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FYI

MEMORANDUM FOR THE WHITE HOUSE STAFF SECRETARY AND CABINET SECRETARY  
May 9, 2017

FROM: Scott Hommel, Chief of Staff, U.S. Department of the Interior

SUBJECT: Interior Department Weekly Update for the Week of May 9, 2017

**DOI 30-Day Policy Look Ahead**

**A. Presidential Decisions/Initiatives**

1. **CRA VOTE TOMORROW ON VENTING AND FLARING: Senate Voting Wednesday.** The Senate is expected to vote tomorrow on a Congressional Review Act bill repealing the Interior Department's "Waste Prevention, Production Subject to Royalties and Resource Conservation" rule (aka Venting and Flaring rule). This was one of the regulations burdening energy development referenced in the President's March 2017 Executive Order on Energy Independence. Senator Portman this week noted his intent to vote for repealing the rule following a letter from Secretary Zinke that outlined how the Department would strengthen policies should the Senate repeal the rule. If the Senate repeals it, the Department will issue a statement from Secretary Zinke.  
**Timing:** May 10, 2017 **Contact:** Scott Hommel, Chief of Staff
2. **INTERIOR TO RESUME PERMIT EVALUATION FOR ATLANTIC SEISMIC SURVEYS.** In accordance with Secretarial Order 3350, which implements President Trump's America-First Offshore Energy Strategy, DOI tomorrow will announce plans to resume evaluation of applications from six companies seeking permits to conduct geological and geophysical (G&G) seismic surveys in the Atlantic Ocean. The action reverses a decision of the previous administration to deny the permit applications and denies access for identification and evaluation of American resources offshore, while ensuring mitigation measures and safeguards to reduce or eliminate impacts to marine life.  
**Timing:** May 10, 2017 **Contact:** Laura Rigas, Communications Director
3. **BLM TO ISSUE RECORD OF DECISION TO TRANSCANADA FOR KXL PIPELINE.** BLM will issue a Record of Decision allowing TransCanada right-of-way permission to construct the Keystone XL pipeline across federally-managed public land in Eastern Montana. Of the 285 miles of the KXL pipeline in Montana, the pipeline route crosses 1.5 miles of land managed by the U.S. Army Corps of Engineers near Fort Peck, and about 46 miles on scattered parcels of public land administered by the BLM's Glasgow, Malta and Miles City Field Offices. The Department of State conducted an environmental analysis of the Keystone XL Project and after extensive review, the BLM has determined that all practicable means have been considered to avoid, minimize, and, if required, compensate for unavoidable impacts of the approved project route.  
**Timing:** May/June 2017 **Contact:** Kate MacGregor, Acting Assistant Secretary, Land and Minerals

