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### 1. Senate Dems pump Zinke for details on federal review

Scott Streater, E&E News reporter

Published: Thursday, July 13, 2017

Senate Democrats want Interior Secretary Ryan Zinke to provide them with details about an ongoing review of federal greater sage grouse conservation plans that could result in substantive changes to the Obama-era regulations.

<http://bit.ly/2ueHf35>

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<http://bit.ly/2sUVc25>

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Jennifer Yachnin, E&E News reporter

Published: Thursday, July 13, 2017

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<http://bit.ly/2uWxnIH>

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Scott Streater, E&E News reporter

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<http://bit.ly/2tR92E3>

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<http://bit.ly/2ueqAN6>

## **6. Trump hopes 'MAGAnomics' makes energy great again**

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Bureau of Land Management firefighters last week helped save a group of endangered pygmy rabbits from the Sutherland Canyon Fire near Wenatchee, Wash.

<http://bit.ly/2vhF3Vg>

## **8. Small Permian producers see price pinch**

Published: Thursday, July 13, 2017

Small producers in West Texas' Permian Basin are feeling the sting of low crude prices.

<http://bit.ly/2tR6GVX>

## **9. Facebook's Zuckerberg hears a lot about 'hope' in N.D.**

Mike Lee, E&E News reporter

Published: Thursday, July 13, 2017

Facebook Inc. founder Mark Zuckerberg visited the heart of North Dakota's Bakken Shale oil field this week and wrote a post that highlighted the plight of oil field workers.

<http://bit.ly/2uVM1zN>

## **10. Coal companies mum on emissions plans — report**

Published: Thursday, July 13, 2017

Only two of the world's largest listed coal companies have long-term targets for reducing emissions, according to a coalition of investment funds pushing for more transparency.

<http://bit.ly/2uenSap>

**11. After Kemper debacle, senators see promise in CCS bill**

Christa Marshall, E&E News reporter

Published: Thursday, July 13, 2017

An unusual coalition of coal-state Republicans and liberal Democrats is pushing legislation to boost carbon capture and sequestration technology, despite the recent collapse of Southern Co.'s flagship "clean coal" project.

<http://bit.ly/2t88r3N>

**12. House budget standoff could stall spending bills**

George Cahlink, E&E News reporter

Published: Thursday, July 13, 2017

The ongoing struggle by House Republicans to reach a budget deal could affect plans to quickly move the fiscal 2018 spending bills to the floor in coming weeks.

<http://bit.ly/2sUL0H8>

**13. Lawmakers approve 'sue-and-settle' bill**

Amanda Reilly, E&E News reporter

Published: Thursday, July 13, 2017

A House committee yesterday advanced legislation Republican backers say is necessary to counter the so-called sue-and-settle phenomenon.

<http://bit.ly/2uWpHGD>

**14. Jewell to urge outdoor enthusiasts to push for protections**

Jennifer Yachnin, E&E News reporter

Published: Thursday, July 13, 2017

Former Interior Secretary Sally Jewell will call on attendees at the Outdoor Retailer show in Salt Lake City to work to influence public lands policy, the Outdoor Industry Association announced today.

<http://bit.ly/2uWGIFP>

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### **1. Senate Dems pump Zinke for details on federal review**

Scott Streater, E&E News reporter

Published: Thursday, July 13, 2017

Senate Democrats want Interior Secretary Ryan Zinke to provide them with details about an ongoing review of federal greater sage grouse conservation plans that could result in substantive changes to the Obama-era regulations.

A group of four senators, including Environment and Public Works ranking member Tom Carper of Delaware, sent a letter to Zinke this week asking him to provide "a full list of those appointed to serve" on the review panel analyzing the grouse plans.

They requested that Zinke provide details about when he will make the recommendations of the panel, established last month by a secretarial order, "available to Congress and to the public." They also asked Zinke to tell them whether there will be opportunities for the public to review and comment on any changes before they are implemented.

They asked Zinke to provide responses to their questions in the letter by July 21.

"We are very interested in ensuring that the review mandated by your Order does not lead to diminished conservation outcomes and that the process is as transparent, inclusive and science-driven as the process that led to the original 2015 plans," the senators wrote.

In addition to Carper, the letter was signed by Energy and Natural Resources ranking member Maria Cantwell of Washington and Oregon Sens. Jeff Merkley and Ron Wyden.

"We request your response to the following questions, as well as any documents related to your decision to conduct this review and a response on how and when all of this information will be accessible to the public," they added.

It's not clear how the Interior Department will respond to the request. An Interior spokeswoman could not be reached for comment on this story in time for publication.

Interior has not publicly offered many details about the review since Zinke signed the order establishing a review panel to look at both federal- and state-level efforts to protect the birds and possibly recommend significant changes to how they are managed ([\*Greenwire\*](#), June 7).

Interior and the Bureau of Land Management have not responded to requests from E&E News this week to provide the names of the review team members.

Interior has said the team would be composed mostly of representatives from BLM, the Fish and Wildlife Service and the U.S. Geological Survey.

The Obama-era grouse plans finalized in September 2015 amended 98 BLM and Forest Service land-use plans to include grouse conservation measures covering nearly 70 million acres in 10 Western states. The federal plans were strong enough to convince the Fish and Wildlife Service that the bird does not need federal protection under the Endangered Species Act.

Some fear that altering the plans devised over several years could drive the birds back toward extinction and an ESA listing, though Congress has inserted provisions in spending legislation that would forbid FWS from doing so.

