

Principles to Protect our Public Lands, Water, Air and Wildlife:

WHAT'S NEXT FOR ENVIRONMENTAL PROTECTION IN CONGRESS?

A LOOK AT WHERE WE STAND AND WHAT LIES AHEAD AS THE NEW CONGRESS STARTS

February 2019

BACKGROUND

It has been two years since President Trump was sworn in and the 115th Congress convened. Since then, many environmental protections and laws have been undermined by the Administration. In addition, there have been numerous efforts in Congress – some successful – to roll back critical protections for land and other natural resources vital to the public's health and well-being.

The Principles Campaign

In response to grave concerns about important conservation and environmental protection policies at the federal level, New Jersey Conservation Foundation launched a campaign to encourage New Jersey's congressional members to adopt a set of basic "*Principles to Protect our Public Lands, Water, Air and Wildlife*" (*The Principles*) in 2017.

- *The Principles* were endorsed at the outset by former Governors Byrne, Kean, Whitman and Florio, along with former Congressman Rush Holt and former NJ Assemblywoman Maureen Ogden.
- The Principles were subsequently embraced by nine of the fourteen members of New Jersey's 2017/2018 congressional delegation: Senators Menendez and Booker, Congresswoman Watson Coleman and Congressmen Lance, Norcross, Pallone, Pascrell, Payne and Sires.

Citizen action spurred by The Principles campaign

Citizens throughout our state have continued to urge New Jersey's delegation members to defend *The Principles* as they vote on a wide range of environmental issues. Citizens sent over **4,300 letters** to their representatives in Congress over the last two years based on the **10 action alerts** from New Jersey Conservation Foundation alone.

Principles to Protect our Public Lands, Water, Air and Wildlife

We, the undersigned former Governors and elected officials, and leaders of New Jersey Conservation Foundation, embrace our responsibility as environmental protectors. We affirm that land and natural resources must be protected and conserved for the health and enjoyment of current and future generations.

We call upon every Member of New Jersey's Congressional Delegation to honor New Jersey's legacy of environmental protection and progress and join us in advocating for these *Principles to Protect our Public Lands, Water, Air and Wildlife*.

We acknowledge that clean water, clean air, parks, forests, and farms are fundamental to the economic success and vitality of the State of New Jersey and the United States of America.

Moreover, the quality of our environment is fundamental to our health, wellbeing and quality of life. We acknowledge that environmental protection must remain a bipartisan matter. Therefore;

We will support and defend environmental laws, including the Clean Water Act, Clean Air Act, National Environmental Policy Act, Endangered Species Act, Wilderness Act and Antiquities Act, which provide the basic underpinnings for the protection of our environment and the public good.

We will protect and defend public lands and continued public funding for land preservation to celebrate our natural heritage, safeguard our drinking water and secure quality of life for future generations.

We will promote renewable energy and energy conservation, knowing that such action will create millions of jobs without generating pollution or relying on fossil fuels. Renewable energy and energy conservation provide vast health and economic benefits while securing our energy independence.

We will demand that all federal agencies, policies and laws be grounded in sound science.

We will work to address the critical and impending threat of manmade climate change that faces our Nation and our world.

Hon. Brendan T. Byrne	Hon. Maureen Ogden	Hon. Frank Pallone
Hon. Thomas H. K.ean	Hon. Cory Booker	Hon. Bill Pascrell, Jr.
Hon. James J. Florie	Hon. Bob Menendez	Hon. Donald Payno Lr.
Hon. Christine Todd Whitman	Hon. Locnard Lance	Hon. Albic Stres
Hon. Rush D. Holt	Hon. Donald Norcross	Hon. Bonnie Watson-Goleman

Issued in 2017

THE LAST TWO YEARS: HOW DID NEW JERSEY'S CONGRESSIONAL DELEGATION VOTE?

Following is a sampling of some of the measures considered by Congress in the past two years and how closely our delegation adhered to *The Principles* in its response.



New Jersey faces an onslaught of natural gas pipeline projects, all with enormous potential to damage land, water and other natural resources. In the last Congress several members of the New Jersey delegation went on record with concerns about the current federal review process for natural gas pipelines.

Unfortunately, congressional attempts to further weaken environmental reviews of natural gas pipelines and other fossil fuel infrastructure have continued.

H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act proposed in 2017, would have made it faster and easier to build gas pipelines without proper environmental reviews. The House approved the measure by a vote of 248-179.



Seven members of the New Jersey delegation voted against this bad legislation. No Senate version of this bill has advanced, so the ultimate outcome of the proposal remains uncertain.

