers, streams and lakes, and destroying fish and wildlife, the EPA proposed a plan to regulate this waste last spring. Two riders by Rep. Stearns (R-FL) and Rep. McKinley (R-WV) would forbid the EPA from going forward with these important protections for the American public. The amendments would require EPA to maintain the status quo of state-only regulation, resulting in the certain continued poisoning of communities near coal ash dumps.

## **Offshore Drilling:**

### **Aid for Arctic Oil Barons, Amendment #127**

***Filed by Rep. Don Young (R-AK)***

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- This rider by Rep. Young (R-AK) seeks to exempt oil corporations drilling in the Arctic from air pollution controls required by the Clean Air Act that are designed to protect public health and the environment. It attempts to give big oil corporations a free pass for their air pollution in the Arctic Ocean.

### **Anti-Safety, Anti-Science Offshore Drilling Rider, Amendment #251**

***Filed by Rep. Scalise (R-LA)***

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- This amendment by Rep. Scalise (R-LA) seeks to tie the Department of Interior's hands by forcing the agency to approve offshore oil and gas exploration and development activities on the outer-continental shelf without delay, without regard for safety or environmental concerns.

## **Anti-Climate Science:**

### **Stop Studying Science Rider, Amendment #348**

***Filed by Rep. Pearce (R-NM)***

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- This amendment aims to undermine a number of ongoing efforts at the Department of Interior to gather the right science in the right places and inform effective and efficient management decisions to address a variety of environmental concerns, including flooding coastal habitats and drying watersheds, all of which are magnified by a changing climate.
- This rider by Rep. Pearce would prevent the Department of Interior from better protecting our environment from the impacts of climate change, leaving millions of Americans who live in coastal communities and who rely on natural water systems for their drinking water vulnerable, as well as jeopardizing important wildlife habitats.

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