

FOIA MARKER

**This is not a textual record. This is used as an
administrative marker by the William J. Clinton
Presidential Library Staff.**

Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: Council on Environmental Quality
Series/Staff Member: Kathleen (Katie) McGinty
Subseries:

OA/ID Number: 2886
FolderID:

Folder Title:
Chronological Files: Chronological File November 1993

Stack:	Row:	Section:	Shelf:	Position:
S	61	5	9	2

CHRON FILE INDEX

DATE	TO	SUBJECT	STAFFER
11/1	Distribution	VP Mtg Financing Intntl Env	Marsh
11/1	Vice President	Mtg W/ Trammel Crow	Zwally
11/2	Roy Neel	Forestry and Cmty Asst Ofc	Stelle
11/2	Floodpln Mgmt TF	Proposal for Floods Mgmt Rvw	Stelle
11/3	Bo Cutter	Comments on Proposed EO	Chupka
11/3	President	EPA Cabinet Bill Markup Event	Zwally
11/3	Katie McGinty	Amendments on EPA Cabinet Leg	Chupka
11/3	WH Communications	Profile on Enviro Issues	McGinty
11/4	Distribution	All-Hands November 9 Meeting	Zoi
11/4	Bruce Lindsey	Politically Sensitive Enviro	Marsh
11/4	Cabinet Sec'ys	Forest Plan Interagency Steer	Stelle
11/5	President	OEP Activity Report	Lindseth
11/9	Gary Soucie	Definition Sustainable Develop	Marsh
11/9	Bruce Lindsey	Asst Secy of Army Civil Works	Marsh
11/9	Kieth Mason	Correspondence Gov. Voinovich	Lindseth
11/9	Mack McLarty	Environmental Policy Initiat	McGinty
11/10	McGinty et al	Dwyer Ruling on the Extension	Stelle
11/10	Cabinet	Interagency Ecosystem Mgmt TF	Stelle
11/11	Gearan/Voles	Environmental Achievements	Marsh
11/12	President	Good News on the Enviro Recrd	McGinty
11/12	Andrea Rutledge	Travel Authorization Goergen	Stelle
11/12	President	OEP Activity Report	Lindseth
11/15	Working Group	San Francisco Dredging Update	Stelle
11/15	Intragy Plcy Com	CERCLA Reauthorization Update	Breggin
11/15	Alicia Munnell	CERCLA Legislative Draft Team	Breggin
11/15	Vice President	Interagency Ecosystem Mgmt TF	Stelle
11/15	Vice President	Climate Change Interview	Chupka
11/17	President	California Smog Check Program	McGinty
11/17	President	California Environmental Issu	Stelle
11/17	Leon Fuerth	Intntl Environmental Budget	McGinty
11/18	President	Letter from Randy Young	Stelle
11/19	President	Port of Oakland Project	Stelle
11/19	President	OEP Activity Report	Lindseth
11/19	Roy Neel	Northwest Forestry Office	Stelle
11/22	Peter Yu	New England Fish	Stelle
11/22	Betsy Reike et al	California Water Issues	Stelle
11/22	Mack McLarty	Ethanol/Reformulated Gas Optn	Doniger
11/22	Distribution	CERCLA Principals Meeting	Breggin
11/23	Morrie Goodman	Communications Person Floodpl	Stelle
11/23	John Leshy	Ward Valley	Stelle
11/23	Jim Lyons	USDA Assignee to Fldpln Mgmt	Stelle
11/23	WH Staff	Private Property Movement	Marsh
11/24	Mickey Kantor	Trade Policy Review Group	McGinty
11/24	Distribution	Mitigation Banking Meeting	Laughlin
11/24	Vice President	Enviro Issues Uruguay Round	Blank
11/	-----	Floodplain Management Letter	Stelle
11/29	Steve Neuwirth	Halon Procurement	Chupka
11/29	Alicia Munnell	Superfund Reauthorization	Breggin

11/29	VPOTUS/Fuerth	Gore/Chernomyrdin Comm Nuclr	Marsh
11/30	Pac Salmon Wk Gp	Meeting Discuss Pending Iss	Stelle
11/30	Pac Salmon Wk Gp	Change of Time for 12/8 Mtg	Stelle

THE WHITE HOUSE

WASHINGTON

November 1, 1993

MEMORANDUM FOR DISTRIBUTION

FROM: KATIE MCGINTY 

SUBJECT: MEETING WITH THE VICE PRESIDENT ON FINANCING FOR
INTERNATIONAL ENVIRONMENT

PARTICIPANTS AND DISTRIBUTION:

Leon Panetta
Carol Browner
Tim Wirth
Brian Atwood
Larry Summers
Dr. John Gibbons
Alice Rivlin
T.J. Glauthier
Eileen Claussen
Joan Spero
Gordon Adams

TIME AND PLACE:

Tuesday, November 2, 3:15 - 4:15pm; Vice President's Ceremonial
Office, Room 274 OEOb (staff contact: Christian Marsh x6533)

BACKGROUND:

Global Environment Issues

US funding for the Multilateral Fund of the Montreal Protocol is in danger. The US is currently \$8 million in arrears. While the FY94 budget for EPA was \$10 million and the State Department has agreed to tap the IO&P account for \$15 million, the 1994 US commitment to the Fund is \$35 million. This leaves us another \$10 million short for 1994. Based upon the likely outcome of the negotiations for the next tranche of the Fund, the 1995 US commitment will be \$35-40 million, but EPA's FY95 request was \$7 million and the State Department requested \$25 million.

The US has worked hard and successfully to restructure the GEF, which is likely to be designated as the financial mechanism for the Climate Change convention and the Biodiversity Convention. In FY95 the needed funding level from the US is likely to be \$100 million.

Environmental Security and Sustainable Development Issues

Both multilateral efforts (through the UN and the development banks) and bilateral efforts (through USAID and the technical agencies) will be needed to assist other countries in their efforts towards sustainable development. Key issue areas include: fresh water security, desertification, deforestation and population. However, as mentioned above, in FY94 the State IO&P account took a \$30 million hit and, one example of assistance for sustainable development, the Forests for the Future program, was completely zeroed out.

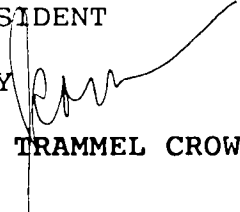
Attachment: Letter from environmental groups

THE WHITE HOUSE

WASHINGTON

November 1, 1993

MEMORANDUM FOR THE VICE PRESIDENT

FROM: KATIE MCGINTY 
SUBJECT: MEETING WITH TRAMMEL CROW

Event

You will be meeting with Trammel Crow, Chairman of the board of the National Tree Trust (NTT) (see attached bio). Katie McGinty will also be present.

Logistics

You will be meeting from 4:30 to 4:50pm in your West Wing Office.

Your Role and Contribution

- Mr. Crow is meeting with you to reaffirm NTT's bipartisan position as it was created by the Bush Administration. He is anxious to work with the new Administration.
- The purpose of the meeting is a simple briefing for you on the progress of the NTT program. He is not anticipated to request anything specific of you, and is not expecting any commitments from you.

Program Notes

- Subtitle C of the 1990 Farm Bill (America the Beautiful Act) directed the Secretary of Agriculture to make a one time grant to the Presidentially designated private non-profit organization to promote public awareness and a spirit of volunteerism, to solicit private sector contributions, and to oversee these contributions to encourage tree planting projects in communities and urban areas.
- NTT incorporated in the fall of 1990 in DC as a 501-C-3 nonprofit corporation.
- In November of 1990, President Bush designated the NTT as the foundation to receive the one time grant of \$20 million from the Forest Service.

- The Trust establishes tree banks done in agreement with major timber companies. The companies raise trees to distribute to volunteer groups.

- The Forest Service raised concerns about the legality of tree banks and OGC found that growing and distributing trees constitutes raising funds and making grants.

- In response, the NTT started a marketing campaign and fund raising by targeting corporations. The NTT raises \$1-3 million annually from this effort.

- NTT intends to distribute a large percentage of these revenues to community volunteer tree groups through an annual grant program. They feel this meets their mandate from Congress.

