

**To:** Scott Hommel[scott\_hommel@ios.doi.gov]; Daniel Jorjani[daniel\_jorjani@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]; Heather Swift[heather\_swift@ios.doi.gov]  
**From:** Domenech, Douglas  
**Sent:** 2017-02-23T13:13:16-05:00  
**Importance:** Normal  
**Subject:** Cabinet Affairs Report 2/23/17  
**Received:** 2017-02-23T13:17:42-05:00  
[DOI Weekly Report to the Secretary 2-23-17.docx](#)

Copied below and attached.

DOI UPDATE FOR CABINET AFFAIRS – 2/23/17

Doug Domenech

### **Status of the Nominee**

NO CHANGE: Rep. Zinke waiting confirmation. Cloture will be voted on around 7 PM Monday 2/27. Thirty hours from that puts us at Wednesday 3/1 AM likely vote, meaning Wednesday PM swearing in and Thursday 3/2 day one in the office. Please let us know what, if any, actions we need to organize for his swearing in.

The Secretary is proposing to travel to Utah on Friday-Saturday to meet with the Governor and Utah legislators to discuss the Bears Ears National Monument. I have notified Bill McGinley to clear the trip.

### **Energy/Interior Related Executive Orders**

Energy Executive Order – We are requesting that the WH share the proposed EO with DOI.

CRA's NO CHANGE: Passed the House

- ☐ BLM Venting and Flaring Methane Rule
- ☐ BLM Planning 2.0 Rule
- ☐ FWS H.J.Res.69 - Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska".

### **Announcements**

As I reported last week, the Bureau of Ocean Energy Management (BOEM) tomorrow will announce it plans to offer approximately 1.09 million acres in Cook Inlet off Alaska's southcentral coast in a proposed lease sale this year. Cook Inlet Oil & Gas Lease Sale 244, scheduled to take place in June 2017, would offer 224 blocks toward the northern part of the Cook Inlet Planning Area for leasing. The blocks stretch roughly from Kalgin Island in the north to Augustine Island in the south.

### **Upcoming Meeting**

NO CHANGE: On Friday, February 24, the annual meeting of the Intergovernmental Group on Insular Areas will occur at the Interior Department. The meeting is always scheduled to coincide with the NGA meeting. Three island Governor are scheduled to attend (USVI, Guam, and American Samoa).

## **FYI in The News**

### **Authorities Close Down Dakota Access Protest Camp.**

ABC World News Tonight Video (2/22, story 2, 1:45, Muir) reported a “dramatic final showdown” as authorities moved to evacuate Dakota Access protesters camped out on Army Corps land, and one police officer indicated the area could soon face flooding.

### **Repeal Of Stream Protection Rule Criticized.**

A New York Times (2/23) editorial criticizes the President’s executive action last week “blessing the coal industry’s decades-old practice of freely dumping tons of debris into the streams and mountain hollows of America’s mining communities.” The Times says the signing ceremony “was not just an insult to the benighted coal hamlets of Appalachia...it also ignored two truths. One is that by official estimates the rules, while helping the environment, would in fact cost very few jobs,” and the “second and larger truth — is a shifting global market in which power plants have turned to cleaner natural gas. In cynically promising the resurgence of King Coal, Mr. Trump might as well have been signing a decree that the whaling industry was being restored to Nantucket.”

### **Pipeline Fight Moving To Louisiana.**

Reuters (2/22, Hampton) reports, in a story largely about one Louisiana landowner, how the fight over pipelines continues in Louisiana. Pipeline opponents include flood protection advocates, commercial fisherman and property owners. A Reuters analysis of data from the US PHMSA showed that, despite energy companies’ claims to the contrary, technology designed to detect spills accomplished that goal in only 20 percent of known leaks between 2010-2016. The analysis also showed that Energy Transfer Partners and its affiliates was among the companies with the most spills, with 260 leaks from lines since 2010. An ETP spokesperson said most of the leaks were small and on company property.

### **Maine Gov. LePage Asks Trump To Undo Katahdin Woods & Waters National Monument.**

The AP (2/22) reports that Maine Gov. Paul LePage has asked President Trump to undo the designation of the Katahdin Woods and Waters National Monument and “give back the land that was donated for it.” LePage asked Trump “to take the unprecedented step of returning land in the northern part of the state to private ownership in a Feb. 14 letter.” He said he hopes Trump will create jobs and “make the Maine woods great again.”