"How are you ensuring that needed conservation activities are continuing under the current state and federal management plans as you undertake the review?" the senators wrote.

### **Questions, few answers**

The senators also asked Zinke in the letter to "provide a specific timeline for the activities of the review team, including visits to sage-grouse states, public meetings and other forms of stakeholder engagement."

The letter comes as review team members are meeting behind closed doors this week in Denver with representatives of numerous Western governors and agencies in an effort to gather input about specific changes to the federal plans ([\*Greenwire\*](#), July 12).

The team's activities have received mostly positive reviews from Western state leaders, though some governors were initially startled by Zinke's announcement of the review and the lack of information provided to them by the Trump administration.

E&E News talked with a member of the review team who asked not to be named, as well as other state leaders who attended the closed-door meetings in Denver.

While some said they have concerns about changing the federal plans, they all said they are pleased the review team came to Denver this week to get their input and to involve them in the review process.

As part of the effort to include state voices, and at the suggestion of Western governors, Zinke added to the review team Dustin Miller, a top natural resources aide to Idaho Gov. Butch Otter (R), and Bob Budd, a grouse expert who chaired a task force that in 2008 devised Wyoming's groundbreaking "core sage grouse area" strategy, sources said.

That strategy — implemented by former Gov. Dave Freudenthal (D) and continued under Gov. Matt Mead (R) — identified critical grouse habitat where development is discouraged. The federal plans currently under review are modeled largely on the Wyoming plans.

"We asked for this, and [Zinke] came through," said John Swartout, a senior adviser to Colorado Gov. John Hickenlooper (D), referring to the review panel's meetings this week with state leaders in Denver.

"We asked for our participation [in the review process], and he's done what he said he would do," Swartout added.

He said the closed-door meetings have been "productive," and he said he believes the federal plans will remain strong while carefully balancing the unique needs of each state.

He said Colorado's message to the review team has been, "Fix, but don't break" the plans.

<http://bit.ly/2ueHf35>

## **2. Zinke recommends no changes to Idaho, Wash. sites**

Jennifer Yachnin, E&E News reporter

Published: Thursday, July 13, 2017

Interior Secretary Ryan Zinke announced today that a pair of national monuments in Idaho and Washington are no longer included in his review of the boundaries of dozens of monuments nationwide, and that he will not recommend any changes to those two sites.

Zinke revealed in a statement that he will exclude the Craters of the Moon National Monument and Preserve in Idaho and the Hanford Reach National Monument in Washington state from an ongoing assessment of 27 sites that was mandated by President Trump in late April.

"When the President and I began the monument review process we absolutely realized that not all monuments are the same and that not all monuments would require modifications," Zinke said. "Today I'm announcing that the Craters of the Moon and Hanford Reach National Monuments review process has concluded and I am recommending no changes be made to the monuments."

Trump issued an executive order in April directing a review of all national monuments created since 1996 that encompass more than 100,000 acres, or those that the secretary deemed did not include sufficient public input.

A final report on the review is due Aug. 24.

In an interim report released last month, Zinke recommended significant reductions to Bears Ears National Monument in southeastern Utah, although he did not provide specifics for which sections of the 1.35-million-acre site could be eliminated.



In hearings on Capitol Hill last month, Zinke also indicated that another monument, the Canyon of the Ancients in Colorado, would likely be spared from any changes, but he did not mention that site in today's announcement.

Washington Democratic Sens. Patty Murray and Maria Cantwell praised Zinke's decision not to amend their state's monument, noting it was created after significant collaboration with local communities.

"I commend everyone who made their voice heard during this process. Because of you, the Trump administration is getting the message loud and clear that families in our state and around the country are ready to fight back against ill-conceived efforts to roll back protections for our prized public lands," Murray said.

Earlier this year, Washington state Attorney General Bob Ferguson (D) threatened to sue the Trump administration if it tried to alter the monument, asserting that the president does not have the authority to do so under the Antiquities Act of 1906.

"In short, the President and the Secretary of the Interior lack the legal authority to revoke or reduce a National Monument designation," Ferguson wrote in April (*Greenwire*, May 12).

<http://bit.ly/2sUVc25>

### 3. Greens bash Zinke's decision not to change 2 sites

Jennifer Yachnin, E&E News reporter

Published: Thursday, July 13, 2017

Conservationists unexpectedly slammed Interior Secretary Ryan Zinke's decision today to pull two national monuments from a review of dozens of such sites, asserting the move only serves to highlight the "arbitrariness" of the agency's ongoing assessments.

Zinke announced earlier today that he would not recommend any changes to either the Craters of the Moon National Monument and Preserve in Idaho or the Hanford Reach National Monument in Washington, and further would strike both sites from his ongoing review of 27 national monuments (*Greenwire*, July 13).

Although Washington Democratic Sens. Patty Murray and Maria Cantwell praised the move, conservationists questioned Zinke's decision coming just days after the closure of a public comment period that drew more than 2 million remarks.

"This is an obvious attempt to put a fig leaf on the Trump administration's sham monument review, but it only highlights how capriciously Zinke is handling this increasingly bizarre process," said Center for Biological Diversity Government Affairs Director Brett Hartl.

He added: "Millions of Americans submitted public comments on monuments on Friday, so making unilateral decisions less than a week later violates the whole idea of informed decisionmaking. Are we supposed to thank the secretary for not violating federal law by trying to open these protected public lands to development?"

Center for American Progress Public Lands Director Kate Kelly likewise slammed the review as a "process without logic or transparency."