- In 1993, NTT is distributing nearly 800,000 seedlings through the tree banking program. Over 300,000 will go to non-profit tree planting organizations. The projected goal for 1994 is 1.4 million seedlings distributed.

- The grant requires an independent annual audit of NTT. As of June 22, 1993 the Trust's available balance is \$20.7 million.

- NTT has just hired General George Cates, a retired Marine, on Sept. 1, 1993 as Executive Director. He will be managing the Trust and helping in the fund raising efforts.

- The Forest Service believes NTT is on its way to a successful, efficient program.

- In a conversation with Trammel Crow, he mentioned the relationship between The Forest Service and NTT. He felt it was a great indicator of how government and the private sector can work together.

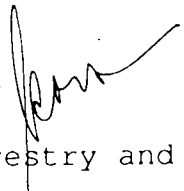
- NTT deals with urban forestry, rural forestry, and planting trees along highway rights of way. All of this activity takes place exclusively on public lands.

- Growing Together is an NTT program which aims to give school aged children an understanding of and appreciation for trees. They visited 8,000 schools in 1993 and plan on visiting 40,000 in 1994.

Bio on Trammell Crow

Mr. Crow is a 76 year old multi-millionaire from Dallas, Texas; who is in real estate and owns the Windham Hotel Chain. According to the Forest Service, "he sees the Trust as his social legacy, and is a tree hugger." Trammell Crow Inc. owns shopping malls and much of the I 270 corridor. He's in TX, OK, KS. much of the west and southwest, as well as DC. He has spoken before Congress two times.

THE WHITE HOUSE
WASHINGTON

MEMORANDUM TO: Roy Neel
FR: Katie McGinty 
RE: Office of Forestry and Community Assistance
DATE: 2 November 1993

Attached is a memorandum from you to the Federal agencies and White House offices that have been involved with the President's forest plan. The purpose of the memo is to establish formally an Office of Forestry and Community Assistance in Portland, Oregon and to designate Tom Tuchmann as its Director, as we have already discussed. Tom's major function is to oversee the successful implementation of the President's plan by the agencies, and to bring to our attention anything that needs to get done to ensure that success.

I have spoken with all of the involved agencies about setting up the Office; they all now await the final announcement of the Office. In addition, I have spoken to significant members of the delegation and they are very supportive of the initiative and of Tom's appointment.

I would point out that USDA and the Department of the Interior will be sharing the costs of Tom's salary, and that each department is asked in the memo to contribute \$20,000 to cover the costs of the Office itself.

RECOMMENDATION: I recommend that you sign the attached Memorandum, after which we will issue a press release on the establishment of the Office.

THE WHITE HOUSE

WASHINGTON

MEMORANDUM TO: Floodplain Management Task Force
FR: Katie McInty and T.J. Glauthier
RE: Proposal for Floodplain Management Review
DATE: 2 November 93

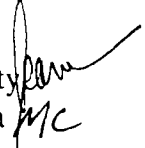
Attached for your review is a revised proposal for an Review of Floodplain Management in the Upper Mississippi River Basin which will be one of the topics for tomorrow's meeting. This proposal has been developed by a small working group of affected agencies over the last several weeks. There is substantial interest within the Administration and on Capitol Hill in pursuing a review of long-term floodplain management issues, and we look forward to discussing it with you tomorrow.

THE WHITE HOUSE

WASHINGTON

November 3, 1993

MEMORANDUM TO BO CUTTER

FROM: Katie McGinty 
Marc Chupka 

SUBJECT: Comments on Proposed Executive Order

The proposed Executive Order is a laudable and overdue attempt to impose some economic rationality to federal infrastructure investment. The focus on investment alternatives - especially non-structural or maintenance options -- could generate significant environmental benefits if implemented correctly. Overall, we are supportive of the proposal. However, we have some specific concerns that we mention below.

We are mainly concerned about the lack of operational detail and precise definitions. Greater specificity regarding the application of the requirements would reduce the risks that agencies would apply the guidelines in a chaotic or ad hoc manner, or else ignore the requirements altogether. Neither scenario would maximize economic or political benefits, while incurring political costs. Specific comments and suggestions are listed below.

- o The draft EO is silent on the role that the required cost-benefit analyses play in agency decisionmaking: is this a directive that agencies should pursue actions only where the benefit/cost ratios exceed one, or is it merely informational?
- o In the Section 1 scope language, we recommend that you think seriously about tightening definitions to avoid cases where a cost/benefit analysis would not be helpful. For example, would the E.O. envision some de minimus language? What about DOD placing a new post box on a military base? Would this require cost-benefit analysis? Does the cost/benefit requirement run counter to some of the decentralization themes in the National Performance Review?
- o Section 2 (a) 1-5 gives an excellent list of requirements for federal infrastructure investment. You may wish to consider adding language from E.O. 12866 (Regulatory Planning and Review). For example, Section 1.(b)(5) of E.O. 12866 directs agencies to consider "...incentives for innovation, consistency, predictability...flexibility, distributive impacts, and equity." Such considerations might usefully augment the proposed E.O. where it discusses non-market benefits and costs, as well as those measures not readily quantified.

- o OEP supports the incorporation of environmental values where possible. It is particularly commendable that you explicitly give these values equal weight when they can be quantified. However, we worry that incomplete quantification or monetization of environmental values (due to limits in data or methods) are sometimes interpreted as an exhaustive accounting. This can implicitly discount the non-quantified environmental impacts, even in situations where they are highly significant but simply resist quantification. Section 2.(a)(5) could be amended to state: "Qualitative measures may be given consideration equal to quantified impacts where appropriate."
- o The relationship of the cost/benefit requirements to existing statutory mandates is unclear, and ought to be addressed. For instance, if the scope of the E.O. applies to infrastructure management programs (as it states), what is the function of a cost-benefit analysis to the basic regulatory requirements under numerous environmental statutes for the construction of treatment works to meet minimum performance standards?
- o The distinction between cost benefit and cost effectiveness may help address the previous point. When investments are required by law, do we want to risk a poor benefit/cost ratio? How can we transform the requirements into an analysis of cost effectiveness of alternatives when evaluating statute-driven investments? Or would a broader cost/benefit test lead to more rational investment choices that still comply with legal mandates?
- o Will the proposed E.O. help fight Congressional earmarking, or it increase the incentive to earmark? Would a section addressing earmarks help expose unneeded pork or investments that are not aligned with Administration priorities? Something like "in the event of an earmark, cost-benefit analysis will be performed.....and disseminated..."
- o The proposed E.O. does not address the issue of agency resources to perform these analyses. Good cost benefit analysis can be expensive, and still prone to manipulation. A de minimus level will help limit the administrative burden for relatively small investments.

We are unsure about your next steps on this draft, but we are available at your convenience to explore some of these details further. If the working group continues to refine this draft, I would also very much appreciate if you could keep us apprised. Thanks, Bo!

THE WHITE HOUSE
WASHINGTON

November 3, 1993

PRESS CONFERENCE FOR EPA CABINET BILL MARKUP

DATE: November 3, 1993
LOCATION: 2154 Rayburn Building
TIME: 1:15 - 1:45
FROM: Cathy Zoi

EVENT

You will be participating in a press conference for the EPA cabinet bill markup.

LOGISTICS

- You will arrive and walk into the Government Operations Committee room following John Conyers, and you will be followed by Administrator Browner and other members of Congress.
- Congressman Conyers will speak, and then introduce you.
- You will speak briefly and Conyers will introduce Sherry Bullard.
- Sherry Bullard will speak and Carol Browner will close.
- You will depart.
- Members of Congress may stay for questions.

YOUR ROLE AND CONTRIBUTION:

You are bringing a high-level White House presence to indicate the importance to this administration of elevating the EPA to Cabinet level.

Talking points are attached.

PROGRAM NOTES

As you know, the bill has passed the Senate. The House version will be marked up tomorrow and the final bill will be worked out in conference during the next several weeks

(hopefully).

Sensitive Issues

House vs. Senate: No preference: It is important that we do not signal a preference for the House version over the Senate bill that passed.