• Issue #2: Land and Water Conservation Fund (LWCF)

The 115th Congress failed to permanently reauthorize the Land and Water Conservation Fund (LWCF) which expired in September of 2018. This important Fund brings enormous benefits to New Jersey by expanding our national wildlife refuges and parks, and dedicating funds to protecting local parks and recreation areas.

2019 UPDATE: Major progress was recently made in the new (116th) Congress when the Senate voted to permanently reauthorize LWCF on February 12, 2019 as part of a sweeping bipartisan public lands protection bill (The Natural Resources Management Act). The bill creates several new National Monuments, and designates over a million acres of public lands as Wilderness Areas and hundreds of river miles as Wild and Scenic. As of this writing, the House of Representatives was expected to pass the bill in short order. If signed into law, this measure represents tremendous progress in Congress, and we will continue to urge the New Jersey delegation to ensure that the nation's special places are protected for current and future generations.

Issue #3: EPA Funding 🖒 💭

Following the Administration's proposal for deep cuts to the EPA budget, the House of Representatives considered a measure in 2017 to reduce EPA's budget by approximately \$1.9 billion in FY 2018 – a cut that would severely weaken the agency's ability to enforce clean air, water and public health safeguards for communities, and could result in significant cuts in funding for the NJDEP.

All of New Jersey's House members voted against the cuts, and the proposal failed. The final budget resolution that passed fortunately spared EPA the dramatic cuts proposed by the Administration and some members of Congress, leaving the agency with level funding for the short-term.

In 2018, the House passed a budget bill that would have again cut the EPA's budget. The bill also contained a \$65 million cut to the Land and Water Conservation Fund (LWCF), provisions to repeal the Clean Water Rule and direct attacks on protections for wildlife. Four of New Jersey's House members voted in favor of this bad bill. However, instead of

passing a new budget, Congress passed continuing resolutions to keep the government open until December 2018, when the longest government shutdown in U.S. history occurred.

2019 UPDATE: This month, the 116th Congress passed a new FY 2019 omnibus bill and President Trump signed it into law.

Issue #4: Clean Water and Stream Protection

In an assault on clean water regulations, Congress passed a law overturning a rule protecting drinking water and ecosystems from toxic coal mining waste, threatening the health of communities near and downstream from coal mining operations. Three of New Jersey's

congressional representatives voted for the measure, which passed and was signed by President Trump in February 2017.





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• Issue #5: Tax Bill 🌔

Although more widely reported on for its negative impacts to New Jersey from a tax standpoint, when Congress passed the federal Tax Bill at the end of 2017 (H.R. 1, the Tax Cut and Jobs Act), **it included opening up the pristine Arctic National Wildlife Refuge** – considered our nation's greatest wilderness areas – for oil drilling. This is not only inconsistent with the pursuit of a clean energy future and a reduction in climate change impacts, but would have devastating consequences for the wildlife of this majestic national treasure.

The bill also decreased incentives for charitable contributions.

All but one member of the New Jersey delegation voted against this damaging measure.

• Issue #6: The Farm Bill

As 2018 drew to a close, Congress overwhelmingly passed the federal Farm Bill. Although the Farm Bill continues to provide substantial subsidies for large agricultural operations, it also contains important funding for conservation programs that preserve farmland, protect wetlands, promote local and organic food production and encourage conservation practices on agricultural lands. These programs provide significant benefits to New Jersey. The Farm Bill also funds important nutrition programs that provide food security to lower income families.

The House version of the Farm Bill contained steep cuts to conservation programs and removed protections for endangered species. All but one New Jersey House member opposed that bill.

The Senate passed a much better Farm Bill, and **both of NJ's Senators voted in favor**. The final outcome was a compromise that is an overall win for conservation and sustainable agriculture.



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WHAT'S NEXT? RESULTS FROM THE 2018 MIDTERMS

The midterm elections brought big changes to New Jersey's congressional delegation, with four new members starting in 2019. Republican Congressmen Frelinghuysen and LoBiondo retired, and New Jerseyans elected Democrats Mikie Sherrill and Jeff Van Drew to take their places in the 11th and 2nd districts. Democrat Tom Malinowski has replaced Republican Leonard Lance in the 7th district. In the 3rd district, Democrat Andy Kim replaced Republican MacArthur. Democrat Frank Pallone assumed chairmanship of the House Energy and Commerce Committee, bringing a renewed focus to climate change in Congress.

We expect congressional and Administration attempts to weaken environmental protections to persist in 2019, and New Jerseyans must continue to urge our congressional members to defend *The Principles*.