4. **DOI ANNOUNCES REQUEST FOR INFORMATION FOR NEW FIVE YEAR OFFSHORE ENERGY PROGRAM.** In response to President Trump's Executive Order on Offshore Energy, Secretary Zinke will announce a request for information for a new five year offshore program that considers opening new areas of the Outer Continental Shelf for offshore exploration. Since the Administration took office, Bureau of Labor Statistics reporting shows that the number of workers in oil and gas extraction has steadily risen as Administration policies and rebounding of energy prices has driven employment higher.  
**Timing:** May 31, 2017    **Contact:** Kate MacGregor, Acting Assistant Secretary, Land and Minerals
5. **DOI TO MAKE \$464 MILLION IN PILT PAYMENTS TO 49 STATES.** In June, the Department will make \$464 million to over 1,900 local counties and units of government. Payment-in-lieu-of-taxes are used to help offset lost property taxes due to non-taxable federal lands within their jurisdiction (all 50 states except Rhode Island receive payments). PILT payments may be used for any government purposes, such as firefighting and police protection, public schools and roads and search and rescue operations.  
**Timing:** June 2017    **Contact:** Scott Hommel, Chief of Staff
6. **DEPARTMENT TO SIGN RECORD OF DECISION ON CALIFORNIA WATER FIX PROJECT.** The Bureau of Reclamation, U.S. Fish and Wildlife Service, and the Department of Commerce's National Marine Fisheries Service are working with the State of California to reach federal environmental compliance on the \$16 billion California WaterFix construction project to construct tunnels to divert water from the Sacramento River to provide reliable water supplies to California residents, businesses and farmers. The federal and state environmental reviews are expected to be successfully completed in the next month or so, at which point the Secretary of the Interior will be asked to sign off on the associated federal Record of Decision. The cost of providing water to refuges is paid for by all Central Valley Project (CVP) customers and the State believes that no federal cost-sharing or funding will be necessary for the project to proceed.  
**Timing:** June 2017    **Contact:** Scott Cameron, DAS, Water and Science
7. **HALLMARK CHANNEL FOURTH OF JULY SPECIAL.** The Hallmark Channel in conjunction with the National Park Foundation would like to produce a one-hour TV program that will air in primetime on July 4<sup>th</sup> to showcase federal lands across the nation - including parks - that has an independence and freedom theme. Through the National Park Foundation, the Hallmark Channel is hoping that the President and/or Vice President would consider a pre-taped interview for the show - their participation would ensure the Hallmark Channel proceeds with the program. Timing is sensitive given logistics and Cabinet Communications has been alerted of this request.  
**Timing:** May/June 2017    **Contact:** Laura Rigas, Communications Director

#### **B. Reports to Congress**

1. **QUESTIONNAIRE SUBMITTED TO SENATE ENERGY COMMITTEE ON INTERIOR DEPUTY SECRETARY NOMINEE.** Yesterday, David Bernhardt - the President's nominee for Deputy Secretary of the Interior - sent his ethics agreement and

financial disclosure packet to the Senate Energy committee. He has meetings this week with Senate Energy Committee Members (Murkowski, Gardner, Lee, Daines, Flake, Cassidy) and Sen. Murkowski signaled her interest in scheduling a hearing in the next two weeks on his nomination.

**Timing:** May 8, 2017 **Contact:** Megan Bloomgren, Acting Deputy Chief of Staff

2. **SECRETARY ZINKE TO TESTIFY ON DEPARTMENT'S BUDGET REQUEST.**

Secretary Zinke will testify before the House and Senate Appropriations Committee in June to defend the President's Budget request for the Department of the Interior.

**Timing:** June 8th (House), 21<sup>st</sup> (Senate) **Contact:** Micah Chambers, Congressional Affairs

3. **SENIOR DOI OFFICIAL TO TESTIFY ON WATER BILLS.** Scott Cameron, DAS for Water and Science, will testify before the Senate Energy and Natural Resources on a series of water bills related to a reservoir and water infrastructure improvements in North and South Dakota, the Clean Water for Rural Communities Act, and the Water Supply Permitting Coordination Act.

**Timing:** May 10, 2017 **Contact:** Scott Cameron, DAS, Water & Science

4. **SENIOR DOI OFFICIAL TO TESTIFY ON INDIAN AFFAIRS.** Acting Assistant Secretary on Indian Affairs Mike Black will testify on the GAO High Risk Report on Indian Affairs.

**Timing:** May 17, 2017 **Contact:** James Cason, Acting Deputy Secretary

### **C. Departmental Reports**

2. **USGS TO RELEASE REPORT ON CRITICAL MINERALS:** USGS will release a new report on critical minerals for the United States that presents resource and geologic information for 23 mineral commodities currently viewed as important to our national economy and national security, many of which are sourced entirely outside of the United States. The report provides an in-depth look at each commodity's use, distribution of deposit types, and current status of production, resources, and reserves. The individual commodity chapters serve as an update to the 1973 commodity chapters of USGS Professional Paper 820, United States Mineral Resources.