Keep the Bill *Organizational*: It is also important to us that this bill be limited to issues dealing with how federal activities are organized in the federal government, and we will work hard to ensure that the bill is "clean" in this way (and that it does not get bogged down with "takings" and other policy amendments that adversely affect the environment). Waxman and others will be looking for a signal on this, but we have not guaranteed a veto.

The following members may possibly attend: Henry Waxman, Gerry Studds, John Porter, and Mike Synar.

Attachments: Talking points.

THE WHITE HOUSE

WASHINGTON

November 3, 1993

MEMORANDUM

TO: Katie McGinty

FROM: Marc Chupka

cc: Cathy Zoi
Will Stelle

SUBJECT: Amendments on EPA Bill

The Johnston Amendment would compel the Secretary of the Environment to certify every regulation from a cost-benefit standpoint. This is not only impractical in many cases, but current economic cost-benefit techniques are incapable of accurately accounting for many types of risk and compliance costs. In those cases where the net economic benefits of the rule cannot be demonstrated, the Secretary of the Environment is required to report such a finding to Congress and to incorporate that finding into the final rule.

If the intent were merely to compel more analysis, the Amendment would be fairly benign. However, the clear intent is (1) to put the Department under increased pressure to issue more lenient rules; and (2) to cow Congressional sponsors of environmental legislation to either provide more discretion or to reduce levels of protection. For these reasons, the Administration strongly opposes the Johnston Amendment.

The proposed Zimmer Amendment, on the other hand, is very benign. It merely articulates a premise that information regarding relative risks and the costs and benefits of reducing risk is important, and directs the Department to concentrate resources on the areas of greatest practicable risk reduction. There are no onerous "certification" requirements, no enforcement mechanism, and the amendment could actually strengthen the hand of the Secretary in deploying resources in ways that maximize risk reduction.

I don't pretend to know the Parliamentary tactics in this area. However, if the Administration needs to support a counter-amendment to Johnston in order to strengthen our position in Conference (rather than opposing any amendment on the House side) then the Zimmer proposal would be an acceptable vehicle.

Let me know if you need more information or analysis of this issue.

Attachments

ages made by this Act.

. 121. SENSE OF THE SENATE.

It is the sense of the Senate that building the capacity of State and local governments to more efficiently and effectively implement and manage environmental regulations should be a primary mission of the Department of Environmental Protection.

. 122. OFFICE OF ENVIRONMENTAL JUSTICE.

There is established within the Department the Office of Environmental Justice. The Office of Environmental Justice shall--

(1) develop a strategic plan to ensure equality in environmental protection;

(2) evaluate whether environmental policy is helping individuals who suffer the highest exposure to pollution, and identify opportunities for preventing or reducing such exposure;

(3) compile an annual report on progress in achieving environmental equity;

(4) require the collection of data on environmental health effects so that impacts on different individuals or groups can be understood;

(5) identify environmental high impact areas which are subject to the highest loadings of toxic chemicals, through all media; and

(6) assess the health effects that may be caused by emissions in the environmental high impact areas of highest impact.

JOHN STON

SEC. 123. HUMAN HEALTH AND SAFETY OR THE ENVIRONMENT FINAL REGULATIONS.

(a) In promulgating any final regulation relating to human health and safety or the environment after the date of enactment of this Act, the Secretary of Environmental Protection shall publish in the Federal Register--

(1) an estimate, performed with as much specificity as practicable, of the risk to the health and safety of individual members of the public addressed by the regulation and its affect on human health or the environment and the costs associated with implementation of, and compliance with, the regulation;

(2) a comparative analysis of the risk addressed by the regulation relative to other risks to which the public is exposed;

(3) the Secretary's certification that--

(A) the estimate under paragraph (1) and the analysis under paragraph (2) are based upon a scientific evaluation of the risk to the health and safety of individual members of the public and to human health or the environment and are supported by the best available scientific data;

(B) the regulation will substantially advance the purpose of

protecting the human health and safety or the environment against the specified identified risk; and

(C) the regulation will produce benefits to the human health and safety or the environment that will justify the cost to the Government and the public of implementation of and compliance with the regulation.

(b) In the event that the Secretary cannot make the certification required under subsection (a), the Secretary shall report to Congress that such certification cannot be made and shall include a statement of the reasons therefor in such report and in the final regulation.

(c) The certification required by this section shall not be construed to amend, modify, or alter any statute and shall not be subject to judicial review. Nothing in this section shall be construed to grant a cause of action to any person.

SEC. 124. WETLAND DETERMINATIONS BY A SINGLE AGENCY.

In consultation with the Secretary of Agriculture, the Secretary of Environmental Protection, the Secretary of the Army, and the Secretary of the Interior, the President shall, within 90 days of the date of enactment of this Act, make recommendations and report to the Congress on measures to--

(1) provide that a single Federal agency be responsible for making technical determinations, including identification of wetlands, on agricultural lands with respect to wetland or converted wetland in order to reduce confusion among agricultural producers; and

(2) provide that the Soil Conservation Service be the Federal agency responsible for all such technical determinations concerning wetlands on agricultural lands.

TITLE II--ESTABLISHMENT OF THE COMMISSION ON IMPROVING ENVIRONMENTAL PROTECTION

SEC. 201. ESTABLISHMENT; MEMBERSHIP.

(a) Establishment.--There is established the Commission on Improving Environmental Protection (hereafter referred to as "the Commission") whose 13 members including the Chairman shall be composed of experts in governmental organization (with emphasis on environmental organization), management of organizations and environmental regulation and improved environmental governmental service delivery, consisting of--

(1) 7 members to be appointed by the President;

(2) 2 members to be appointed by the Speaker of the House of Representatives;

(3) 1 member to be appointed by the Minority Leader of the House of Representatives;

(4) 2 members to be appointed by the Senate Majority Leader; and

(5) 1 member to be appointed by the Senate Minority Leader.

10/29/93

11:50

F:\M\ZIMMER\ZIMMER.036

(Discussion Draft)

H.L.C.

[DISCUSSION DRAFT]
PROPOSED ADDITION TO BILL TO ESTABLISH
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFERED BY MR. ZIMMER

At the appropriate place in the bill, add the following:

1 SEC. . FINDINGS AND POLICIES REGARDING RISK

2 ASSESSMENT AND REDUCTION.

3 (a) FINDINGS.—The Congress finds that the ability
4 of the Federal Government to reduce risks to human
5 health and the environment requires—

6 (1) accurate, quantitative estimates of the expo-
7 sure of humans and ecosystems to all important risk
8 factors;

9 (2) techniques for accurately predicting the ef-
10 fects of that exposure;

11 (3) adequate understanding of technical, eco-
12 nomic, social, and legal alternatives for achieving re-
13 ductions in that exposure; and

14 (4) accurate estimates of the costs and benefits
15 of alternatives for reducing risks to human health
16 and the environment.

10/29/93

11:50

F:\M\ZIMMER\ZIMMER.086

[Discussion Draft]

H.L.C.

2

1 (b) POLICIES.—It is the policy to the United States
2 that in carrying out environmental protection activities the
3 Secretary of the Environment should—

4 (1) seek to attain the greatest reductions in
5 risks to human health and the environment that are
6 practicable with the resources available;

7 (2) carefully assess and rank relative risks to
8 human health and the environment and the options
9 for managing those risks; and

10 (3) use resources available to the Secretary to
11 reduce those risks to human health and the environ-
12 ment that—

13 (A) are most likely to result in harm to
14 human health or the environment; and

15 (B) relate to such harm that is—

16 (i) of the greatest magnitude; and

17 (ii) most irreversible.

18 (c) NO RIGHT OF ACTION.—This section shall not be
19 construed as establishing any private right of action.

THE WHITE HOUSE

WASHINGTON

November 3, 1993

MEMORANDUM FOR GEORGE STEPHANOPOULOS
DAVID GERGEN
MARK GEARAN

FROM: KATIE McGINTY

**SUBJECT: PROFILE OF ENVIRONMENTAL ISSUES; ATTACHED
ARTICLE**

I am very concerned about the attached article. As you know, voters in California do care about environmental issues, and our environmental track record will influence their vote. An article like this -- which claims that "Clinton's environmental agenda seems to have fallen off the radar screen" -- is potentially very damaging.