It is critical that New Jersey's congressional delegation block all efforts to weaken review of fossil fuel infrastructure projects and other assaults on our land, air and water coming both from within Congress and the Administration. The push for fossil fuel extraction and reductions in federal land protections will continue to be among our biggest environmental challenges. Bold action on climate change – one area where adherence to the Principles was sorely lacking last Congress – is also a top priority.

The new EPA Acting Administrator Andrew Wheeler formerly served as a lobbyist for the coal industry, and is expected to continue to carry the administration's fossil fuel expansion agenda forward. Efforts to limit or eliminate state authority under the Clean Water Act are expected. The EPA has put forth a proposal to weaken the Clean Water Act by eliminating protections for smaller waterways. We urge New Jersey's congressional delegation to defend the Clean Water Act and resist these and other similar attempts to weaken water quality protections.

Following the resignation of Interior Secretary Ryan Zinke, who led efforts to relax environmental rules and open up federal lands and waters for oil and gas exploration, Acting Secretary David Bernhardt is being considered for the Secretary position. He was integrally involved in the rollbacks to national monument protections and other anti-conservation initiatives during Zinke's tenure. If confirmed, he will likely continue to pursue an anticonservation agenda.

One major bright spot is the recent passage of sweeping public lands protection legislation by the Senate – a measure that stands in stark contrast to the Trump Administration's ongoing actions undermining natural resource protections. The Natural Resources Management Act includes renewal of critically important conservation funding for land and water, as well as major Wilderness Area designations and additions to National Monuments and Wild and Scenic Rivers. We urge our congressional delegation to advance such positive measures and to counter Administration efforts to rollback protections for public lands, clean drinking water and other natural resources.

PARTNERS IN ADVOCACY

Thank you to the many nonprofit conservation and environmental organizations working to preserve and protect New Jersey's natural, cultural, recreational and agricultural lands. We would especially like to recognize the following organizations who work with us to further federal policy that supports and advances *The Principles*.

American Littoral Society Association of NJ Environmental Commissions Citizens United to Protect the Maurice River and its Tributaries D&R Greenway Land Trust Great Egg Harbor Watershed Association **Greater Newark Conservancy** Hackensack Riverkeeper Monmouth Conservation Foundation New Jersey Audubon Society New Jersey Environmental Justice Alliance New Jersey Highlands Coalition New Jersey League of Conservation Voters NY/NJ Baykeeper **Pinelands Preservation Alliance Raritan Headwaters Association** Rethink Energy NJ The Nature Conservancy, NJ Chapter The Trust for Public Land The Watershed Institute

We also acknowledge the many other organizations that work to better New Jersey's environment. Together we will continue to work to protect our public lands, water, air and wildlife.

ABOUT NEW JERSEY CONSERVATION FOUNDATION

<u>New Jersey Conservation Foundation</u> is a private nonprofit organization that preserves land and natural resources throughout New Jersey for the benefit of all. Since 1960, New Jersey Conservation Foundation has protected 125,000 acres of open space - from the Highlands to the Pine Barrens to the Delaware Bayshore, from farms to forests to urban and suburban parks. For more information about New Jersey Conservation Foundation's programs and preserves, go to <u>www.njconservation.org</u> or call 1-888-LAND-SAVE (1-888-526-3728).

REFERENCES

Issue #1: Environmental Review of Fossil Fuel Projects

<u>H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act</u> http://scorecard.lcv.org/roll-call-vote/2017-402-short-circuiting-environmental-review-gaspipelines

Issue #3: EPA funding

2017 vote: Norman Amendment, H.R. 3354, the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2018 http://scorecard.lcv.org/roll-call-vote/2017-492-slashing-epa-funding

2018 vote: H.R.6147, Interior, Environment, Financial Services and General Government, Agriculture, Rural Development, Food and Drug Administration, and Transportation, Housing and Urban Development Appropriations Act, 2019 http://scorecard.lcv.org/roll-call-vote/2018-365-anti-environmental-spending-bill

Issue #4: Clean Water and Stream Protection

H.J. Res. 38, the Congressional Review Act "Resolution of Disapproval" of the Stream Protection Rule http://scorecard.lcv.org/roll-call-vote/2017-73-extreme-assault-stream-protection-rule-cra

Issue #5: Tax Bill

<u>H.R. 1, the Tax Cut and Jobs Act</u> http://scorecard.lcv.org/roll-call-vote/2017-699-anti-environmental-tax-bill-opens-drilling-arctic-refuge

Issue #6: Farm Bill

<u>H.R.2, Agriculture Improvement Act of 2018 (Senate Vote)</u> https://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=115&session=2 &vote=00259

H.R.2, Agriculture Improvement Act of 2018 (House Vote) http://clerk.house.gov/evs/2018/roll434.xml



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