

Perhach, William

From: Holbrook, William F.
Sent: Thursday, September 30, 2004 11:09 AM
To: Marlo Lewis
Subject: RE: CEQ E-Notes: Wednesday, September 29, 2004

I'd refer you to the US Fish and Wildlife Service. This came from their press release, not an original piece written by us.

Thanks.

-----Original Message-----

From: Marlo Lewis [mailto:mlewis@cei.org]
Sent: Thursday, September 30, 2004 11:00 AM
To: Holbrook, William F.
Cc: Global Warming
Subject: RE: CEQ E-Notes: Wednesday, September 29, 2004

Dear Mr. Holbrook,

Maybe it was just a slip of the pen, but I am troubled by the following statement:

"As part of the partnership, Entergy will retain the right to report carbon sequestration credits that will result from their reforestation efforts."

Entergy has been lobbying for years to transform the 1605(b) emissions reporting program into a pre-regulatory credit for early reductions program. As you may know, the Competitive Enterprise Institute and several other free market groups have long made the case that the federal government has no authority under current law to award CO2 reduction or sequestration credits, and that Congress should not provide such authority because an early credit program would function as the political and legal setup for future Kyoto-style cap-and-trade schemes.

DOE's general counsel agrees with our reading of 1605(b), as do a number of groups on the other side of the Kyoto debate, including Natural Resources Defense Council, Pew Center on Global Climate Change, and the Northeast States for Coordinated Air Use Management.

Please make sure that future communications do not give the misleading impression that the U.S. Government is in the business of awarding "credits" for CO2 reductions or sequestration. In fact, it would be a good idea to issue a correction.

Sincerely,
Marlo Lewis
Senior Fellow
Competitive Enterprise Institute

-----Original Message-----

From: Holbrook, William F. [mailto:William_F._Holbrook@ceq.eop.gov]
Sent: Wednesday, September 29, 2004 4:24 PM
To: Holbrook, William F.
Subject: CEQ E-Notes: Wednesday, September 29, 2004



CEQ E NOTES

A SYNOPSIS OF THE ADMINISTRATION'S LATEST ENVIRONMENTAL
 PUBLISHED WEEKLY BY THE WHITE HOUSE COUNCIL ON ENVIRONMENTAL QUALITY

September 29, 2004

In This Issue...



- [Edwin Piñero Appointed the New FEE](#)
- [U.S. Announces Major Clean Air Act Settlement with Mirant Mid-Atlantic](#)
- [Fuel Suppliers Preparing to Meet Future Low-Sulfur Diesel Requirements](#)
- [Louisiana Partners Use Innovative Conservation Tool To Save Threatened Habitat in Lower Mississippi River Valley](#)
- [United States to Support Protections for Great White Sharks, Other Threatened Species at CITES Conference in Bangkok](#)
- [EPA Solicits Proposals for Up to \\$800,000 in Brownfields Grants for Low-Income Communities Throughout the Country](#)
- [Voluntary Programs Prevent](#)

Edwin Piñero Appointed the New FEE

President Bush appointed Edwin Piñero to serve as the Environmental Executive, the White House announced on September 29, 2004. Mr. Piñero had served as Deputy FEE since January 2004 upon the departure of John Howard. "I am honored and grateful for the opportunity to serve as Federal Environmental Executive and to continue on our mission of promoting sustainable environmental quality across the Federal government," said Piñero.

Previously, Mr. Piñero was owner of Piñero Consulting, a management consulting firm in Pennsylvania. He worked for Pennsylvania Governor Tom Ridge as Director of the Bureau of Sustainability in the Pennsylvania Department of Environmental Protection as well as the State Energy Director. Over his 22-year career, he worked for various environmental consulting firms, taught environmental management for Duquesne University, and worked with Mobil Oil Corporation. He has a Bachelors Degree in Environmental Science from State University of New York and a Masters Degree in Environmental Management from A&M University.