"The only thing that's been consistent throughout Zinke's review is its arbitrariness. From the get-go, it's been a guessing game on what monuments are actually targeted, how the review is being conducted and what is driving Zinke's decisions," Kelly said.

President Trump in late April mandated an analysis of all national monuments created since 1996 that encompass more than 100,000 acres, and Zinke is set to issue his final report on the sites on Aug. 24.

Zinke issued an interim report in June that recommended the Bears Ears National Monument in southeastern Utah be significantly reduced, although he has yet to provide specifics for where those cuts would be made in the 1.35-million-acre site.

<http://bit.ly/2uWxnIH>

#### **4. House panel moves to block BLM from killing excess animals**

Scott Streater, E&E News reporter

Published: Thursday, July 13, 2017

House appropriators rejected a Trump administration request to reduce the growing number of wild horses and burros on federal rangelands by allowing the Bureau of Land Management to euthanize or sell animals.

The Interior Department and U.S. EPA spending bill approved yesterday by the Interior, Environment and Related Agencies Appropriations Subcommittee includes a paragraph stating that funds in the measure "shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the [BLM] or its contractors."

That's a sharp rebuke of BLM's \$1.1 billion fiscal 2018 budget request, which includes a provision allowing the agency to reduce growing herds of wild horses and burros on federal rangelands by allowing for the "humane euthanasia and unrestricted sale" of potentially thousands of animals it cannot adopt out to other agencies or individuals.

The request called for cutting funding for the Wild Horse and Burro Program to \$70.7 million from \$80.5 million in the fiscal 2017 omnibus.

The nearly \$10 million in savings would come from reducing horse gathers and by selling some 9,000 "older, unadopted animals if Congress enables the BLM to use all the tools provided for" in the Wild Free-Roaming Horses and Burros Act of 1971, according to an agency statement to E&E News in May.

BLM has the authority to sell and euthanize excess horses under the law, but Congress for years has attached stipulations in Interior appropriations bills prohibiting BLM from using federal money to sell wild horses or to destroy any of the animals.

The section in the BLM budget request regarding wild horses was never discussed during yesterday's markup. The subcommittee passed the bill by voice vote, leaving more in-depth deliberations for when the full committee acts (*E&E News PM*, July 12).

But the spending bill includes a provision, also included in the \$1 trillion fiscal 2017 omnibus spending package approved in May, that would allow the Interior secretary to "transfer excess wild horses or burros" BLM has removed from federal rangelands "to other Federal, State, and local government agencies for use as work animals."

The provision includes language stating that the animals cannot be killed, sold or transferred to any entity that would slaughter them "for processing into commercial products." But it would allow transferred horses and burros to be euthanized "upon the recommendation of a licensed veterinarian, in cases of severe injury, illness, or advanced age."

**Activists cheer; BLM in a bind**

Wild horse advocates cheered the budget stipulation against slaughter.

"We're pleased that the subcommittee reported out a bill that honors the wishes of the American people, 80 percent of whom oppose slaughtering America's horses," said Suzanne Roy, executive director of the American Wild Horse Campaign.

But she added, "We expect a hostile amendment to be offered in full committee next week that would permit mass slaughter of wild horses and burros.

"We urge the members of the full Appropriations Committee to honor the American public's overwhelming support for protecting wild horses and burros on our public lands and strongly oppose horse slaughter by defeating any amendment that would result in the harm or destruction of these cherished and iconic animals," Roy said.

BLM representatives did not respond to requests for comment by publication time.

But the agency is in a tough position when it comes to managing the estimated 73,000 wild horses and burros roaming federal lands across the West. BLM says it cannot handle the escalating costs of caring for and feeding the nearly 50,000 additional animals it has already rounded up in holding pens and corrals.

"Simply put, the BLM's Wild Horse and Burro program — in its current form — is unsustainable," the agency said in its statement in May.

The Wild Free-Roaming Horses and Burros Act requires the agency to protect herds from harm but also to remove animals as soon as they exceed appropriate management levels.

The 73,000 wild horses and burros currently on federal rangeland are nearly three times the 26,715 animals that BLM says the rangelands can sustain.

The agency says it lacks the resources it needs to round up the 46,000 excess animals or to care for them over the lifetimes of the animals.

BLM's National Wild Horse and Burro Advisory Board last year recommended that the agency take aggressive steps to sell the wild horses it has and is caring for in corrals — and euthanize those horses it cannot sell or adopt (*Greenwire*, Sept. 13, 2016).

The Obama BLM rejected that recommendation.

Proponents of transferring animals, or euthanizing those that cannot be adopted out or are sick or old, say the tens of thousands of wild horses and burros have exhausted resources, and that some of the animals simply starve to death.

<http://bit.ly/2tR92E3>

## **5. Sessions 'not taking sides' on Bundys**

Jennifer Yachnin, E&E News reporter

Published: Thursday, July 13, 2017

Attorney General Jeff Sessions yesterday praised the lead attorney in the government's prosecution of Nevada rancher Cliven Bundy but also said he would not be "taking sides" in the trials related to the 2014 armed standoff between ranchers and federal agents near Bunkerville, Nev.

In an appearance in Nevada, Sessions briefly raised the Bunkerville trials to laud Nevada acting U.S. Attorney Steven Myhre, the *Las Vegas Review Journal* reported. The government has divided its prosecution into three cases, one of which began a retrial this week after a jury deadlocked on charges against four of six defendants in April.