The truth, of course, is that we have brought about a sea-change in environmental policy. I've attached a list of our greatest hits for your review as well as a copy of a recent *Greenwire* scorecard of our progress. As you can see, our record is good. However, I fear that we are failing miserably in communicating our progress. This became evident to me last week when I met with the Board of the Society of Environmental Journalists. I was very surprised and dismayed when their first question to me was why the Administration was doing so little on the environmental front.

I'd like to discuss with you a strategy to rectify this. In addition, I'd like your advice on how best to respond to this article. Should I write an opposing view? Should I try to enlist one of the enviro-CEO's to write? Neither/both of these ideas? (In case you would like to run with a rebuttle this week, I am in the process of finalizing a draft response.)

Let's discuss the latter issue at your earliest convenience; on the former, I would like to set up a meeting next week. I will ask my assistant to call your office to find a convenient time. Thank you for your assistance on this matter.

Attachments: L.A. Times article
Greenwire scorecard
Administration's environmental "*Greatest-Hits*"

cc: Thomas McLarty
Roy Neel
John Emerson
Tom Epstein

The Green Machine Is Asleep at the Switch

■ **Environment:** Clinton and Gore breathed activism, but the EPA is hobbled by lack of staff and little gets done.

By BRUCE PIASECKI

No one is more disappointed with the environmental "dream team" of Bill Clinton and Al Gore than environmental professionals. After 10 months in office, the Clinton Administration has done next to nothing to improve environmental policy.

Amid all the hoopla of George Bush's ouster, environmentalists have let their expectations get the better of them. They envisioned an activist government that would undo more than a decade of what they called Republican neglect of environmental issues. Dedicated Clinton appointees would breeze through confirmation in the Democratic Senate, embrace tough environmental laws, initiate aggressive new policies and get on with the business of protecting America's health and ecology.

Instead, Clinton's environmental agenda seems to have fallen off the radar screen. A case in point is the Environmental Protection Agency itself. As of late September, not a single EPA national program manager—presidential appointees responsible for setting regulatory policies to assure clean

air, pure water, sound waste management practices and toxic substances control—had been confirmed by the Senate. Only one of 10 EPA regional administrators, the people who actually carry out environmental programs, is now in place. How can we build environmental markets and technologies when the leadership can't, or won't, secure its staff?

In effect, a year has been wasted while the EPA has operated in a holding pattern. Career EPA staff occupying key policy jobs, on an acting basis keep the seats warm, but that's about all. They aren't likely to propose significant policy changes with a new boss waiting in the wings. This is causing the agency to lose ground on a number of fronts.

First, the EPA is not participating as actively as it should in the legislative process. It is missing important opportunities to improve environmental laws and launch new market opportunities.

Take the Superfund, for example. Many suspect this law doesn't work. Since it was passed in 1980, EPA has identified more than 1,200 "national priority" sites where cleanup is needed to protect human health and the environment. Yet after 13 years, fewer than one site in nine has actually been restored. And much of the \$20 billion spent on the Superfund so far by government and private companies has gone to pay for endless studies and lawyers' fees instead of cleanup action.

There is bipartisan support in Congress

to change Superfund. A new law could speed the cleanup process, make it more rational and refine the existing liability scheme. House and Senate leaders have asked the Administration to help write a new law that would get the program off the dime and assist vendors who will do the

cleanup, rather than just further engage the legal system. But the EPA has been unable to offer anything specific because of the void in the political leadership. The agency may not have much to say about Superfund reform before sometime next year; many think that will be too late. Inaction like this leaves millions of people who live near Superfund sites in the lurch.

Second, the Clinton team is even ignoring chances to score symbolic and morale-building victories. A good example is the

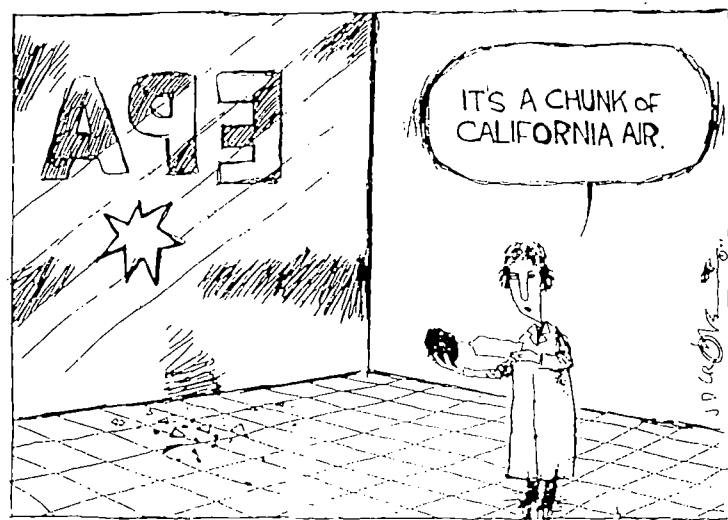
legislation to elevate the EHA to Cabinet rank. The bill, endorsed by the President early this year, has languished in the House ever since and may never emerge.

Worst of all, some of our basic environmental protection programs are atrophying while we sit and wait for leadership. Under the federal hazardous-waste management law known as RCRA, for example, more needs to be done to foster compliance with established regulations. Millions of pounds of hazardous discards banned from traditional land disposal sit in warehouses all over the country. This material should be taken to permitted facilities as soon as possible for proper treatment and disposal.

We've got the technology and the capacity to get rid of these wastes, even those contaminated with high levels of dioxin and PCBs. We should do so before they create new Superfund sites. What we need is the will and political leadership to implement our environmental protection laws. And we need it now, not sometime next year. The EPA's public won't wait much longer.

Perhaps it was inevitable that the dreams of environmental activists could not be fulfilled. Their expectations were too high to begin with. But this Administration has squandered nearly a quarter of its term with no environmental results to show for it. That's unacceptable. We need to get on down the road.

Bruce Piasecki, director of environmental management and policy at the Rensselaer Polytechnic Institute in Troy, N.Y., is the editor of *Corporate Environmental Strategy*, *The Journal of Environmental Leadership*.



J.D. CROWE for The Times

SPOTLIGHT STORY

***1 WHITE HOUSE: CLINTON-GORE DELIVER ON MOST EARTH DAY PLEDGES**

A GREENWIRE analysis shows that the Clinton-Gore admin. has delivered on most of the major promises made in President Clinton's 4/21 Earth Day speech. The steady pace of enviro actions was capped off this week with the release of an executive order on recycled products and a climate change action plan.

As of 10/21, six months to the day since the Earth Day speech, Clinton had delivered at least partially on all of his promises except an enviro exports initiative (in the works) and budget increases included in his ill-fated jobs/stimulus package. Several initiatives still await congressional action.

PROMISE	ACTION
Issue climate change plan	Issued on 10/19
Sign Rio Biodiversity treaty	Signed on 6/4
Create Nat'l Biological Survey	Will begin when Interior appropriations are final
Boost enviro tech exports	Initiative to be unveiled within a month
Executive orders:	
-- Require fed facilities to report toxic emissions	-- Signed on 8/4
-- Phase out fed purchases of products containing CFCs	-- Signed on 4/21
-- Accelerate purchase of alternative fuel vehicles	-- Signed on 4/21
-- Increase fed purchases of recycled products	-- Signed on 10/20
-- Require purchase of energy efficient computers	-- Signed on 4/21
Jobs/Stimulus package funds	
-- Waste water treatment	-- Eliminated by Congress
-- Watershed projects	-- Eliminated by Congress
-- Natural resources	-- Eliminated by Congress
Budget funds:	
-- Solar energy	-- Appropriations not final
-- Energy efficiency	-- Appropriations not final
-- DOE nuke waste cleanups	-- \$5.5B OK'd for FY '93
-- Clean water grants	-- Appropriations not final
Conduct energy/enviro audit of White House	Audits done by EPA, DOE; recommendations forthcoming
Begin review of whether enviro policies disproportionately hurt minority communities	Office of Environmental Equity established at EPA