(Source: OFEE)

[Return to the top](#)

Greenhouse Gases, EPA Reports

- **Environmental Protection Agency Selects Department of Defense as Pesticide Environmental Stewardship Program "Champion" for 2004**

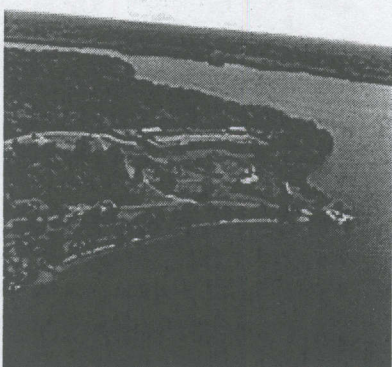
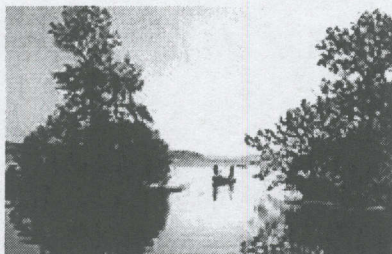
Did You Know?

- **In Focus... the Department of the Interior**

Park of the Week

National Capital Parks-East

Washington, D.C. & Maryland



U.S. Announces Major Clean Air Act Settlement with Mirant Mid-Atlantic

Company Agrees to Reduce Almost 29,000 Tons of NOx in the Washington D.C. Metropolitan Area

The Department of Justice and the Environmental Protection Agency, with the Commonwealth of Virginia and the State of Maryland, announced Monday a major Clean Air Act settlement with Mirant Mid-Atlantic. The settlement will eliminate almost 29,000 tons of harmful nitrogen oxides each year from Mirant's coal-fired electricity generating plants in Virginia. The settlement resolves federal and state claims that Mirant violated the NOx emissions limitation set forth in the open air quality plan for the Potomac River plant in Alexandria, Va.

The agreement, filed in the U.S. District Court for the Eastern District of Virginia for public comment, requires Mirant to install pollution controls on several coal-fired units and to cap its annual emissions. Coal-fired power plants account for nearly 30 percent of NOx emissions nationwide.

"The pollution controls required by this settlement will lead to significant environmental and public health benefits," said General Thomas L. Sansonetti. "Today's action demonstrates that the EPA's enforcement of coal-fired utilities continues to be a high priority for the Administration."

"This settlement, reached with the help of Maryland and Virginia, will significantly reduce air pollution in the Metropolitan Washington Area," said Tom Skinner, acting Assistant Administrator of EPA Region 4. "It protects the utilities that comply with the nation's environmental laws and standards."

Mirant will pay a \$500,000 civil penalty, \$250,000 of which will be paid to the Commonwealth of Virginia, and it will spend at least \$1 million on projects that are designed to reduce particulate matter and sulfur dioxide emissions from the Potomac River plant.

In its Mid-Atlantic (Maryland and Virginia) region, Mirant operates several coal-fired power plants, consisting of 12 units with approximately 2,500 MW of generating capacity: the Morgantown Generating Plant, located in Morgan County, Md.; the Chalk Point Generating Plant, located in Stafford County, Md.; the Dickerson Generating Plant, located in Frederick County, Md.; and the Potomac River Generating Station, located in Alexandria, Va. The consent decree covers all these plants.


NOx is a contributor to acid rain and also increases low-level ozone. Fine particulate matter (PM) causes haze. These pollutants cause respiratory problems and exacerbate cases of childhood asthma.



Mirant is a competitive energy company that produces a the United States, the Caribbean, and the Philippines. In filed for Chapter 11 bankruptcy in the Northern District o reorganization has yet been filed.

The consent decree will be subject to a 30-day public co

(Source: EPA)

[Return to the top](#) 


Fuel Suppliers Preparing to Meet Future Diesel Requirements

Refiners remain on target to supply significantly cleaner over the next five years, according to EPA's analysis of i released today. EPA has been working collaboratively w manufacturers and fuel refiners in preparation for EPA's engine and fuel standards. When fully implemented, EP, Program, will reduce 2.6 million tons of smog-causing er oxides (NOx) from diesel exhaust each year, thus provid running heavy-duty trucks and buses in history.