"I've got to tell you, it's impressive when you have a tough case, a controversial case, and you've got the top guy leading the battle, going to court, standing up and defending the office and the principles of the law," Sessions said.

But he added: "I'm not taking sides or commenting on the case. Just want to say that leadership requires, a lot of times, our people to step up and be accountable."

Sessions' refusal to take a position on the Bunkerville trials is notable because the Bundys and their supporters hoped the Trump administration would offer them some relief in their battle with the federal government.

During the 2014 standoff, Trump publicly praised Bundy in an interview on Fox News, while also calling BLM's actions "over the top."

"I like him, I like his spirit, his spunk and I like the people that — you know, they're so loyal," Trump said, according to a Fox News transcript of the interview. "I do like him. I respect him. He ought to go and cut a good deal right now [with the federal government]. That's the best thing that could happen for everybody. It's really vicious."

Trump added: "What's he going to do? Are they going to start shooting each other over grazing fees?"

The standoff was sparked when Bureau of Land Management agents attempted to seize Bundy's cattle over more than \$1 million in unpaid grazing fees.

Requests for comment on Sessions' remarks from the Bundy Ranch and Cliven's wife, Carol Bundy, were not returned this morning.

But in a post to its Facebook account, the Bundy Ranch shared a link to the newspaper report along with Oakley, Calif.-supporter Doug Knowles' comment: "Jeff Sessions throws Bundy ranch supporters under the bus."

Dozens of commenters echoed Knowles' sentiment, pointing to the attorney general's praise for Myhre as a signal of his support for the prosecution.

Interior Secretary Ryan Zinke does not comment publicly on ongoing court proceedings, although when asked about Sessions' comments, an Interior spokeswoman pointed to Zinke's promise to be a "good neighbor."

"The Secretary believes the federal government should be a good neighbor and a good land manager. His top priority since day one has been to return trust to local communities who work with the Department," spokeswoman Heather Swift told E&E News.

That echoes comments Zinke made to the conservative website Breitbart News in March.

At that time, Zinke asserted that conflicts like Bunkerville and the occupation of the Malheur National Wildlife Refuge in Oregon would be less likely to occur during the Trump administration.

"I would say the war is over with the new president and the administration," Zinke told the website. "We want to be the good neighbors."

Zinke said the federal government should work with local officials to defuse situations, rather than send BLM officials into contentious situations.

"We want to see when we have a law enforcement problem, our first line of defense is the local sheriff," he said.

He also told the website that local Interior officials should be embedded in their communities to serve as advocates rather than enforcers: "That's a cultural shift, which I think is absolutely critical to the success of this organization long term."

During his congressional campaign in 2014, Zinke also expressed sympathy for the Bundys and asserted that local law enforcement officials should have been engaged in the standoff, rather than BLM agents.

"I grew up in Whitefish when the Forest Service had an older truck, and a bucket and a shovel," Zinke said at a debate in Kalispell, Mont., in May 2014 in response to a question about whether various federal agencies should have "paramilitary" capabilities.

"Now where did we go wrong down in Nevada where BLM and the Park Service has brand-new SUVs with blackened windows, weapons, Tasers and guard dogs? It scares me because not only was the government wrong, the rancher was wrong but he was wronged," he added. "And then Americans rushed to the scene from across the country, for what purpose? I assume to shoot other Americans."

In a [video](#) of the debate sponsored by Americans for Prosperity, loud murmurs can be heard from the audience before Zinke continues.

"It pains me to say that's where we are in this country," Zinke said. "The government's out of control. ... The right thing should have been done: Call the local sheriff. If the local sheriff can't handle it, call the FBI. But the Park Service shouldn't be armed. The Postal Service shouldn't be armed."

### **Trump supporter sentenced**

Among the 19 individuals indicted in the Bunkerville standoff was Gerald DeLemus, who served as co-chairman of the Veterans for Trump coalition.

DeLemus became the first person to be sentenced in the incident last month, when a judge sentenced him to 87 months in prison ([Greenwire](#), June 1).

A former Marine sergeant, the 62-year-old pleaded guilty to conspiracy to commit an offense against the United States and interstate travel in aid of extortion in August 2016.

A new trial began this week for four other alleged participants in the 2014 standoff ([Greenwire](#), July 10).

Cliven Bundy and his sons, Ammon, Melvin and David, are slated to face trial 30 days after the current retrial is concluded.

<http://bit.ly/2ueqAN6>

## **6. Trump hopes 'MAGAnomics' makes energy great again**

Hannah Northey, E&E News reporter

Published: Thursday, July 13, 2017

The White House today unveiled a "MAGAnomics" strategy aimed at growing the nation's economy by 3 percent over the next decade, a resurgence the administration hopes will occur on the backs of new energy projects, less red tape and cuts at key agencies.

Office of Management and Budget Director Mick Mulvaney penned an op-ed in the *Wall Street Journal* published this morning laying out a strategy for what he called the largest economic revival since the 1980s.

The boost from MAGAnomics — a name that harks back to the president's Make America Great Again campaign slogan — will result in a \$16 trillion gross domestic product rise, \$2.9 trillion in federal revenues, and \$7 trillion in wages and salaries, said Mulvaney.

He brushed off criticism the White House has received as being "unrealistic," saying the federal government faced the same pushback in the 1970s before President Reagan took office.

"Ronald Reagan dared to challenge that thinking and steered us to a boom that many people thought unachievable," Mulvaney wrote.