### **Lawsuit Pits Timber Companies Against Antiquities Act.**

The Medford (OR) Mail Tribune (2/23) editorializes that “a lawsuit by two timber companies seeking to block the expansion of the Cascade-Siskiyou National Monument may or may not succeed, but it might resolve one burning question regarding O&C timber lands and the federal act that governs their management.” According to the paper, “a key argument in the lawsuit is the alleged conflict between the Antiquities Act, under which the monument was created and expanded, and the O&C Act, which requires permanent timber production on designated lands.” The timber claim “the monument designation violates the O&C Act, and they point to an opinion by President Franklin Roosevelt’s Interior Department that O&C lands could not be withdrawn from timber production through the Antiquities Act.”

**Zinke Missing Votes In Congress.**

KWYB-TV Butte, MT (2/22, Scott) reports that in his first term, Rep. Ryan Zinke “missed 36 of a possible 1,200 votes.” But since January, after he was nominated to lead the Interior Department, Zinke “missed 80 of a possible 99 votes.” Political analyst Lee Banville said, “I certainly understand not wanting to do something that would be perceived as a conflict of interest of his future job from his current job. But he’s choosing not to vote right now. He’s choosing not to be the public face of Montana in the House of Representatives. The reason we don’t have a representative right now, it’s not that we don’t have one, he’s just choosing not to do the work.”

**DC Park Police officer involved shooting early this morning.** Officer initiated a traffic stop, apparently approached vehicle at which time the driver rammed towards the officer striking him and the USPP

Cruiser. Officer fired into the vehicle which then departed the scene. Officer at the hospital, non life threatening injuries. Search is on for suspect.

**White House Communications Report****DAILY COMMUNICATIONS REPORT****Inquiries**

POLITICO: Requested information from the Bureau of Indian Affairs, Bureau of Indian Education about how many teachers will be impacted by the hiring freeze Response – the bureau public affairs officer gave them data about number of positions. DOI comms gave them a brief statement that the Department is in the process of securing authorizations for educators.

E&E (Brittany Patterson) Request - how it may approach the early closure of the Navajo Generating Station. On the one hand the Bureau of Reclamation has a 24.3 percent stake in NGS. On the other, the plant and mine that supplies the coal for the plant is on the Navajo reservation and the plant closure is expected to kill more than 800 Navajo jobs. Some experts I’ve spoken to have said Interior then has a federal Indian trust obligation to help the tribe, whether that be through creating a transition plan and/or with financial assistance. Response – Collecting info, deadline Thursday by 4pm

E&E (Corbin Hiar) Request - We're planning to run a story tomorrow on the March 2016 report that I obtained from an Interior source highlight the fact that the interagency agreement delivered far less mitigation money (\$17.8 million) than originally promised (up to \$50 million). Does Interior have any comment on that funding difference and how mitigation may be funded for President Trump's border wall plans? Please get back to me by 11 a.m. tomorrow with any response. Response – tracking down information

**Top Stories**

E&E: COAL: Interior hails death of stream rule, says jobs were saved ...

Dakota Access Pipeline eviction orders executed today

Seattle Times: Preparing to leave, Standing Rock protesters ceremonially burn ...

CNN: Nine arrested at Dakota Access Pipeline protest site

**Top Issues and Accomplishments**

FYI – Eviction orders for protesters at DAPL who are occupying seasonal floodplains were executed today. Interior law enforcement officials assisted many peaceful protesters in moving to higher ground on the Standing Rock Reservation. A handful chose to get arrested. In a ceremonial act, protesters lit their teepees and structures on fire to close the protest camp. See coverage above.

Working with our policy shop to establish secretary's early priorities and messaging  
Writing Day 1 content for various web platforms and finalizing Secretary's events  
Continuing to outline Days 1-100 and 1-year plan for Secretary

**Federal Register Notices Cleared for Publishing (None Significant)**

BSEE - Information Collection Activities: Application for Permit to Drill (APD) 30 Day FR Notice To comply with the Paperwork Reduction Act (PRA), BSEE is notifying the public that it has submitted to the Office of Management and Budget (OMB) an information collection request to renew approval of the paperwork requirements in the regulations at 30 CFR part 250, Oil and Gas and Sulfur Operations in the Outer Continental Shelf. This notice also provides the public a second opportunity to comment on the revised paperwork burden of these regulatory requirements. Notice 02/22/2017.