The action will produce the clean-air equivalent of elimin 13 million trucks. To ensure these cleaner-running vehic requires that sulfur in diesel fuel be reduced by 97 perce provide the clearest snapshot currently available of the f market. Similar to the projections that refiners made last that 95 percent of the nearly 3 million barrels of highway day will meet the 15 parts per million (ppm) standard in 2 of information from more than 120 refineries shows that positioned to comply with the 15 ppm highway diesel sul highway diesel fuel production will be sufficient to meet c sulfur highway diesel fuel will be widely available nationv

Reducing the sulfur content in diesel will enable advance technology in diesel engines and substantially contribute improvement. Under the EPA's Highway Clean Diesel R importer planning to produce or import highway diesel fu required to submit annual "pre-compliance reports" to Ef due June 1 of each year; the first was due June 1, 2003 be due in 2005. For a copy of the Summary and Analysis: Diesel Fuel Pre-compliance Reports and additional infor Highway Diesel Rule, go to: <http://www.epa.gov/otaq/die> information about EPA Clean Diesel Program, go to: <http://www.epa.gov/cleandiesel/>.

(Source: EPA)

[Return to the top](#) 

Louisiana Partners Use Innovative Con To Save Threatened Habitat in Lower M Valley

Carbon Partnership Adds Over 2,000 Acres to National System

Yesterday, Entergy Corporation, the Trust for Public Land, the U.S. Department of Interior's U.S. Fish and Wildlife Service and the State of Louisiana announced the purchase of 2,208 acres of land to Texas River National Wildlife Refuge in Louisiana as part of a unique partnership to conserve and restore the Lower Mississippi River Valley. The partnership is the largest in the science of sequestering carbon from the atmosphere for long-term conservation, and is expected to play a key role in protecting the floodplain of the Lower Mississippi River.

Through the partnership, the Service will purchase the land from the Trust for Public Land, which purchased the property from the Chicago Mill and Lumber Company in February 2004. Entergy has donated \$15 million to partially fund the purchase of this tract of land, which is property with native bottomland hardwood trees and to the U.S. Fish and Wildlife Service for maintaining the new forest for the next 70 years. Under the partnership, Entergy will retain the right to report carbon sequestration that will result from their reforestation efforts.

The land conservation announced today is the first phase of a \$15.7 million initiative to protect the entire Chicago Mill property. When complete, the project will add approximately 11,000 acres to the Texas River National Wildlife Refuge, and reforest more than 8,600 acres.

"Building innovative partnerships with local communities and private landowners is one of the most effective ways we can restore vital habitat such as Louisiana's bottomland hardwood forest," said Deputy Secretary of the Interior J. Steven Griles. "Carbon sequestration partnerships allow us to acquire additional lands for the Texas River National Wildlife Refuge System and protect the species and habitats of the Lower Mississippi River Valley."

Carbon dioxide is a principal greenhouse gas. Carbon dioxide concentrations in the atmosphere have increased over the past 60 years, leading scientists and policy experts to find ways to control and stabilize carbon dioxide levels to avoid potential adverse impacts from climate change. Carbon sequestration emissions can be controlled through improved technologies at the source (such as coal gasification) or as through the use of low-carbon fuels, and carbon sequestration.

Carbon sequestration is the long-term storage of carbon in the soil, plants, the biosphere, underground, or the oceans. Scientists have found that reforested bottomland hardwood forest of the Lower Mississippi River Valley can sequester carbon at a rate of 1.5 to 2.5 tons per acre per year.

floodplain can take up 400 tons of carbon over 70 years. reforestation of the Tensas project will result in 600,000 carbon dioxide over the next 70 years. This equates to the road for one year, or avoiding emissions from 61 mill gasoline.

This innovative approach has made it possible for conservation companies to partner over the last five years to acquire and restore agricultural lands. Since 1999, thanks to Entergy and other partners, more than 65,000 acres have been reforested in the Lower Mississippi Valley, and more than 20,000 acres have been added to the National Wildlife Refuge System. More than \$500,000 has also been donated to the National Wildlife Refuge System to maintain these reforested lands.

