

Amendment 683 – Eliminates over \$1 billion in wasteful and unneeded spending contained within the bill.

The Omnibus Public Land Management Act will cost taxpayers \$10 billion to enact. This amendment would reduce the cost by \$1,008,750,000 by striking some of the most wasteful and unneeded spending in the bill, including:

- \$3.5 million for a birthday celebration for St. Augustine, Florida;
- \$5 million for botanical gardens in Hawaii and Florida;
- \$1 billion to restore 500 salmon to California's San Joaquin River; and
- \$250,000 to study whether or not Alexander Hamilton's boyhood estate in the Virgin Islands should be made a national park.

The amendment would also prohibit any of the funds authorized by the bill to study historic shipwrecks.

\$3.5 million to create a commission to plan the 450th anniversary of St. Augustine, Florida in the year 2015

S. 22 establishes the St. Augustine 450th Commemoration Commission to plan and execute programs to celebrate the 450th anniversary of the founding of St. Augustine, Florida. According to the Congressional Budget Office (CBO), implementing S. 2359, would cost \$500,000 annually over the 2009-2015 period, which totals \$3.5 million over the seven years.¹

St. Augustine—the oldest continuously occupied European-established city in the continental United States—holds a birthday celebration every year. Last year's included three full days of special events and a birthday party complete with cake and games.

The population of St. Augustine is approximately 12,160. This earmark would, therefore, provide nearly \$300 per resident to celebrate their town's birthday six years from now.

¹ Congressional Budget Office Cost Estimate, September 25, 2008.
<http://www.cbo.gov/ftpdocs/98xx/doc9815/s2359.pdf>

According to St. Augustine's most recent budget report, the city's projected total revenue for Fiscal Year 2008- Fiscal Year 2009 is over \$23 million.² Additionally, in FY 2008-09, the state of Florida had a surplus of \$53.7 million.³ Conversely, the United States national debt now exceeds \$11 trillion.

If the residents of St. Augustine, or any other community, wish to throw themselves a birthday celebration, they should not expect the rest of the country to pay for their party.

\$5 million for the National Tropical Botanical Garden for gardens in Hawaii and Florida

S. 22 authorizes \$5 million for the National Tropical Botanical Garden, a private nonprofit organization that boasts being the only tropical botanical garden with a charter from the United States Congress.

The organization's tropical gardens and preserves are located in five different areas in Hawaii and Florida.

The group has received millions of dollars from taxpayers, contributors, and visitors over the past decade.

Between FY 2000 and FY 2006, the National Tropical Botanical Garden has received more than \$1,064,526 in federal funding.⁴

The Garden reports \$12.4 million in annual revenue, with operating expenses of \$8.1 million. According to auditing reports from 2007, the National Tropical Botanical Garden has net assets worth over \$68 million,⁵ an amount that has steadily increased from \$53.7 million in 2005.⁶

² Proposed Budget Fiscal Year 2008-2009. http://www.staugustinegovernment.com/the-city/featured-stories-archive/9_08/documents/BudgetBook08-09--FINAL.pdf pg. 6

³ Governor Crist's Financial Outlook.

[http://peoplesbudget.state.fl.us/\(S\(ut2e3dqq25pwlfiktlz2s155\)\)/reports/Preformatted/Financial_Outlook.pdf](http://peoplesbudget.state.fl.us/(S(ut2e3dqq25pwlfiktlz2s155))/reports/Preformatted/Financial_Outlook.pdf)

⁴ http://www.fedspending.org/faads/faads.php?recip_id=615201&sortby=u&detail=-1&datatype=T&reptype=r&database=faads&fiscal_year=&submit=GO

⁵ http://ntbg.org/about/NTBG_FY2007_FinStmnt.pdf

⁶ http://ntbg.org/about/NTBG_FY2006_FinStmnt.pdf

National Tropical Botanical Garden CEO and Director Charles R. "Chipper" Wichman, Jr., was paid a salary of \$135,039 in 2006.

\$1 billion to restore 500 salmon to California's San Joaquin River

S. 22 contains a provision intended to settle a lawsuit with environmental groups that would cost the federal government approximately \$1 billion to restore 500 salmon in California's San Joaquin River. At \$2 million per head, each salmon would be worth far more than its weight in gold.