"In the 7 ½ years following the end of the recession in 1982," he wrote, "real GDP grew at an annual rate of 4.4%. That is what a recovery looks like, and what the American economy is still capable of achieving."

Democrats have long criticized what has been called "Reaganomics," a mixture of tax cuts and spending that skeptics called unsustainable.

Mulvaney's op-ed release coincided with an appearance with Interior Secretary Ryan Zinke at the White House with reporters, where Mulvaney and Zinke discussed the agency's accomplishments under the new administration, an upcoming reorganization and "regulatory relief efforts," an Interior spokeswoman said.

"At @OMBPress with my old House buddy Director Mick Mulvaney for a round robin with reporters. Talking #MAGAnomics," Zinke tweeted today. Zinke and Mulvaney used to both serve in the House.

Central to boosting the economy will be the Trump team's efforts to pave the way for new energy projects stuck in limbo; scrap cumbersome regulations for power plants and pipelines; and, to the extent possible, reduce regulatory spending at agencies like the Department of Energy, U.S. EPA and Interior, said Jeremy Carl, an energy policy researcher at the Hoover Institution.

OMB in recent weeks has continued to ratchet up pressure on agencies to streamline operations and find efficiencies, even as federal programs are pared down and EPA moves forward with hundreds of buyouts this summer.

Given congressional opposition to the White House fiscal 2018 budget, which Mulvaney championed, Carl said he expects "modest and targeted cuts" at energy and environmental agencies alongside the strong anti-red-tape push from OMB.

Key to that effort, he said, is Neomi Rao, whom the Senate recently confirmed to lead OMB's Office of Information and Regulatory Affairs (*E&E Daily*, July 11).

"She's going to be the real powerhouse behind a lot of regulatory reform," Carl said.

Advancing new energy projects also hinges on the Federal Energy Regulatory Commission securing a quorum again, Carl added, and suggested the Trump administration could advance rulemaking to greenlight projects.

<http://bit.ly/2ujakKa>

## **7. BLM firefighters save 32 pygmy rabbits**

Published: Thursday, July 13, 2017

Bureau of Land Management firefighters last week helped save a group of endangered pygmy rabbits from the Sutherland Canyon Fire near Wenatchee, Wash.

A post on BLM Oregon's Facebook page showed firefighters lying on the charred ground to scoop up the tiny, 1-pound animals.

The 38,000-acre wildfire ripped through the sagebrush that pygmy rabbits subsist on. Firefighters saved 32 of the animals, but another 70 were killed by the lightning-sparked fire.

"The ground and most the sagebrush that the pygmy rabbits rely on were charred black. In some areas, the soil was still warm to the touch," the BLM post said (Nicole Blanchard, *Idaho Statesman*, July 12). — NS

<http://bit.ly/2vhF3Vg>

## **8. Small Permian producers see price pinch**

Published: Thursday, July 13, 2017

Small producers in West Texas' Permian Basin are feeling the sting of low crude prices.

With U.S. crude prices dipping below \$45 a barrel, several small operators are being forced to put their plans on hold.

For instance, Midland, Texas-based Green Century Resources may pause its plans to invest in a drilling project. The company thought the project would be profitable a few months ago, when prices hovered around \$50 a barrel.

"If oil holds under \$45, that would make a difference to us," said James Mayer, founder and CEO of Green Century.

"You can see even the difference in traffic out here in Midland," Mayer added. "You can feel it slowing down" (Collin Eaton, *Houston Chronicle*, July 11). — MJ

<http://bit.ly/2tR6GVX>

## **9. Facebook's Zuckerberg hears a lot about 'hope' in N.D.**

Mike Lee, E&E News reporter

Published: Thursday, July 13, 2017

Facebook Inc. founder Mark Zuckerberg visited the heart of North Dakota's Bakken Shale oil field this week and wrote a post that highlighted the plight of oil field workers.

Zuckerberg announced in January that he wanted to meet people in every American state by the end of 2017. He spent a couple of hours Tuesday in Williston, N.D., and spoke to workers, the local school superintendent, a pastor and company executives.

Facebook has committed to using renewable energy to power its data centers, and Zuckerberg has been an advocate of government action to combat climate change. But in a 742-word post, Zuckerberg said he understands why the people he met are attracted to the oil field.

"They come here because these are good jobs where people with a high school diploma can make \$100,000 a year," he wrote to his 93 million followers. "They believe competition from new sources of energy is good, but from their perspective, until renewables can provide most of our energy at scale, they are providing an important service we all rely on, and they wish they'd stop being demonized for it."

Facebook and other social media have been criticized for helping to deepen the divisions in American society because they allow people to selectively consume news and information. Zuckerberg acknowledged that issue when he **announced** the tour and said he wanted to "change the game."

People in North Dakota set off fireworks when the Trump administration approved the Dakota Access oil pipeline, Zuckerberg said. The oil industry had argued that the pipeline would lower production costs in North Dakota and bolster the state's economy, but the Obama administration delayed a decision on the pipeline amid protests from environmentalists and Native American tribes (*Energywire*, Feb. 9).

"A number of people told me they had felt their livelihood was blocked by the government, but when Trump approved the pipeline they felt a sense of hope again. That word 'hope' came up many times," Zuckerberg wrote.

North Dakota's oil production skyrocketed about 10 years ago when advances in hydraulic fracturing, or fracking, allowed companies to drill into the Bakken Shale.