"As a conservation tool, carbon sequestration gives us the ability to address critical issues relating to the atmosphere while also saving and restoring wildlife habitat. Additionally, the project accomplishes this at a savings to the American taxpayer," said Mark Landrieu, Trust for Public Land's project manager.

"Entergy is very proud of the public/private partnership with the U.S. Fish and Wildlife Service and the Trust for Public Land to expand and enhance the Tensas River National Wildlife Refuge in Louisiana. This project not only fits in perfectly with Entergy's Gas Stabilization Commitment, but also helps restore and protect a threatened Louisiana black bear, as well as making improvements in an area highly valued by the communities we serve," said Mark Landrieu, Executive Vice President of Operations.

To date, funding for this project has come from a number of sources including the federal Land and Water Conservation Fund, the Conservation Fund, and the Entergy Corporation. Projects will continue to raise needed funds from federal and private sources for the acquisition.

The strong support of the Louisiana Congressional delegation was instrumental in the funding effort. U.S. Senators John B. Landrieu, and U.S. Representative Rodney Alexander supported the project.

The lands added to Tensas River National Wildlife Refuge are significant because they will connect two sections of the floodplain and provide an important wildlife corridor for the threatened Louisiana black bear, rare forest breeding birds, waterfowl, and other wildlife.

The Lower Mississippi River floodplain forest is one of the most threatened ecosystems. Encompassing portions of Tennessee, Louisiana, and Mississippi, the floodplain has lost more than 90 percent of forestland since the early 1900s due primarily to timber harvest and conversion to agriculture.

Great white sharks are one of the world's most feared predators. A decline in their populations means the United States will support international trade restrictions to protect the species, Assistant Secretary of the Interior for Fish and Wildlife and Parks Craig Manson said.

Manson will head the U.S. delegation to the 13th Conference of the Parties to the Convention on International Trade in the Threatened Species (CITES) in Bangkok from Oct. 2 to 14. CITES is an international agreement signed by more than 160 nations to regulate trade in wild animals and plants that are or may become threatened by commercial trade.

Like many species of sharks, great whites have been overhunted, especially for their fins, which are used in soups and medicines.

"People have a natural terror of 'Jaws,' but great white sharks and plants and animals are the species that are truly threatened," Manson said. "By helping regulate sustainable wildlife trade while working to shut down black markets, CITES applies the power of international partnership and cooperation to conserving these species."

In addition to supporting the proposal by Australia and New Zealand to restrict trade in great white sharks, the United States has submitted proposals to protect three Asian turtle species, the painted bunting (a songbird), the humphead wrasse (a coral reef fish) and the yew (a tree).

The United States also is proposing to ease export restrictions on bald eagles, reflecting their dramatically improved population in the lower 48 states. The proposal would bring the eagle's status in line with its status as a threatened species under the Endangered Species Act. Since eagles are protected under a number of U.S. laws, the effect of the U.S. proposal would be to make it easier for tribes in the United States and Canada to exchange eagle feathers for religious purposes.

Manson made the announcement of the tentative U.S. positions for the conference as part of a Federal Register Notice for public comment in advance of the conference. These positions include:

The United States is not yet taking a formal position on a proposal by South Africa and Namibia to allow export of a small number of rhinoceroses. "We will decide whether to support the proposal designed to raise funds for rhino conservation efforts in 12 months through consultations with all African range nations," Manson said. "We will support these proposals only if we are assured that they are part of a long-term program to benefit the species," Manson said.

The United States is opposing a proposal by Namibia to increase its export quota for sale of ivory. The United States supports a proposal to restrict ivory trade.

ivory stocks by Namibia, South Africa and Botswana at the conference of the parties in 2002 on the condition that no illegal killing of African elephants be established before the treaty is not in place yet.