The primary objective is to implement a judicial settlement, between the Bureau of Reclamation's Friant Division of the Central Valley Project (CVP) in Central California and a coalition of environmental and fishing groups, by restoring water flows next year to the San Joaquin River in California below a dam managed by the U.S. Bureau of Reclamation with the hope of returning salmon to the river channel.

The minimum goal of this act is to bring back a salmon population of 500 fish, alleged to have disappeared with the construction of the CVP in the 1930s.⁷

The San Joaquin River Restoration Settlement Act authorizes over \$1 billion in new spending over the next 20 years, allows for the use of eminent domain for the government to take privately owned farm land, and puts taxpayers on the hook for a costly state initiative.

Over the past 75 years, Congress appropriated hundreds of millions of dollars for the construction and operation of Friant Dam and canals serving Friant Division as irrigation works to benefit local farmers and the region's economy. Now the state expects the nation's taxpayers to pay to undo a project that has been costing the rest of the nation for decades.

CBO originally estimated that enacting similar legislation would increase net direct spending by \$190 million over the 2009-2018 period (it also would increase direct spending by about \$200 million over the 2019-2040 period). In addition, CBO estimates implementation would increase

⁷ NATURAL RESOURCES DEFENSE COUNCIL, et al., (Plaintiffs) v. UNITED STATES BUREAU OF RECLAMATION, et al., (Defendants), CIV NO. S-88-1658 - LKK/GGH, STIPULATION OF SETTLEMENT, Page 25, <http://www.fwua.org/settlement/supplemental/docs/settlementdocsn exhibits.pdf>

discretionary spending by \$271 million over the 2009-2018 period. Additional discretionary spending would occur after 2018 for further construction, operation, and maintenance of the project.⁸

In total, this provision is expected to cost taxpayers about \$1.1 billion,⁹ with direct spending deferred until after the ten-year pay-as-you-go window to mask its true cost.

With 15,000 farms and one million acres of productive farmland, the area currently drawing water from this dam is one of the most fertile in our country.¹⁰ In fact, five of the most agriculturally productive counties in our nation are in the San Joaquin Valley.¹¹ Enacting the settlement will reduce the amount of water available for this area.¹² The former Friant Water Users Authority board President predicted that such action will result in “a slow death for some farming.”¹³

Two analyses done in the late 1990s examined the economic impacts of water supply reductions¹⁴ and estimated the total cost of this settlement to the community at over \$10 billion when the loss of productive land, jobs, and related income tied to that production are considered.

This provision also grants the Secretary of the Department of Interior the right to acquire private property through eminent domain to implement the settlement.

According to historical records, it is debatable whether or not the local salmon population was even healthy before the dam was built. In 1928,

⁸ Congressional Budget Office Cost Estimate of S. 27, July 29, 2008,

<http://www.cbo.gov/ftpdocs/96xx/doc9640/s27.pdf>

⁹ Thomas A. Schatz, “Extreme Makeover: San Joaquin River,” Tuesday, May 20, 2008, Citizens Against Government Waste, <http://www.cagw.org/site/News2?page=NewsArticle&id=11446>

¹⁰ Mark Limbaugh, Assistant Secretary Water & Science, Bureau of Reclamation, “U.S. Senate Energy and Natural Resources Committee, Subcommittee on Water and Power Hearing on S. 27, San Joaquin River Restoration Settlement Act,” May 03, 2007, <http://www.usbr.gov/newsroom/testimony/detail.cfm?RecordID=921>

¹¹ Betsy A. Cody & Pervaze A. Sheikh, “Title X of S.22: San Joaquin River Restoration,” January 9, 2009, Congressional Research Service

¹² Mark Limbaugh, Assistant Secretary Water & Science, Bureau of Reclamation, “U.S. Senate Energy and Natural Resources Committee, Subcommittee on Water and Power Hearing on S. 27, San Joaquin River Restoration Settlement Act,” May 03, 2007, <http://www.usbr.gov/newsroom/testimony/detail.cfm?RecordID=921>

¹³ Michael Doyle and Mark Grossi, “20 years of water war may end: Politicians cannot agree among each other,” January 10, 2009, The Fresno Bee (CA), <http://www.fresnobee.com/local/story/1120776.html>

¹⁴ Two studies released by the University of California (1996) and the Northwest Economic Associates (1997) were focused on the economic impacts of water supply reductions.