**Timing:** May 2017 **Contact:** Scott Cameron, DAS, Water and Science

2. **DOI POSTPONES ADVISORY BOARD MEETINGS.** This week the Department announced a postponement of boards, committees, and advisory panels to review the more than 200 under the Department's purview and ensure they are structured to receive maximum public input and are compliant with the Federal Advisory Committee Act. The Department spends more than \$10 million to facilitate these boards and many were not meeting their charter obligations, hadn't met in a long time, had little turnover or had numerous unfilled positions. Meetings scheduled have been postponed until September 2017 following the Department's review.

**Timing:** May 8, 2017 **Contact:** Megan Bloomgren, Acting Deputy Chief of Staff

3. **BEARS EARS MONUMENT RECOMMENDATION TO PRESIDENT:** Secretary Zinke is in Utah this week to meet with tribal leaders, Congressional delegation and state and local officials to gather input on the monument designations and comply with the President's Executive Order. Secretary Zinke is on track to send the White House recommendations on the Bears Ears Monument early next month.  
**Timing:** May 7-9 (travel), Early June (Report to WH) **Contact:** Downey Magallanes, Senior Counselor
4. **REPORT TO OMB DIRECTOR ON DOI PLAN TO REDUCE ENERGY BURDENS WITHIN THE DEPARTMENT.** As outlined in the President's Executive Order 13783 "Promoting Energy Independence and Economic Growth," DOI will submit a plan to Director Mulvaney on the Department's approach to reduce burdens to responsible energy development.  
**Timing:** May 12, 2017 **Contact:** James Cason, Acting Deputy Secretary
5. **NATIONAL PARK SERVICE TO ISSUE REPORT ON ANNUAL DEFERRED INFRASTRUCTURE MAINTENANCE ESTIMATE RELEASED.** In mid-May, the NPS plans to announce the end of fiscal year (FY) 2016 deferred maintenance (DM) estimate. Based on output from the NPS' Facility Management Software System (FMSS), the NPS estimates that the deferred maintenance of the NPS is approximately \$11.3 billion. This estimate is the total (net) DM associated with all assets in the FMSS and is updated annually.  
**Timing:** May 22, 2017 **Contact:** Virginia Johnson, DAS, Fish, Wildlife, Parks
6. **NATIONAL PARK SERVICE TO RELEASE ASSESSMENT OF CHIMNEY TOPS FIRE.** In early June, the NPS will release a fire assessment of the Great Smoky Mountain Chimney Tops 2 Fire that took place on November 23, 2016. The report assesses the facts surrounding the fire and makes recommendations to reduce future incidents. NPS has received tort claims related to this incident and expects additional lawsuits in the near future.

#### **D. Significant Rulemakings**

1. **FINAL NOTICE OF SALE FOR COOK INLET OFFSHORE ENERGY LEASES IN ALASKA.** Later this month, the Department will announce its first sale in Alaska in years (since President Obama canceled the last two sales claiming lack of industry interest). This sale will be the last of the previous five year plan (2012-2017) and will be conducted online.  
**Timing:** May 18<sup>th</sup> (Notice of Sale), June 21<sup>st</sup> (Online Sale) **Contact:** Kate MacGregor, Acting Assistant Secretary, Land and Minerals
2. **FINAL DETERMINATION ON YELLOWSTONE GRIZZLY BEAR POPULATION.** In late May, FWS plans to send to the Federal Register a final determination on the agency's March 11, 2016, proposal to identify the Greater Yellowstone Ecosystem (GYE) grizzly bear population of Montana, Idaho and Wyoming as a distinct population segment (DPS) and revise the List of Endangered and Threatened Wildlife by removing grizzly bears within the GYE DPS due to recovery.  
**Timing:** Late May 2017 **Contact:** Casey Hammond, DAS, Fish, Wildlife, Parks

3. **FWS REFUGE-SPECIFIC HUNTING AND SPORT FISHING REGULATIONS.** Fish and Wildlife Service will publish a proposed rule and open a 30-day comment period on the 2017-2018 Refuge Specific Hunting and Sport Fishing Regulations. The proposed rule would open various national wildlife refuges to hunting and/or sport fishing for the first time (new hunts) and expand hunting and fishing opportunities at others. The proposal also includes modifications to existing hunting and fishing regulations for refuges and wetland management districts.