The United States is undecided on a proposal by Indonesia for rattan, a tropical hardwood mainly found in Malaysia and has been subject to widespread illegal logging. "We have seen unregulated trade in rattan, but we want to discuss the situation in those countries before reaching a decision on the proposal," said the U.S. representative. The United States is proposing to remove CITES protection for rattan because they are not threatened or endangered, and do not meet the conditions for inclusion in Appendix II of the treaty.

A CITES-regulated species may be included in one of the three Appendices of the Convention:

- Appendix I includes species for which it is determined that commercial trade is detrimental to the survival of the species. Therefore, no commercial trade is allowed in Appendix I species. Non-commercial trade in such species is allowed if it will not jeopardize the species' survival in the wild. Permits are required for the exportation and importation of Appendix-I species.
- Appendix II includes species for which it has been determined that commercial trade may be detrimental to the survival of the species if that trade is not strictly controlled. Trade in these species is allowed through the use of export permits.
- Appendix III includes species listed by a range state with the assistance of other parties to ensure that exports are legal. Permits are used to control trade in native species. Any CITES Party may place a species in Appendix III.

Any listing of a species in either Appendix I or II requires a two-thirds vote of the CITES party countries that vote on the proposal.

(Source: DOI)

[Return to the top](#) 

EPA Solicits Proposals for Up to \$800,000 in Brownfields Grants for Low-Income Communities Throughout the Country

EPA is now accepting proposals for training, research, technical assistance, and cooperative agreement grants focusing on health and safety conditions in low-income and socio-economically disadvantaged communities. Communities unable to get alternative sources of funding for Brownfields grants hope these grants will stimulate redevelopment, economic growth, and other beneficial reuse of land. The deadline for proposal submission is October 15, 2004. The winners are expected to be named in February 2005.

These grants are authorized by the Small Business Liability Brownfields Revitalization Act of 2002.

EPA will only consider proposals that emphasize:


- Community Involvement in low-income and socio-economically disadvantaged communities;
- Integrated approaches to Brownfields cleanup and economic development in low-income and socio-economically disadvantaged communities. Integrated approaches explore linkage between environmental, economic, and social issues, including waterfront utilization, transportation planning, city planning, etc.;
- How the economics of Brownfields cleanup and economic development impact low-income and socio-economically disadvantaged communities.

The grants will be in the form of a cooperative agreement and may include governmental and non-profit organizations, as well as for-profit private universities. For-profit organizations are not eligible to submit "joint" applications with eligible applicants.

EPA estimates that \$800,000 will be available to make a competition and up to three grants may be awarded depending on the quality of the applications. EPA intends to fund successful applications ranging from 1-5 years, contingent upon the availability of funds. EPA reserves the right to offer partial funding for specific competitive applications. EPA may also decide to make only one award if warranted, by changes in Agency funding obligations.

For more detailed information and assistance regarding the application process, go to: <http://www.epa.gov/brownfields/pg/pg09/> or contact the Office of Brownfields Cleanup and Redevelopment at 202-566-2777.

(Source: EPA)

[Return to the top](#) 

Voluntary Programs Prevent Greenhouse Gas Emissions


ENERGY STAR and other voluntary programs prevented 100 million tons of greenhouse gas emissions in 2003, up from 43 million tons in 1990. Protecting the Environment-Together: ENERGY STAR Voluntary Programs catalogues the environmental and economic benefits of a wide range of EPA energy-efficiency and climate protection programs. ENERGY STAR, Americans prevented greenhouse gas emissions equivalent to those from 18 million automobiles and saved \$8 billion in energy costs. Also through the combined efforts of the methane program,

Departments of the Army, the Navy, and the Air Force. particularly notable in view of the high global operations branches have sustained during this past year. DoD's interagency workgroup on public health pesticides was a contributor.

The US Army's Army Environmental Center and its Center for Promotion and Preventive Medicine were stand-out contributors through their cooperation in projects on integrated reduction of imported fire ants, Geographic Information System (GIS) risk strategy for Army golf courses, and integrated pest management at childcare centers.