Attn: KURT

202-456-2710

From: Anna Hebner

703-237-5130

1993 --- Vol. 3 --- No. 121 ---

, Falls Church, VA (703) 237-5130

GRAZING GRIDLOCK

Western senators block vote on Interior spending bill over objections to grazing fee hike proposal. (#2)

CANCEROUS CONCERNS

CHLORINE: US, Canada reject proposed ban; Great Lakes water quality at issue. (#4)

PESTICIDES: Researchers suggest links to breast cancer, infertility. (#5)

THESE ENVIROS LOVE NAFTA

CEOs of enviro tech firms praise pact. Report predicts exports will triple. (#8)

RADIOACTIVE PRESSURE COOKERS

Ukraine parliament votes to keep Chernobyl running. (#15)
Radwaste ocean dumping halted in face of protests. (#14)

HAIL TO THE LEAD-SKINS

Stadium enviro impact study recommends "battery" of measures to combat lead. (#11)

SPECIES, SOUTHWESTERN STYLE

Last of GREENWIRE series highlights species snags. (#19)

SPOTLIGHT

CLINTON-GORE DELIVER MOST EARTH DAY GIFTS

Six months ago, on 4/21, Pres. CLINTON delivered his Earth Day speech, promising to take several significant steps on behalf of the environment.

With this week's release of the climate action plan and the signing of an executive order on recycling, a GREENWIRE analysis finds that the president has made some follow-through on most pledges in the speech.

The admin.'s most controversial enviro policy moves -- NW forests, wetlands, Everglades, grazing fees and energy taxes -- went beyond the Earth Day speech. (#1)

NEXT: Now that action is underway, how will the Clinton enviro team fare on implementation? Will they go further next year?

QUOTE OF THE DAY

"This is about the West changing." -- Sen. Harry Reid (D-NV), defending his compromise plan to raise grazing fees.

"This is about ... a challenge to the very way they live in the West." -- Sen. Malcolm Wallop (R-WY). (#2)

We tackled a full load in the first summer: forests, wetlands, biodiversity, pesticides, and global warming. These are some of the most difficult issues around -- and all of them had been put off and neglected for the past decade. It has been an aggressive agenda and we're off to a fast start. Highlights include:

- **Forest Plan** In the past, contradictory policies from feuding agencies and seemingly incompatible local needs blocked progress -- creating uncertainty, confusion, controversy and pain. We announced a Forest Plan that finally breaks the gridlock.
- In much the same way, we broke the gridlock on **wetlands**. This package reflects the vital need for effective protection and restoration of the nation's wetlands, and advocates much needed reforms to increase the fairness and flexibility of Federal regulatory programs.
- **Climate Change Action Plan** -- The most comprehensive, well-conceived, and impressive climate plan ever attempted by any government. The plan saves the government money, saves industry money, will create jobs, spur economic growth *and* addresses the most threatening environmental issue.
- **Superfund** The Administration is actively developing Superfund legislative reforms for this highly-criticized program. The package will increase the speed of cleanups, reduce transactions costs, and improve the current liability scheme. The Administration plans to finalize its Superfund reform package before the end of this year and will work vigorously to achieve passage of its proposed reforms in the current Congress.
- **EPA Cabinet** We are aggressively moving forward with the elevation bill. We will continue our efforts to ensure passage in this session of Congress.
- **Hazardous Waste** EPA has announced new steps to protect the public health and the environment by reducing the amount of hazardous waste produced in the U.S., and strengthening federal controls governing hazardous waste incinerators and industrial furnaces.
- **Food Safety and Pesticides** EPA adopted a new rigorous health-based standard for all pesticides that covers all foods and all risks to human health (until now, two-thirds of the 600 pesticides in use have never been subjected to any health standard). The strategy will get dangerous pesticides off the market and reduce the use of pesticides altogether by helping farmers use alternative methods of agriculture.
- **NAFTA** We negotiated side agreements and as a result most of the nation's environmental groups support the treaty whole-heartedly. The treaty and its side agreements will help protect the environment and improve the quality of life on both sides of the border, while doubling the number of American jobs supported by environmental technology exports to Mexico.

- **Environmental Technologies Export Strategy** To be released soon, it will engage American business, target specific high-potential markets such as Mexico, accelerate technology development, improve export financing, and rationalize the 20-odd Federal agencies who currently have roles in this area.
- We've signed a number of **Executive Orders** -- to lead by example, and use our enormous purchasing power to drive markets for more environmental products -- while saving taxpayers money:
 - Recycled paper and environmentally preferable goods for Federal purchases.
 - Alternative-fuel vehicles.
 - Energy-efficient Computers for all government uses.
 - Accelerated phase out of ozone-depleting chemicals.
 - Pollution Prevention -- Federal facilities to cut toxic emissions 50% and report them under Right to Know laws.
 - Environmental Justice -- We are preparing an executive order to help ensure that hazards are controlled in such a way that all communities receive environmental protection regardless of race or economic circumstance.
- We are "Greening" the White House and setting an example for environmentally sustainable living.
- **Grazing Fees** We are dramatically reforming the federal government's policy for grazing on public lands, bringing federal grazing fees closer to market value and taking other steps to improve the long term health of America's rangeland.
- **Floods** The Administration has been looking at solutions to the flood control efforts in the Upper Mississippi Watershed. Through in this effort we will achieve a rapid and effective response to the damaged flood control system that will minimize risk to life and property, ensure a cost-effective approach to flood damage mitigation and floodplain management, and protect important environmental and natural resource values.
- The **National Biological Survey** -- a new agency in Interior that combines the biological research and survey activities of eight Interior bureaus -- should help avoid train wrecks like the forest mess.
- **Clean Water Act and Safe Drinking Water Act** More than half of our waters are still polluted or threatened and these bills are up for reauthorization. The Administration is now focussing on the part of the problem has not been addressed: polluted runoff containing motor oil, pesticides, fertilizer, and industrial waste that washes off our city streets, lawns, and farms.

International Environmental Policy Past administrations did not view protection of the global environment as a major priority. With a new clearly defined decision making

processes this administration has developed broad policies to address many critical global environmental issues.

- The President Signed the **Biodiversity Convention** -- a complete reversal of the previous administration's stance. The previous Administration saw problems with the Biodiversity Treaty and walked away. We resolved the concerns of industry and the President signed the treaty on June 4th.
- The United States supports an international legal prohibition of **low-level radioactive waste dumping** in the oceans (U.S. has not done such dumping since 1970).
- We are promoting reform of the environmental policies of **multilateral financial institutions**. One concrete result is a policy adopted by the World Bank requiring information on projects be made available to local citizens. We also have lead efforts to reform the **Global Environmental Facility** to make it a more environmentally sensitive and democratic institution.
- The Administration has taken a clear stand on **population issues**, stressing the education of women, the right to abortion, and the relation between consumption, population, and the environment.
- Policies on **desertification, fresh water resources and forests** have been adopted that recognize that these three issues are closely linked to conflict and stability.

THE WHITE HOUSE
WASHINGTON

November 4, 1993

MEMORANDUM FOR

DISTRIBUTION

FROM

CATHY ZOI 

SUBJECT

ALL-HANDS NOVEMBER 9 MEETING

As some of us discussed Monday, the Office on Environmental Policy will host an all-hands Climate Change Action Plan implementation kick-off meeting **Tuesday, November 9, 4:00-5:30PM in Room 450, Old Executive Office Building**. All staff, junior and senior, including contracts and personnel staff as appropriate, who will be working on the Action Plan initiatives, task forces, and working groups should attend. This is our chance to convey to all staff the importance of this effort in the White House, and to impart the enthusiasm and motivation necessary to get the job done. Attached is an outline of the meeting with general talking points (not for distribution). We will provide a meeting agenda and other materials at the door on Tuesday. Please call me at 456-6224 if you have questions.

Room 450 holds 200 people, and we need to make arrangements for access to the building. Please call Jessica Hirst at 456-6456 **this afternoon** with the number of people attending from your agency, and fax her lists of full names and dates of birth by **12:00 noon tomorrow, Friday**. Please coordinate with others in your agency to make sure all relevant staff are included. Everyone must enter through the **Pennsylvania Avenue gate**, right off of 17th Street, with valid picture identification. Please plan to arrive a few minutes early as it will take some time to get everyone through security.