BLM - Notice of Public Meeting, Rocky Mountain Resource Advisory Council, Colorado. The BLM announces that the Rocky Mountain Resource Advisory Council (RAC) will meet in Canon City, Colorado, on Mar. 9, 2017. The agenda features a review and discussion of the preliminary alternatives report for the Eastern Colorado Resource Management Plan (RMP), an ongoing planning effort. Notice 02/22/2017

Doug Domenech  
Senior Advisor  
US Department of the Interior

DOI UPDATE FOR CABINET AFFAIRS – 2/23/17

Doug Domenech

#### **Status of the Nominee**

NO CHANGE: Rep. Zinke waiting confirmation. Cloture will be voted on around 7 PM Monday 2/27. Thirty hours from that puts us at Wednesday 3/1 AM likely vote, meaning Wednesday PM swearing in and Thursday 3/2 day one in the office. Please let us know what, if any, actions we need to organize for his swearing in.

The Secretary is proposing to travel to Utah on Friday-Saturday to meet with the Governor and Utah legislators to discuss the Bears Ears National Monument. I have notified Bill McGinley to clear the trip.

#### **Energy/Interior Related Executive Orders**

Energy Executive Order – We are requesting that the WH share the proposed EO with DOI.

CRAs NO CHANGE: Passed the House

- BLM Venting and Flaring Methane Rule
- BLM Planning 2.0 Rule
- FWS H.J.Res.69 - Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska".

#### **Announcements**

As I reported last week, the Bureau of Ocean Energy Management (BOEM) tomorrow will announce it plans to offer approximately 1.09 million acres in Cook Inlet off Alaska's southcentral coast in a proposed lease sale this year. Cook Inlet Oil & Gas Lease Sale 244, scheduled to take place in June 2017, would offer 224 blocks toward the northern part of the Cook Inlet Planning Area for leasing. The blocks stretch roughly from Kalgin Island in the north to Augustine Island in the south.

#### **Upcoming Meeting**

NO CHANGE: On Friday, February 24, the annual meeting of the Intergovernmental Group on Insular Areas will occur at the Interior Department. The meeting is always scheduled to coincide with the NGA meeting. Three island Governor are scheduled to attend (USVI, Guam, and American Samoa).

#### **FYI in The News**

##### **Authorities Close Down Dakota Access Protest Camp.**

ABC World News Tonight Video (2/22, story 2, 1:45, Muir) reported a "dramatic final showdown" as authorities moved to evacuate Dakota Access protesters camped out on Army Corps land, and one police officer indicated the area could soon face flooding.

##### **Repeal Of Stream Protection Rule Criticized.**

A New York Times (2/23) editorial criticizes the President's executive action last week "blessing the coal industry's decades-old practice of freely dumping tons of debris into the streams and mountain hollows of America's mining communities." The Times says the signing ceremony "was not just an insult to the benighted coal hamlets of Appalachia...it also ignored two truths. One is that by official estimates the rules, while helping the environment, would in fact cost very few jobs," and the "second and larger truth

— is a shifting global market in which power plants have turned to cleaner natural gas. In cynically promising the resurgence of King Coal, Mr. Trump might as well have been signing a decree that the whaling industry was being restored to Nantucket.”

#### **Pipeline Fight Moving To Louisiana.**

Reuters (2/22, Hampton) reports, in a story largely about one Louisiana landowner, how the fight over pipelines continues in Louisiana. Pipeline opponents include flood protection advocates, commercial fisherman and property owners. A Reuters analysis of data from the US PHMSA showed that, despite energy companies’ claims to the contrary, technology designed to detect spills accomplished that goal in only 20 percent of known leaks between 2010-2016. The analysis also showed that Energy Transfer Partners and its affiliates was among the companies with the most spills, with 260 leaks from lines since 2010. An ETP spokesperson said most of the leaks were small and on company property.

#### **Maine Gov. LePage Asks Trump To Undo Katahdin Woods & Waters National Monument.**

The AP (2/22) reports that Maine Gov. Paul LePage has asked President Trump to undo the designation of the Katahdin Woods and Waters National Monument and “give back the land that was donated for it.” LePage asked Trump “to take the unprecedented step of returning land in the northern part of the state to private ownership in a Feb. 14 letter.” He said he hopes Trump will create jobs and “make the Maine woods great again.”