**Timing:** Early June      **Contact:** Virginia Johnson, DAS, Fish, Wildlife and Parks

4. **ONSHORE OIL AND GAS PERMITTING ON FEDERAL LAND.** Throughout June, the Bureau of Land Management will hold online oil and gas lease sales.
  - a. **Colorado.** On June 8, BLM will hold a sale of 86 parcels totaling 73,288 acres in Jackson, Routt, Rio Blanco and Moffat Counties.
  - b. **Oklahoma and Texas.** On June 8, BLM will hold a sale for 18 parcels totaling 4,376 acres in Roger Mills, Ellis, Canadian, and Major Counties, OK; and Live Oak, McMullen, Washington, Burleson, and Jackson Counties, TX.
  - c. **Nevada.** On June 12, BLM will hold an online oil and gas lease sale for 106 parcels totaling 195,732 acres in Nye, Eureka, and Lander Counties.
  - d. **Montana.** On June 13, BLM will hold an online oil and gas lease sale for 156 parcels totaling 69,056 acres in Custer, Garfield, Fallon, Carter, Rosebud, Big Horn, and Powder River Counties
  - e. **Utah.** On June 13, BLM will hold an online oil and gas lease sale for 20 parcels covering 23,733 acres in Sevier, Piute, Garfield, and Sanpete Counties.
  - f. **Arkansas.** On June 22, BLM-Eastern States will hold an online oil and gas lease sale for 2 parcels totaling 160 acres in AR.

**Timing:** June 8 -22 **Contact:** Kate MacGregor, Acting Asst. Secretary, Land and Minerals

#### **E. Legal Decisions**

1. **EVERGLADES WATER QUALITY CONSENT DECREE REVISITED:** The South Florida Water Management District (SFWMD) has informed the Department of Justice (DOJ) that it wishes to vacate the 25 year-old consent decree in this case, which governs water quality/pollution control efforts that affect Everglades National Park and A.R.M. Loxahatchee National Wildlife Refuge. SFWMD has shared a draft motion to vacate, and DOJ has responded that the matter is under ongoing review, due to the transition of administrations. DOI's technical experts, working with the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers, have prepared an analysis of facts relevant to SFWMD's arguments, and we are currently reviewing a draft. DOJ will need to decide the USG position on the case: U.S. v. South Florida Water Management District (S.D. Fla.) - Everglades Water Quality Consent Decree. The federal agencies expect to brief decision-makers in the upcoming weeks.