I look forward to seeing you and your staff on Tuesday.

ATTACHMENT

DISTRIBUTION

Mary Nichols
Karl Hausker
T.J. Glauthier
Sue Tierney
Peter Fox-Penner
Mortimer Downey
Rafe Pomerance
James Lyons
Alicia Munnell

THE WHITE HOUSE
WASHINGTON

November 4, 1993

MEMORANDUM FOR: DISTRIBUTION

FROM: KATIE MCGINTY
DEPUTY ASSISTANT TO THE PRESIDENT
DIRECTOR, WHITE HOUSE OFFICE ON
ENVIRONMENTAL POLICY

SUBJECT: CLIMATE CHANGE ACTION TEAM MEETING

I am pleased to invite you to an all-hands Climate Change Action Plan implementation kick-off meeting **Tuesday, November 9, 4:00-5:30PM in Room 450, Old Executive Office Building**. I congratulate everyone who worked so hard to develop the Climate Change Action Plan. Now we have the challenging responsibility to carry out the Plan and fulfill the President's commitment to reduce U.S. greenhouse gas emissions to 1990 levels by the year 2000. Climate change is perhaps the greatest environmental threat we face, and this Administration takes seriously the need for action, cooperation, creativity, and world leadership in addressing this issue.

To gain access to the Old Executive Office Building you will need to give your full name and date of birth to the coordinator for your agency by **close of business today, Thursday**. Everyone must enter through the **Pennsylvania Avenue gate**, right off of 17th Street, with valid picture identification. Please plan to arrive a few minutes early as it will take some time to get everyone through security.

Each of us has an important role to play in this team effort, and I look forward to seeing you on Tuesday.

— DRAFT —

**Climate Change Action Plan
Kick-Off Meeting Outline
November 9, 4-5:30PM, Room 450**

I. Welcome remarks - McGinty - 5 minutes

- Congratulations and thank you
- President loves this
- Vice President sorry he couldn't be here
- Plan is historic
- (departs)

II. White House environmental agenda - Zoi - 5-10 minutes

- How Action Plan fits into the larger picture of the Administration's environmental agenda and overall philosophy.

Environment and Economy -- Reinventing the way environmental business gets done. *Creating jobs, enhancing security, investing in our children's future, facing tomorrow with hope...*

III. Science - Pomerance - 3 minutes

- All of us are participating in addressing perhaps the most pressing environmental threat.
- Climate change is a top priority because...
 - global risk
 - changes hard to reverse
 - scientists know greenhouse gas concentrations are rising, and know they trap heat

IV. Response to the Climate Plan from the Hill and others - Tierney - 3-5 minutes

- Generally positive and supportive, but with reservations about the certainty of success
 - others will be watching, holding us accountable - our chance/responsibility to prove this approach can work, and work well
- Monitoring and evaluation crucial
 - coordinate efforts
 - each program will develop implementation plans that include milestones and mechanisms for monitoring and evaluation
- Post-2000 a concern for others, and for us
 - working group co-chaired by NEC, OEP, OSTP will look at policies that will affect emissions beyond 2000

V. Interagency cooperation - Fox-Penner - 3 minutes

- It's great, new, unprecedented, and is the key to our success
 - see list of initiatives in the Plan, and how agencies have committed to working together
 - Plan was created in an interagency process, and we will enact it in an interagency process
 - Senators and Congresspeople praised cooperation, are amazed and supportive
- Interagency task forces on key issues
 - Transportation, post-2000, monitoring and evaluation

(Show DOE-EPA Climate Change Action Team button!)

VI. Partnerships with the real world - Nichols - 3-5 minutes

- Plan builds on successful partnerships with business and industry
 - It's a great feeling to make a deal (examples)

- Need to expand partnerships to include the American people as consumers (e.g. for residential actions, parking cash-out, etc)
- Also need to reach out to the environmental community and other stakeholders as we develop and carry out implementation plans
- This is not just an inside-the-Beltway Plan

VII. Jobs, energy-efficiency and economy - Hausker - 3 minutes

- Business partners sign on to Green Lights and Motor Challenge because it's good for their bottom line
 - We have to deliver that message
- This Plan creates jobs, encourages new technologies, and reduces the deficit

VIII. Budget - T.J. - 3 minutes

- Significant resources being committed
- Cross-cut
- FY95 budget process

IX. Conference in April 1994 - Zoi - 2 minutes

- Next time for us all to be together, show the world our progress report
 - EPA point organizer for event

X. Questions and answers

THE WHITE HOUSE

WASHINGTON

November 4, 1993

MEMORANDUM FOR BRUCE LINDSEY

FROM: KATIE MCGINTY *KMG*
SUBJECT: 11/8 MEETING ON POLITICALLY SENSITIVE
ENVIRONMENTAL ISSUES

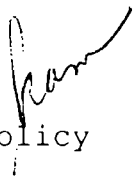
Attached is a list of pending environmental issues that may prove to be politically sensitive for your review prior to the meeting scheduled on **Monday, November 8th 1:00 - 2:30pm in room 180 EOB** (some we have already discussed and I include them here for your information only). Please contact Christian Marsh (x6533) of my staff with any questions or conflicts you may have.

CC: THOMAS McLARTY
ROY NEEL
DAVID GERGEN
GEORGE STEPHANOPOULOS
HOWARD PASTER
BOB RUBIN
BILL BURTON
JOAN BAGGETT
JACK GIBBONS
JOHN EMERSON
TOM EPSTEIN
MARCIA HALE
JOHN PODESTA
CAROL RASCO
SALLY KATZEN
T.J. GLAUTHIER
CHRISTINE VARNEY

THE WHITE HOUSE

WASHINGTON

MEMORANDUM TO: Secretary Babbitt
Secretary Espy
Secretary Brown
Administrator Browner

FROM: Katie McGinty, Director, 
Office on Environmental Policy

SUBJ: Forest Plan Interagency Steering Committee
Appointments

DATE: November 4, 1993

You have recently signed a Memorandum of Understanding for Forest Ecosystem Management to help implement the President's Forest Plan for a Sustainable Economy and a Sustainable Environment. The MOU establishes a framework for cooperative planning, improved decision making, and coordinated implementation of the forest plan.

The MOU establishes two decision making structures. The Interagency Steering Committee (ISC) will be a Washington, DC based group to establish overall policies governing prompt coordination and effective implementation of the President's Plan. The regional Interagency Executive Committee (REIC) will serve as the senior regional entity to assure successful implementation on the ground.

For the last three months your representatives in Washington and in the region have informally worked together to move forward on the President's Plan pending the development and approval of the MOU. Now that the MOU has been signed we would like you to make formal appointments to both ISC and REIC.

Both the ISC and REIC appointments should include the appropriate officials from your Department or Agency who oversee the USDA Forest Service, DOC National Marine Fisheries Service, and DOI Bureau of Land Management, Bureau of Indian Affairs, and Fish and Wildlife Service. The appropriate Environmental Protection Agency officials should be included as well. The appointees should have decision making authority and a commitment to working on the many decisions that often need quick turnaround. Professional staff should be assigned to each appointee to assure close coordination with each agency's regional and field staff.