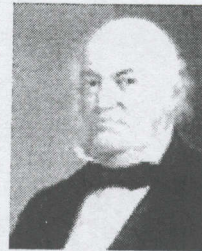
More information about the Pesticide Environment Stewardship Program: DoD's participation in it are accessible on the Web at <http://www.epa.gov/oppbppd1/PESP>, and the Armed Forces Pest Management Board's site at <http://www.afpmb.org>.

(Source: DOD)

[Return to the top](#) 

Did You Know?

In Focus... the Department of the Interior



Thomas Ewing
First Secretary of the Interior



Gale Norton
48th Secretary of the Interior

Since Congress created the Department of the Interior in 1849, it has been the steward for:

Land

DOI manages 507 million acres of surface land, or about 20 percent of the land in the United States, including:

- 262 million acres managed by the Bureau of Land Management
- 96 million acres managed by the Fish and Wildlife Service
- 84.4 million acres managed by the National Park Service
- 8.7 million acres managed by the Bureau of Reclamation with reclamation projects.
- 55.7 million acres managed by the Bureau of Indian Affairs
- Over 180,000 acres of abandoned coal mine sites

reclaimed through the Office of Surface Mining's Abandonment Program.

Water

DOI has responsibility for managing a variety of water and mineral resources. The Bureau of Reclamation manages 476 dams and reservoirs that deliver irrigation water to one of every five acres and provide water for 31 million people. The Minerals Management Service has jurisdiction over approximately 1.76 billion acres of the Outer Continental Shelf, on which it manages about 7,300 active oil and gas leases and 1.5 million acres. The U.S. Geological Survey conducts groundwater studies with offices in all 50 states.

Recreation and Cultural Opportunities

- 66.6 million visits to 3,300 recreational sites provided by the Bureau of Land Management
- 279 million visits to 388 units, including parks, monuments, sites, battlefields and other cultural and recreational sites provided by the National Park Service
- 39 million visits to 544 wildlife refuges provided by the U.S. Fish and Wildlife Service
- 90 million visits to 308 recreation sites provided by the Bureau of Reclamation

For more information on camping, fishing, archeology, and other recreational opportunities on Interior and other Federal lands, visit recreation.gov

Native American Lands and Needs

- 55.7 million acres of land belong to Indian tribes
- The Bureau of Indian Affairs provides educational services to Indian children in 184 schools and dormitories
- The Bureau manages relationships with 562 Indian tribes

U.S. Energy Needs

Energy projects on federally managed lands and offshore contribute 28 percent of the nation's energy production. This includes:

- 34.5% of natural gas
- 34.7% of oil
- 42% of coal
- 17% of hydro power
- 48% of geothermal

Scientific Research

The U.S. Geological Survey scientists:


- Monitor, analyze, interpret, and disseminate information on earthquakes, volcanoes, and the geology and tectonics of the United States.
- Monitor and assess water quality, streamflows, and sedimentation at thousands of sites across the nation
- Produce more than 100,000 different maps
- Estimate world and United States energy and mineral resources
- Conduct a wide range of research on biology, geology, and hydrology to provide land and resource managers with the information they need to make sound decisions, and to help mitigate the hazards

Fish and Wildlife

The Department seeks to work with others to conserve, enhance fish, wildlife, plants and their habitats for the enjoyment of present and future Americans. DOI is responsible for:

- Improving habitats for migratory birds, certain native freshwater and anadromous fish, as well as providing for the enjoyment of these resources
- Protecting 1,848 endangered or threatened species
- Preventing and controlling invasive species

(Source: DOI)

[Return to the top](#) 

WHITE HOUSE COUNCIL ON ENVIRONMENTAL QUALITY

For more information, please visit <http://www.whitehouse.gov/ceq>

The Council on Environmental Quality (CEQ) coordinates federal environmental policy closely with agencies and other White House offices in the development of environmental initiatives. The Council's chairman serves as the principal environmental policy advisor to the President. In addition, CEQ oversees federal agency implementation of the environmental process and resolves interagency conflicts.