#### **Lawsuit Pits Timber Companies Against Antiquities Act.**

The Medford (OR) Mail Tribune (2/23) editorializes that “a lawsuit by two timber companies seeking to block the expansion of the Cascade-Siskiyou National Monument may or may not succeed, but it might resolve one burning question regarding O&C timber lands and the federal act that governs their management.” According to the paper, “a key argument in the lawsuit is the alleged conflict between the Antiquities Act, under which the monument was created and expanded, and the O&C Act, which requires permanent timber production on designated lands.” The timber claim “the monument designation violates the O&C Act, and they point to an opinion by President Franklin Roosevelt’s Interior Department that O&C lands could not be withdrawn from timber production through the Antiquities Act.”

#### **Zinke Missing Votes In Congress.**

KWYB-TV Butte, MT (2/22, Scott) reports that in his first term, Rep. Ryan Zinke “missed 36 of a possible 1,200 votes.” But since January, after he was nominated to lead the Interior Department, Zinke “missed 80 of a possible 99 votes.” Political analyst Lee Banville said, “I certainly understand not wanting to do something that would be perceived as a conflict of interest of his future job from his current job. But he’s choosing not to vote right now. He’s choosing not to be the public face of Montana in the House of Representatives. The reason we don’t have a representative right now, it’s not that we don’t have one, he’s just choosing not to do the work.”

**DC Park Police officer involved shooting early this morning.** Officer initiated a traffic stop, apparently approached vehicle at which time the driver rammed towards the officer striking him and the USPP Cruiser. Officer fired into the vehicle which then departed the scene. Officer at the hospital, non life threatening injuries. Search is on for suspect.

#### **White House Communications Report**

##### DAILY COMMUNICATIONS REPORT

##### **Inquiries**

POLITICO: Requested information from the Bureau of Indian Affairs, Bureau of Indian Education about how many teachers will be impacted by the hiring freeze Response – the bureau public affairs officer gave them data about number of positions. DOI comms gave them a brief statement that the Department is in the process of securing authorizations for educators.

E&E (Brittany Patterson) Request - how it may approach the early closure of the Navajo Generating Station. On the one hand the Bureau of Reclamation has a 24.3 percent stake in NGS. On the other, the plant and mine that supplies the coal for the plant is on the Navajo reservation and the plant closure is expected to kill more than 800 Navajo jobs. Some experts I've spoken to have said Interior then has a federal Indian trust obligation to help the tribe, whether that be through creating a transition plan and/or with financial assistance. Response – Collecting info, deadline Thursday by 4pm

E&E (Corbin Hiar) Request - We're planning to run a story tomorrow on the March 2016 report that I obtained from an Interior source highlight the fact that the interagency agreement delivered far less mitigation money (\$17.8 million) than originally promised (up to \$50 million). Does Interior have any comment on that funding difference and how mitigation may be funded for President Trump's border wall plans? Please get back to me by 11 a.m. tomorrow with any response. Response – tracking down information

#### **Top Stories**

E&E: COAL: Interior hails death of stream rule, says jobs were saved ...

Dakota Access Pipeline eviction orders executed today

Seattle Times: Preparing to leave, Standing Rock protesters ceremonially burn ...

CNN: Nine arrested at Dakota Access Pipeline protest site

#### **Top Issues and Accomplishments**

FYI – Eviction orders for protesters at DAPL who are occupying seasonal floodplains were executed today. Interior law enforcement officials assisted many peaceful protesters in moving to higher ground on the Standing Rock Reservation. A handful chose to get arrested. In a ceremonial act, protesters lit their teepees and structures on fire to close the protest camp. See coverage above.

Working with our policy shop to establish secretary's early priorities and messaging

Writing Day 1 content for various web platforms and finalizing Secretary's events

Continuing to outline Days 1-100 and 1-year plan for Secretary

#### **Federal Register Notices Cleared for Publishing (None Significant)**

BSEE - Information Collection Activities: Application for Permit to Drill (APD) 30 Day FR Notice To comply with the Paperwork Reduction Act (PRA), BSEE is notifying the public that it has submitted to the Office of Management and Budget (OMB) an information collection request to renew approval of the paperwork requirements in the regulations at 30 CFR part 250, Oil and Gas and Sulfur Operations in the Outer Continental Shelf. This notice also provides the public a second opportunity to comment on the revised paperwork burden of these regulatory requirements. Notice 02/22/2017.

BLM - Notice of Public Meeting, Rocky Mountain Resource Advisory Council, Colorado. The BLM announces that the Rocky Mountain Resource Advisory Council (RAC) will meet in Canon City, Colorado, on Mar. 9, 2017. The agenda features a review and discussion of the preliminary alternatives report for the Eastern Colorado Resource Management Plan (RMP), an ongoing planning effort. Notice 02/22/2017