Please provide me with a list of your appointments for both the ISC and REIC, their alternates, and agency contacts by Friday, November 26. Please include their full title, address, phone and

FAX numbers. A master list will be distributed to each member as soon as possible. The White House Office on Environmental Policy will chair the ISC. The USDA Forest Service and USDOJ will serve as alternate chairs for the REIC.

cc: Jim Lyons, Assistant Secretary, Natural Resources and
Environment
Tom Collier, Chief of Staff, Department of Interior
Bob Armstrong, Assistant Secretary, Lands and Minerals
Management
George Frampton, Assistant Secretary, Fish and Wildlife and
Parks
Ada Deer, Assistant Secretary, Indian Affairs
Kate Kimball, Deputy Assistant Secretary, Oceans and
Atmosphere
David Gardner, Assistant Administrator, Environmental
Protection Agency

THE WHITE HOUSE
WASHINGTON

November 5, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: KATIE MCGINTY *Tracy Lindahl for*
CC: THOMAS MCLARTY
SUBJECT: OEP WEEKLY REPORT

EPA CABINET BILL AND CEO

In a Wednesday press conference on Capitol Hill, the Vice President, Carol Browner and Congressmen Conyers, Studds, Boehlert, Synar, Porter, Waxman and Gilman released the House Bill to elevate the EPA to Cabinet status. As part of this announcement, the House released its proposal to replace CEQ with a new, small "Office of NEPA Compliance" within the Executive Office of the President to implement core-NEPA functions. The most important issue to the Administration is to keep this bill organizational in nature so that environmentally pernicious amendments are not included. Mark-up was yesterday (11/4), a hearing will be held next week, a House vote taken the following week, and Conference with the Senate shortly thereafter.

CLIMATE CHANGE

OEP is beginning the implementation phase of the Climate Change Action Plan. In the spirit of reinventing government and employee empowerment, we have invited over 200 agency staff to an "all-hands" kick-off meeting for Tuesday, November 9 here at the White House. OEP, NEC, and OSTP are also consulting with agencies to structure the one-year transportation strategy process. Meetings held with DOE and EPA staff have reinforced the spirit of inter-agency cooperation that will be necessary for implementation.

SUPERFUND

The final meeting of the Inter-Agency Policy Committee on Superfund Reauthorization will be held today (11/5). We are still on schedule to provide you with a decision memorandum by the end of November that outlines the Committee's recommendations and sets forth any key areas of disagreement. Given the serious time constraints that exist if Superfund is to be reauthorized in this Congress, an Administration team will meet with Hill staff next week to begin preliminary discussions on the drafting of the Administration's bill.

ENVIRONMENTAL JUSTICE

OEP is continuing to work with EPA and the Justice Department on finalizing the draft Executive Order on Environmental Justice before it enters official inter-agency review. OEP will hold internal White House meetings next week to discuss the current draft and will circulate the Order for official review shortly thereafter.

WETLANDS POLICY

The wetlands policy that the Administration announced in August indicated that we would withdraw a rule proposed by the Bush administration that would have created a major loophole in wetlands protection in Alaska. Instead, we proposed a process to review the impact of wetlands regulation in Alaska to determine if changes in the regulatory program are justified. In preparing for this process, the Interagency Working Group on Wetlands Policy, which is chaired by OEP, met with the State's Congressional delegation. In addition, staff of EPA and the Corps of Engineers met with the governor's office to seek their input. The format of the meetings was altered in response to suggestions from the delegation. Meetings were held in Fairbanks and Anchorage this week with Federal agency personnel and representatives of the native community, the oil and gas industry, the development community, environmentalists, and others. The meetings have been well received. Despite our outreach, Senator Stevens and Governor Hickel have recently sent letters complaining about the process which have been sent to the local press. In private, their staff has been apologetic about the letters. They are clearly positioning themselves to complain about the outcome of the process if it doesn't result in their desired outcome.

MIDWEST FLOODS

OEP and OMB chaired a meeting of its Floodplain Management Task Force, at which time it decided to establish a three-part review of long-term floodplain management strategies for the Midwest: a scientific and technical component; a river flows management component; and a floodplain uses component. Senior team leaders from the agencies are now being identified with the expectation that the review will get underway in earnest in two weeks. This review will serve important political purposes by providing a conduit for local communities and the states to vent their grievances with the Federal response in a constructive, "how-do-we-do-it-better" framework. The communications element to the initiative is crucial. OEP and OMB worked with Gephardt's office and the House Public Works Committee to fashion amendments to a flood response proposal (the Volkmer bill) that are acceptable to the Administration and that we expect will move through the legislative process (House and Senate) before recess. It appears to be proceeding smoothly.

PORT OF OAKLAND DREDGING

OEP organized a 4 agency memorandum of agreement to direct their regional representatives to develop a schedule and workplan for completing the permitting for the Port of Oakland by the end of next year -- to honor your commitment with Rep. Dellums earlier this year. Progress is proceeding well, and we expect an agreement in two weeks between the agencies. Dellum's office is pleased with the follow-up and suggesting an event with you in December to announce it.

FORESTRY

OEP and DOI officials met with Representatives Dicks and Unsoeld yesterday to brief them on progress on the proposed rules governing spotted owl requirements on non-Federal lands, scheduled for public release in two weeks or so. They were both positive and encouraged us to continue.

DIRECTOR'S MEETINGS

PAST WEEK

- 11/1 Meeting between DOS, NSC and OEP regarding Antarctica
- 11/1 Chaired interagency taskforce on Superfund Reauthorization
- 11/2 Meetings with Agency Chiefs of staff regarding politically sensitive environmental issues
- 11/2 Meeting with the Vice President and EPA, OMB, and DOS principals regarding International financing for the environment
- 11/3 Chaired Interagency Taskforce on Flood Recovery
- 11/3 Provided briefing for Edison Electric representatives on the Global Climate Change National Action Plan
- 11/3 Meeting with George Stephanopoulos, Bob Rubin, Bo Cutter, Howard Paster on Superfund Reauthorization
- 11/4 Ambassador to Ecuador, Romero; Ecuadorian oil development and other environmental issues within the region
- 11/5 Meeting with French Environment Minister
- 11/5 Reuters interview; Administration's environmental scorecard
- 11/5 Environmental organization representatives briefing on Tatshenshini and Clayoquot
- 11/6 American Rivers Awards Dinner to honor the Vice President and Michael Harcourt, Premier of British Columbia, as America's Outstanding Conservation Leaders

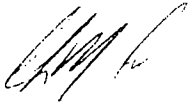
THIS WEEK

- 11/8 Meeting with Canadian Premier Harcourt on Tatshenshini and Clayoquot
- 11/8 Portland Oregonian; interview on natural resources policy
- 11/8 White House senior staff; meeting on outstanding politically sensitive environmental issues
- 11/8 Interagency Climate Change implementation kick-off
- 11/9 Meeting with Ambassador Taylor, Papua New Guinea

THE WHITE HOUSE
WASHINGTON

November 9, 1993

MEMORANDUM FOR GARY SOUCIE

FROM: KATIE MCGINTY 

SUBJECT: DEFINITION FOR "SUSTAINABLE DEVELOPMENT"

Sustainable Development: Patterns of development that are aimed at enhancing the quality of life for present and future generations, and that are based upon the clear recognition that economic vitality is dependent on a healthy and vibrant natural resource base. A healthy environment supports a strong economy and provides the physical, spiritual and emotional well-being of the people who energize that economy.

THE WHITE HOUSE

WASHINGTON

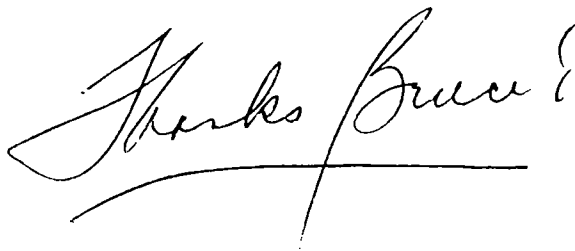
MEMORANDUM TO BRUCE LINDSEY

FROM: KATIE MCGINTY 

SUBJ: Appointment of the Assistant Secretary of the Army
for Civil Works

DATE: NOVEMBER 9, 1993

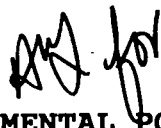
In light of the President's flood initiative, I recommend that we move swiftly on the appointment of Bob Peck to the position of Assistant Secretary of the Army for Civil Works. It is imperative that we have him in place as quickly as possible to help us with a successful initiative on our midwest restoration efforts in the wake of the floods. The Army Corps is a hugely important player.