Williston, near the Montana border and 60 miles south of Canada, went from a sleepy farming town to the unofficial capital of the boom. Its population nearly doubled to just under 27,000 between 2010 and 2015, according to the U.S. Census Bureau, but unofficial estimates put the number even higher. Zuckerberg said the town's size tripled.

Williams County, which includes Williston, **produced** more oil last year than the entire state of **Louisiana**. Zuckerberg's post also touched on the problems created by the oil boom, such as the strain on local housing and infrastructure, and the crime that followed the influx of workers. The oil boom that started in 2014 caused the population to drop, leaving many communities overbuilt (*Energywire*, Nov. 1, 2016).

The North Dakota Petroleum Council helped coordinate the visit, said Ron Ness, president of the trade group. Zuckerberg wore his trademark T-shirt and jeans for most of the visit, but he donned fireproof overalls to visit a drilling rig floor.

His curiosity made a good impression, Ness said. At one point, Zuckerberg asked the oil company executives to leave the room so he could have an unvarnished conversation with the rig's crew members.

"He was all questions from the minute he stepped out of the car," Ness said in an interview. "He says that in his post — go out and learn things, and he did."

<http://bit.ly/2uVM1zN>

## **10. Coal companies mum on emissions plans — report**

Published: Thursday, July 13, 2017

Only two of the world's largest listed coal companies have long-term targets for reducing emissions, according to a coalition of investment funds pushing for more transparency.

Rio Tinto PLC and Brazil's Vale SA were the only firms able to show plans for meeting the Paris accords' global climate targets, according to a report from the Transition Pathway Initiative, an investor-backed group.



Three coal companies — DMCI Holdings, Inner Mongolia Yitai Coal and Shougang Fushan Resources Group — do not even acknowledge climate change, the study said.

Demand for coal isn't likely to peak in China until 2026, and it will continue to constitute 30 percent of the country's energy mix in 2040, according to Bloomberg New Energy Finance.

At a time when many large investors are avoiding coal, shares in producers have returned 38 percent over the past year, according to the VanEck Vectors Coal exchange-traded fund.

More transparency could help investors and index providers judge which companies were dealing with climate change, rather than avoiding the sector altogether, said Jon Samuel, head of social performance and engagement at Anglo American PLC (Henry Sanderson, *Financial Times*, July 11). — AAA

<http://bit.ly/2uenSap>

## 11. After Kemper debacle, senators see promise in CCS bill

*Christa Marshall*, E&E News reporter

Published: Thursday, July 13, 2017

An unusual coalition of coal-state Republicans and liberal Democrats is pushing legislation to boost carbon capture and sequestration technology, despite the recent collapse of Southern Co.'s flagship "clean coal" project.

The "Furthering Carbon Capture, Utilization, Technology, Underground Storage and Reduced Emissions (FUTURE) Act," introduced yesterday, would expand existing tax credits for stored carbon dioxide trapped from industrial facilities and power plants.

The measure is backed by a mix of oil companies, coal interests like Peabody Energy Corp. and environmental groups like the Natural Resources Defense Council.

Southern announced this month it was abandoning its Kemper CCS project in favor of a natural gas plant following years of cost overruns and other problems.

When asked whether developments surrounding that venture might repel lawmakers from CCS, sponsor Sen. Heidi Heitkamp (D-N.D.) said she wasn't concerned. Heitkamp said the bill would promote research to help prevent setbacks in the first place.

"Had we invested in this technology, they might have had greater success," Heitkamp said at a press conference with sponsors Sens. Shelley Moore Capito (R-W.Va.), John Barrasso (R-Wyo.) and Sheldon Whitehouse (D-R.I.). "So that's the idea, to be the technological leader."

Heitkamp added, "I think you have to look at Petra Nova," referring to the world's largest retrofit of a coal plant in Texas that launched this year without the same cost overruns of Kemper.

Similarly, Capito said she had spoken to Energy Secretary Rick Perry and administration officials about carbon capture technology and believed the president was "committed."

Heitkamp said she was hopeful she could get a third of the Senate behind the bill. And there are discussions with members of the House for a companion, she said.

The proposal would expand tax credits worth \$20 per metric ton for captured CO<sub>2</sub> stored in geological formations and \$10 per metric ton for CO<sub>2</sub> used in enhanced oil recovery.

Advocates say that the current credit is too low to help projects and creates uncertainty for developers because of an overall tax program cap of 75 million tons of CO<sub>2</sub>. As of 2014, companies had exhausted half that amount.

Without a carbon price or new incentives, "the market just doesn't support this, so that's why we are stepping in," Whitehouse said.

The legislation would increase the credit value to \$35 per metric ton for CO<sub>2</sub> used in EOR and \$50 per metric ton for CO<sub>2</sub> stored in geological formations.

It also would allow the \$35 credit to be used for air capture projects and other "utilization" of CO<sub>2</sub> outside EOR.

Additionally, it would remove the 75 million cap for new projects and allow developers to claim the credit for up to 12 years. They would also be able to transfer the credit to another entity involved in storage.

Heitkamp said new incentives are needed, including for storing CO<sub>2</sub> from burning natural gas and a range of fuels, because of long-term climate change projections and continued use of fossil energy globally.

In the U.S., the money spigot from the 2009 American Recovery and Reinvestment Act that drove initial large carbon capture demonstrations is gone, so there are not other large projects under construction.

"If you look at any international report on meeting target levels for reduction of carbon ... none of them say you can do it without having some kind of carbon capture and sequestration," said Heitkamp.