more than 15 years before Friant Dam was fully operational, the California Department of Fish and Game reported “very few” salmon remaining in the San Joaquin River above the confluence of the Merced River. The “historical” salmon fishery that once existed had already been severely depleted.¹⁵

It is also uncertain that the suggested restoration plan will actually accomplish the goal of a thriving salmon population. The Congressional Research Service points out that:

“The San Joaquin River restoration will be complicated in several respects (e.g., size of area to be restored, southern limit of the species’ range, potential lack of unique genetic stock, extreme degradation of existing habitat, and potential climate change). Concerted attempts to restore salmon habitat in the Sacramento and San Joaquin River basins have produced encouraging results and success in some cases, but total success has been hard to claim in the short time these restoration efforts have been underway. As many of these projects have been conducted on small drainage areas, it would seem there is little precedent in California for the major restoration effort contemplated for the San Joaquin River.”¹⁶

\$250,000 to study whether Alexander Hamilton’s boyhood home in the U.S. Virgin Islands is suitable as a new National Park Unit

The bill authorizes \$250,000 for the National Park Service to study whether Alexander Hamilton’s boyhood estate at St. Croix in the U.S. Virgin Islands is suitable for designation as a new National Park unit.

Coincidentally the Trust for Public Land announced it would be buying the Estate the same week as the legislation passed the Energy Committee. In its announcement, the Trust said “will acquire it on behalf of the Virgin Islands and eventually, plans call for it to be protected by the National Park Service as a National Historic Site. ... The Trust is excited to be working with the government of the U.S. Virgin Islands and the National Park Service to preserve it.”

¹⁵ Friant Water Users Authority (CA), San Joaquin River Case History, <http://www.fwua.org/settlement/supplemental/docs/SJRCasestory.pdf>

¹⁶ San Joaquin River Restoration Settlement, November 9, 2007, Congressional Research Service, <http://apps.crs.gov/products/rl/pdf/RL34237.pdf>

In this case, taxpayers are being asked to foot the bill for a study located on a tropical resort island in what appears to be a prearranged deal between the Park Service and the National Trust rendering the study unnecessary and wasteful.

Unspecified amount to launch a new federal initiative to conduct scientific voyages to locate and research historic shipwrecks

S. 22 establishes a new national ocean exploration program and undersea research program within the National Oceanic and Atmospheric Administration that is tasked, in part, to “conduct scientific voyages to locate, define, and document historic shipwrecks.” Nearly \$320 million is authorized to be spent on the new program over the next seven years.

While researching historic shipwrecks may be interesting, such an initiative is not a priority for the federal government at this time when our nation is sinking in a sea of red ink.

The U.S. Coast Guard, the Library of Congress, 12 private museums, and 8 libraries and historical societies are among the many private and public initiatives that document and/or contain research regarding shipwrecks.

Government Sources: 8

United States Coast Guard

Library of Congress

National Archives and Records Administration

International Revenue Service

Library of Congress: Geography and Map Division

Office of Distribution Services: Defense Mapping Agency

Smithsonian Institution: Museum of American History

Naval Historical Center: Ships History Branch

Federal Building and US Courthouse (Detroit): Great Lake Papers

Museums: 12

Chesapeake Bay Maritime Museum Library

Independence Seaport Museum

Marine Museum

Mariners Museum Library

Mystic Seaport Museum

National Maritime Museum
Outer Banks History Center
Peabody Museum of Salem
Steamship Historical Society of America
Texas Antiquities Committee
Lake Superior Marine Museum
Dossin Great Lakes Museum

Libraries and Historical Societies: 8

Buffalo and Erie County Historical Society
Burton Historical Collection
Detroit Historical Society
Great Lakes Historical Society
Institute for Great Lake Research
Marine Historical Society of Detroit
Milwaukee Public Library
Rutherford B. Hayes Library

Total Shipwreck Publications: 22

U.S. Government Shipwreck Publications: 9

Records in the Custody of the National Archives: 8

The Earmarks in the Lands Bill Challenge President Obama's Pledge to Clean Up the Earmark Process

The bill represents another direct challenge from Congress to President Obama's pledge to clean up the earmark process.

Last week, President Obama pledged to eliminate earmarks that did not serve a legitimate public purpose.

The President also said that each earmark must be scrutinized at public hearings. None of the individual earmarks were in the bill were subject to public hearings nor would many Americans describe earmarks like a \$3.5 million birthday bash for St. Augustine, Florida, a legitimate public purpose.