**Timing:** May 2017. **Contact:** Dan Jorjani, Acting Solicitor

#### **F. Release of High-Profile Grants**

1. **\$1.1 BILLION IN PITTMAN-ROBERTSON SPORTSMAN GRANTS TO STATES FROM HUNTING AND FISHING FEES.** The Department will announce \$1.1 billion in funding derived from fees paid for hunting and fishing licenses and firearms, bows and ammunition, tackle et al and distributed to states for state conservation and outdoor recreation projects. Cabinet Affairs is reviewing a scheduling request. For eight decades, the nation's hunters and anglers have generated billions of dollars to protect wildlife and habitat simply by purchasing items that help them engage in the outdoor activities they enjoy.  
**Timing:** May 2017. **Contact:** Scott Hommel, Chief of Staff
2. **\$15 MILLION TO SUPPORT RECREATIONAL BOATING INFRASTRUCTURE IN 40 STATES:** DOI plans to announce nearly \$15 million in grants to 40 states for projects to support recreational boating through the Boating Infrastructure Grant program. More than \$9 million of this will go to six states (California, Maine, Michigan, South Carolina, Texas and Washington) for competitive grants, and the remaining \$5 million will go to 39 states, commonwealths, territories and the District of Columbia for a smaller, non-competitive grant program. Funding is generated through the Sport Fish Restoration and Boating Trust Fund by excise taxes on sport fishing and boating equipment and tackle, motorboat fuels and import duties on fishing tackle, yachts and pleasure craft. Grants, which are matched by funding from project partners, support construction or renovation of tie-ups, utilities, fuel stations, pump-out and dump stations, restrooms and additional sanitary amenities such as laundry and showers for recreational boaters.  
**Timing:** May 2017. **Contact:** Virginia Johnson, DAS, Fish, Wildlife, Parks
3. **\$15.4 MILLION FOR 20 CLEAN WATER AND RECREATIONAL BOATING PROJECTS.** On May 17 at the American Boating Congress gathering in Washington, DC, DOI will announce \$15.4 million in Clean Vessel Act grants to 20 states for projects to support clean water and recreational boating, specifically for the construction, renovation, operation, and maintenance of pumpout stations and waste reception facilities for recreational boaters and also for educational programs that inform boaters of the importance of proper disposal of their sewage.  
**Timing:** May 17, 2017. **Contact:** Virginia Johnson, DAS, Fish, Wildlife, Parks
4. **\$1.75 MILLION FOR MARITIME HERITAGE AND PRESERVATION GRANTS.** The National Park Service will announce \$1.75 million in grants to be used for maritime heritage education and preservation projects related to the maritime heritage of the United States. The National Maritime Heritage Act established the National Maritime Heritage Grants Program within the Department of the Interior and provides funding for education and preservation projects designed to preserve historic maritime resources and is funded through a percentage of the proceeds from the sale or scrapping of obsolete vessels of the National Defense Reserve Fleet (NDRF). All grants awarded are matched on a 1-to-1 basis with non-Federal assets.  
**Timing:** May 2017. **Contact:** Virginia Johnson, DAS, Fish, Wildlife, Parks
5. **\$3.6 MILLION FOR BATTLEFIELD RESTORATION GRANTS.** The National Park Service will announce \$3,623,162 in available grant funding to acquire land to protect nearly

1,000 acres of Revolutionary and Civil War battlefields in Virginia, Mississippi, New York, West Virginia, and Maryland.

**Timing:** May 2017. **Contact:** Virginia Johnson, DAS, Fish, Wildlife, Parks

6. **\$15 MILLION FOR OUTDOOR RECREATION LEGACY GRANTS.** The National Park Service will announce \$15 million in Outdoor Recreation Legacy Partnership grant funding for approximately 25 projects. This competitive program supplements the annual Land and Water Conservation Fund apportionment to states by supporting projects for disadvantaged populations in urban areas.

**Timing:** May 2017. **Contact:** Virginia Johnson, DAS, Fish, Wildlife, Parks

#### **Other/Awareness Only**

1. **REQUEST FOR SECRETARY ZINKE PROFILE IN GQ MAGAZINE.** Elaine Plott – a freelance reporter for Gentleman’s Quarterly (GQ) who previously wrote for National Review and now writes for the Washingtonian – has requested an interview to profile Secretary Zinke and his role in the Administration in a 2,800-3,500 word column. The profile would highlight Secretary Zinke's background and preparation to serve as Interior Secretary and shadow him in the office and out west to highlight how he works with the White House and how the Administration is taking action on energy and public lands issues. Megan Bloomgren sent the request to Cabinet Communications for input prior to approving the profile.  
**Timing:** May/June 2017 **Contact:** Laura Rigas, Communications Director
2. **DOI FACILITATES NAVAJO GENERATING STATION MEETING.** The Department will meet in Phoenix, AZ with tribal nations, owners and stakeholders of the Navajo Generating Station next week to discuss a path forward for the coal power plant and mine, which support more than 800 local jobs. The meeting will focus on progress to-date on the action items identified at the March 1, 2017, and April 12, 2017, meetings and identify barriers to reaching an agreement this summer on the lease.  
**Timing:** May 15-18, 2017 **Contact:** James Cason, Acting Deputy Secretary
3. **ALASKA TAPS PIPELINE INTERMITTENT MAINTENANCE SHUTDOWN.** BLM-AK anticipates planned intermittent maintenance shutdowns to the 800-mile Trans-Alaska Pipeline System. Several short duration shutdowns throughout the summer are also expected, with an “emergency shutdown” test in September. BLM-AK’s Branch of Pipeline Monitoring will be on hand to observe the tests and repairs by pipeline manager Alyeska Pipeline Service Company.  
**Timing:** May 6 to June 3 **Contact:** Kathleen Benedetto, Special Assistant, BLM
4. **DOI FIGHTING WILDFIRES IN SOUTHERN GEORGIA/FLORIDA.** Last month, lightning started a fire at the West Mims Fire at Okefenokee NWR in southern Georgia. The fire has currently exceeded 59,318 acres with only about 8 percent contained. The fire is being managed with significant aviation, ground and overhead resources. Community meetings are being held to keep citizens of Clinch and Charlton Counties informed on the latest developments with the fire. More than 330 personnel are assigned to the fire, and