Senate Majority Leader Mitch McConnell (R-Ky.) is not an official co-sponsor of the bill, despite being one on similar legislation in the previous session of Congress.

A McConnell spokesman said the majority leader "continues to be interested in the progress of carbon capture technology. He is currently focused on comprehensive tax reform, but this is one of many items that may be discussed during debate."

And critics of CCS, like the environmental group Friends of the Earth, were quick to tie Kemper to the new tax credit proposal.

"Senators haven't learned the simple lesson of Southern Co.'s disastrous Kemper plant: These projects do not make economic or environmental sense. ... Even worse, this legislation enables the ignorant and dangerous energy rhetoric coming from the White House," said Lukas Ross, a climate campaigner for the group.

Industry analysts say that Kemper's woes weren't caused by CCS technology (*Greenwire*, June 23). And Heitkamp noted that previous versions of the legislation nearly made it across the finish line three or four times.

The bill has five more sponsors this time around than at the end of the 114th Congress. "It's not like some pipe dream that's been out there; we've been very close," Heitkamp said.

<http://bit.ly/2t88r3N>

## 12. House budget standoff could stall spending bills

George Cahlink, E&E News reporter

Published: Thursday, July 13, 2017

The ongoing struggle by House Republicans to reach a budget deal could affect plans to quickly move the fiscal 2018 spending bills to the floor in coming weeks.

By the end of this week, House appropriators will have passed all 12 annual appropriations bills through subcommittee, and several of those measures, including the energy-water and agriculture bills, have already been approved by the full panel for floor action.

"We're well on our way with appropriations," said Speaker Paul Ryan (R-Wis.) yesterday, while acknowledging that "listening sessions" continue on a fiscal 2018 budget resolution that would lay the ground for a broad fiscal deal required to get the spending bills signed into law.

Several appropriators said they have moved as fast as possible in writing their spending bills, given that the budget was delayed for months as the new administration prepared its spending request. They say leaders have not ruled out moving individual spending bills or multiple bills in packages before leaving for a six-week break at the end of the month.

Without a budget deal, appropriators have used tentative spending levels supported by House GOP leaders to craft their legislation. The bills add up to a top-line discretionary spending level of \$1.13 trillion for fiscal 2018.

"We are moving ahead; we are rocking and rolling; we are operating under the numbers as they are now," Rep. Robert Aderholt (R-Ala.), chairman of the House Agriculture Appropriations Subcommittee, said yesterday after his bill was backed by the full committee.

However, the bills' funding levels would exceed current spending caps set by the 2015 budget deal, and Congress would have to pass a measure to exceed those limits. Adopting a fiscal 2018 budget resolution is seen as a first step toward gaining the political support that would eventually lead to a deal with the Senate for changing the overall caps.

"We are going to get our bills done, and then it's frankly up to the higher authority to reach an agreement with the Senate," said Rep. Mario Diaz-Balart (R-Fla.), the chairman of the House Transportation, Housing and Urban Development and Related Agencies Appropriations Subcommittee, whose panel's fiscal 2018 bill moves to the full committee on Monday evening.

Another sign of appropriators' eagerness to move ahead was the unveiling of a \$156 billion fiscal 2018 Labor, Health, Human Services and Education bill yesterday, which will be marked up in subcommittee today. It has traditionally been among the last bills to move, as it often sparks fights over domestic cuts and riders.

This year's bill would cut spending by about \$5 billion. The reductions would hit the Mine Safety and Health Administration, which would see its spending trimmed \$14 million to \$360 million over current spending due to what the committee sees as "lower levels of mining across the country and especially in coal production."

### **Budget bickering**

While appropriators have made headway, the House Budget Committee has postponed several planned markups of its budget resolution. The entire House GOP caucus will meet Friday to decide if it can move ahead with a markup as soon as next Wednesday and then have a budget adopted by the full House the last week of July.

Republicans largely are in agreement on the \$1.13 billion in discretionary spending, but they are split over what else must be included in the budget resolution.

Conservatives, led by the roughly three dozen members of the hard-right Freedom Caucus, are seeking deeper cuts in mandatory spending than the \$200 billion proposed over the next decade in the current draft of the budget.

About a dozen members of the Freedom Caucus said at a press conference yesterday that the House should not leave for recess until it can reach accord on several priorities, among them the outlines of a budget deal that would lay the groundwork for broad tax overhaul legislation later this year. They want more than \$200 billion in mandatory program cuts in the budget because they would allow for deeper tax cuts.

"Until we get results, there should be no recess," said Rep. Mark Meadows (R-N.C.), chairman of the Freedom Caucus, who also did not rule out blocking floor action on spending bills until a budget is adopted.

In the past, House leaders in both parties have moved spending bills to the floor without a full budget by first approving a resolution deeming spending levels for individual bills to avoid procedural objections. It's a route the GOP could take again in coming weeks, several appropriators said.

But Meadows suggested the Freedom Caucus might only support deeming for a defense spending bill, not domestic ones, until there is a budget in place. The three dozen conservatives would have enough votes to block any deeming measure, assuming no Democrats would support it.

Leaders, however, risk losing moderate members if they go too far in making the cuts sought by the right.

Rep. Charlie Dent (R-Pa.), a senior appropriator and leader of the moderate Tuesday Group, circulated a letter from the group last week that said \$200 billion in mandatory cuts is "not practical." It also warned forcing those cuts would make it hard to reach a broad deal on tax reform.