several areas are closed. The current cost of the fire is estimated at \$5.9 million; the cost is expected to exceed \$10 million early next week.

**Timing:** Week of May 8, 2017 **Contact:** James Cason, Acting Deputy Secretary

5. **DOI EXPEDITING INFRASTRUCTURE PERMITTING (R-Project Transmission Line in Nebraska Sandhills)** The U.S. Fish and Wildlife Service has completed a Draft Environmental Impact Statement (DEIS) for a 225-mile long transmission line that runs through the Nebraska Sandhills and will soon be requesting public comment. The R-Project will be constructed and operated by Nebraska Public Power District (NPPD). NPPD is applying for an incidental take permit for the American burying beetle and developing the associated habitat conservation plan.

**Timing:** May 2017 **Contact:** James Cason, Acting Deputy Secretary

6. **PHILADELPHIA MAYOR KENNEY WILL BE 300<sup>TH</sup> CITY TO TAKE FWS MONARCH HABITAT PLEDGE.** On May 13, FWS will have an event with the National Wildlife Federation and Philadelphia Mayor Jim Kenney to announce Philadelphia as the 300th city to take the Mayor's Monarch Pledge, a commitment to create and restore habitat for monarch butterflies

**Timing:** May 13, 2017 **Contact:** Virginia Johnson, DAS, Fish, Wildlife, Parks

### **Key Events for Upcoming 30-Days**

#### **Major Policy Speeches**

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|---------|---|
| May 16  | <b>Secretary Zinke Addresses DOI Annual Law Enforcement Officers Memorial Ceremony (Washington, DC)</b>   |
| May 31  | <b>Secretary Zinke to Deliver Keynote Remarks at Alaska Oil and Gas Association Conference (Anchorage, AK)</b>                                    |
| June 8  | <b>Secretary Zinke Testifies before House Appropriations Committee on President's FY 2018 Budget Request for Interior Department (tentative)</b>  |
| June 21 | <b>Secretary Zinke Testifies before Senate Appropriations Committee on President's FY 2018 Budget Request for Interior Department (tentative)</b> |

#### **Events**

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|--------|--|
| May 11 | <b>Secretary Zinke Address RNC Spring Meeting (Coronado, CA)</b>   |
| May 12 | <b>Secretary Zinke Accompanies VPOTUS to Visit Crow Nation / Absaloka Mine (Hardin, MT)</b><br><b>Secretary Zinke Participates in Political Event with VPOTUS (Billings, MT)</b> |

#### **Travel by Secretary**

- May 7-10      **Secretary Zinke Visits Bears Ears and Grand Staircase (Salt Lake City and Blanding, UT)** accompanied by the Utah Congressional delegation and Governor Herbert.
- May 27-31    **Secretary & Mrs. Zinke Travel to Norway, Greenland and Alaska** on Arctic Congressional Delegation with Senators Murkowski, Barrasso, Daines, Strange, Cornyn, and Heitkamp.
- June 2-3      **Secretary Zinke and Secretary Perdue Visit National Interagency Fire Center (Boise, Idaho)** to brief media on joint preparedness for fire season and meet with key staff.