Dent said yesterday that his view remained unchanged and he would not back the budget as proposed. He called for negotiating a "bipartisan, bicameral" budget agreement with the Senate that would enlarge domestic discretionary coffers.

"I want to vote on the real numbers, not the fake numbers," said Dent, suggesting that steep cuts sought by House conservatives would never survive the Senate.

Democrats, meanwhile, lambasted the GOP for a broken budget process and made clear that they should expect solid Democratic opposition on the spending bills.

"The bottom line is, both the budget process and appropriations process, with all Republicans — Republican president, Republican Senate and Republican House — is at a standstill essentially, and there's nobody to blame but themselves," said House Minority Whip Steny Hoyer (D-Md.) yesterday.

Rep. Joe Crowley (D-N.Y.) stressed that Democrats would vote against any spending package that calls for building a wall along the U.S.-Mexico border, a GOP priority that the White House has warned could spark a shutdown if not included.

A House homeland security spending bill unveiled this week would match the administration's \$1.6 billion request for building the wall, opposed by many environmental groups.

"Whatever happened to the notion or idea that Mexico was going to pay for a wall? And then I was told the sun was going to pay for the wall through solar paneling," said Crowley, mocking a suggestion floated by President Trump to put solar panels on the wall.

*Reporter Geof Koss contributed.*

<http://bit.ly/2sUL0H8>

### 13. Lawmakers approve 'sue-and-settle' bill

Amanda Reilly, E&E News reporter

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A House committee yesterday advanced legislation Republican backers say is necessary to counter the so-called sue-and-settle phenomenon.

The bill, introduced by Rep. Doug Collins (R-Ga.), would require agencies to publicly post and report to Congress any information on lawsuits, consent decrees or settlement agreements. It would also prohibit same-day filing of complaints and pre-negotiated settlements.

The House Judiciary Committee voted 15-8 along party lines to approve the measure after voting down — also along party lines — a Democratic amendment to exempt settlements related to toxic pollution.

Collins said **H.R. 469** would cut down on instances in which special interests file litigation to force federal agencies to cut backroom deals and settle disputes through new regulation.

"Too often we have seen pro-regulatory plaintiffs sue sympathetic agencies to enact regulations in the dark absent public input," he said.

Obama administration officials and environmental groups have denied that "sue and settle" is occurring. The Government Accountability Office has also issued reports refuting Republican claims about the phenomenon.

At yesterday's markup, Rep. David Cicilline (D-R.I.) said legal settlements and consent decrees are needed to enforce deadlines written into environmental statutes. Federal agencies often unlawfully fail to meet their mandatory obligations because of resource constraints, he said.

The Collins legislation would have a chilling effect on the use of consent decrees, said Rep. John Conyers (D-Mich.), the ranking member on the Judiciary Committee.

"I've come to the simple conclusion that its purpose is to discourage the use of settlement agreements and consent decrees," Conyers said.

The bill, he said, "will inevitably generate more litigation that will result in millions of dollars in additional transactional cost."

Collins, though, maintained that his legislation would preserve consent decrees as a tool for resolving legal disputes.

The markup came after key officials in the Trump administration have vowed to limit "sue and settle." U.S. EPA Administrator Scott Pruitt, for example, issued an "oral directive" instructing his agency to halt the practice (*Greenwire*, July 3).

House Judiciary Chairman Bob Goodlatte (R-Va.), who has pressed the administration to develop written guidelines on the issue as soon as possible, yesterday said that legislation is still needed.

"Without the help of statutory reform, relief may only be temporary," he said.

Senate Judiciary Chairman Chuck Grassley (R-Iowa) earlier this year introduced a companion bill, **S. 119**, but his committee has yet to take any action (*Greenwire*, Jan. 13).

<http://bit.ly/2uWpHGD>

## **Jewell to urge outdoor enthusiasts to push for protections**

Jennifer Yachnin, E&E News reporter

Published: Thursday, July 13, 2017

Former Interior Secretary Sally Jewell will call on attendees at the Outdoor Retailer show in Salt Lake City to work to influence public lands policy, the Outdoor Industry Association announced today.

Jewell, who helmed outdoor recreation company REI before her tenure in the Obama administration, will serve as keynote speaker at OIA's Industry Breakfast event on July 27.

"America's public lands — like Yosemite, the Statue of Liberty, Bears Ears National Monument, and more — each tell a unique story and help protect and honor our nation's natural, cultural and historic heritage," Jewell said in a statement. "The outdoor industry depends on our nation's public lands and waters, and I am proud to see leaders help policymakers understand the profound significance of these places to our economy and the health of our nation."

The Bears Ears monument is the focus of a Trump administration review of dozens of national monuments across the country, and Interior Secretary Ryan Zinke recommended last month that the 1.35-million-acre site be significantly diminished.

President Obama created the Bears Ears monument in his final weeks in office, sparking opposition from Utah state and congressional lawmakers who have now urged President Trump to attempt to undo its status.

"Public lands are the very foundation of the outdoor industry's massive outdoor recreation economy, which employs more than 7.6 million Americans and generates more than \$887 billion in consumer spending," OIA Executive Director Amy Roberts said in a statement. "Secretary Jewell brings incredible experience and perspective to help guide the industry as we collaborate to protect the lands we love."

In addition to Jewell and Roberts, Montana Gov. Steve Bullock (D) is scheduled to be at the event. Professional climbers Alex Honnold and Cedar Wright are also scheduled to speak.

The breakfast will also be broadcast on the website Brandlive [here](#).

<http://bit.ly/2uWGIFP>