THE WHITE HOUSE
WASHINGTON

November 9, 1993

MEMORANDUM FOR KEITH MASON

FROM: KATIE MCGINTY 
OFFICE ON ENVIRONMENTAL POLICY

RE: CORRESPONDENCE FROM GOVERNOR VOINOVICH

With regard to the Governor's letter to the President on the Southern Ohio Coal Company's operation in Meigs County, I obtained the attached report from the OSM. I would therefore suggest a brief letter from the President thanking the governor, noting the complexity of the situation as it has developed since his original letter. Assure him that the President has asked Babbitt and Browner to take note of his concerns for a responsible solution which avoids the destruction of miles of important river life while minimizing economic impacts on the involved communities. Then send the original letter to Babbitt and Browner for further response.

Thank you for your assistance in this matter.

cc: Stephen Neuwirth

OFFICE OF SURFACE MINING

October 20, 1993

TOPIC: Discharging untreated water to reopen a flooded underground coal mine in Ohio

ISSUE: Adverse District Court ruling which nullified an OSM Imminent Harm Cessation Order that would have prevented the untreated discharge. The ruling indicated that OSM was without jurisdiction in instances where the State regulatory authority takes action.

DISCUSSION: The Southern Ohio Coal Company (SOCCO), a wholly owned mining subsidiary of American Electric Power, had its active underground mine #31 flooded on July 11, 1993, by water being stored in an adjoining up-slope sealed underground mine. The mining operation has 830 employees and is located in Meigs and Vinton Counties. SOCCO developed a plan to pump the mine water directly into tributaries of Leading and Raccoon Creeks which flow into the Ohio River.

On July 26, the Ohio Environmental Protection Agency issued findings and orders to allow the pumping as an emergency by-pass under the National Pollution Discharge Elimination System. Then the Ohio Department of Natural Resources, Division of Reclamation issued a State Imminent Harm Cessation Order (IHCO) to SOCCO which prohibited the pumping. SOCCO requested relief and the Ohio Reclamation Board of Review granted SOCCO temporary relief from the State IHCO. Governor Voinovich, congressional representatives, and other elected officials in letters and press releases expressed their support for pumping the untreated water as being necessary to "save jobs." On July 28, SOCCO met with Interior Officials and ended it by indicating that pumping would be commenced. OSM issued a IHCO that night which was nullified two days later by District Court Judge Sandra Beckwith. The Judge ruled that OSM was without jurisdiction because authorized State agencies had taken appropriate actions. On July 30, SOCCO began pumping the untreated mine water. Subsequently, Judge Beckwith restrained the U.S. Environmental Protection from taking action to cease the pumping and later enjoined both OSM and the EPA for sixty days. The Appellate Court lifted the injunction against the EPA but upheld the injunction against OSM.

SOCCO has pumped more than 1.1 billion gallons of mine water with 41 percent being fully treated. The discharge wiped out aquatic life in more than 20 miles of streams and creeks. Toxic water flowed into the Ohio river and orange-colored precipitate was observable for several river miles. In October, some migratory fish were observed in the lower portions of Leading Creek. SOCCO, by constructing surface pipelines, is directing mine water back through the underground mine to the water treatment facility. By the end of September, all the mine water discharge (5,000 gallons per minute) was being fully treated.

STATUS: Briefs were filed with the Appellate Court on October 14 concerning OSM's appeal of Judge Beckwith's initial ruling on July 30. Contrary to SOCCO's indication, OSM has determined that the capacity of the coal slurry impoundment was sufficient to hold the sludge if the water had been treated. Both OSM and EPA are pursuing efforts to measure the impoundment for developing a demonstration of its capability. The EPA is moving to dismiss itself from case before Judge Beckwith. The EPA is proceeding with investigations of the untreated water discharge and of the remedial measures being taken by SOCCO. Based on the results from these investigations, the EPA will consider taking other actions against SOCCO.

CONTACT: Richard J. Seibel, Columbus Field Office Director, 614-866-0578

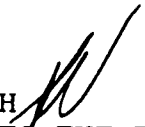
THE WHITE HOUSE

WASHINGTON

October 15, 1993

MEMORANDUM FOR KATIE MCGINTY

FROM:

STEPHEN R. NEUWIRTH 
ASSOCIATE COUNSEL TO THE PRESIDENT

I have received the attached correspondence concerning removal of mine water from the Southern Ohio Coal Company's operation in Meigs County, Ohio. I would appreciate if you could review this document and provide me your views on the subject.

Attachment



GEORGE V. VOINOVICH
GOVERNOR

STATE OF OHIO
OFFICE OF THE GOVERNOR
COLUMBUS 43266-0601

August 25, 1993

The Honorable Bill Clinton
President of the United States
The White House
Washington, D. C. 20500

Dear Mr. President:

In July, you received correspondence outlining our concerns as they pertain to the emergency surrounding the removal of mine water from the Southern Ohio Coal Company's operation in Meigs County, Ohio. Specifically, we requested that you instruct the pertinent federal agencies to remove themselves as adversaries in this situation.

At present, the U.S. Department of Interior, Office of Surface Mining, and now the U.S. Environmental Protection Agency continue legal action, although their attempts have twice been denied in U.S. District Court. These actions pose a serious threat to the economic viability of an area that is already characterized by 12% unemployment and a poverty rate of 27%. Meigs County cannot afford to lose 800 jobs, that serve as the driving force of the local economy. That this could occur as a result of a situation which will have only minimal, short-term environmental impacts causes us great distress.

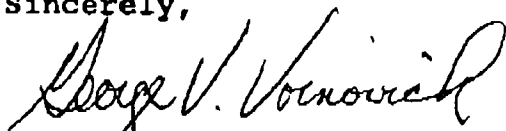
State and federal officials are on site and continue to work with Southern Ohio Coal Company to ensure that the environmental impacts are indeed temporary. The Ohio EPA has issued strict guidelines for the removal of the mine water. Monitoring the water quality of the Ohio River and the impacted streams is occurring on a daily basis. While the state of Ohio acknowledges the immediate, short-term effects on the waterways, it has been determined that there will be no long-term adverse impacts resulting from this situation.

The Honorable Bill Clinton
August 25, 1993
Page Two

Mr. President, once again we request your intervention in this matter by instructing U.S. EPA and the federal Office of Surface Mining to end their legal actions. Ohio is following the appropriate course of action, and due consideration has been given to all relevant issues. Aquatic life will return to the affected waterways, productive working citizens cannot be replaced.

This situation merits your immediate attention, and we await your reply.

Sincerely,



George V. Voinovich
Governor
State of Ohio



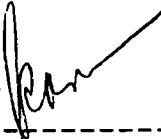
Vern Riffe
Speaker
Ohio House of Representatives

THE WHITE HOUSE

WASHINGTON

November 9, 1993

MEMORANDUM FOR MACK McLARTY

FROM: KATIE MCGINTY 

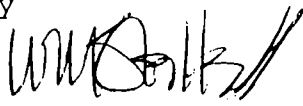
As we discussed last week, I believe we have been crafting our environmental policy initiatives in a way that would reflect the President's views. It may be important, however, to have a more certain sense of that, as policy development is underway. A few minutes with you and/or the President every two weeks or so would be very helpful.

Thank you for your assistance, and for taking the time last week.

THE WHITE HOUSE

WASHINGTON

MEMORANDUM TO: Katie McGinty
Jim Lyons
Tom Collier
Tom Tuchmann
Stephanie Solein
Tom Amontre
Kevin Sweeny

FROM: Will Stelle 

SUBJ: Dwyer Ruling on the Extension

DATE: 10 November 93

Judge Dwyer issued an order granting our request for a three months extension of the schedule for completing the final EIS last night. He made no mention of the request by the intervenors for an extension of the public comment period.

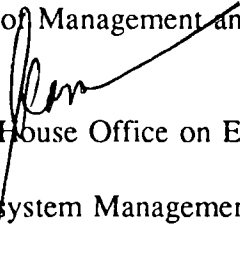
Tom and Kevin, you may want to issue a brief release on this since the request itself was the subject of news articles.

I noted politely to our Justice friends that to the best of my knowledge this might be the first time the court has ever agreed with anything the government has ever said on this subject in the last four years. A new beginning. Let's hope it lasts when we get to substance.

THE WHITE HOUSE
WASHINGTON

November 10, 1993

MEMORANDUM FOR: Secretary of Agriculture
Secretary of Commerce
Secretary of Defense
Secretary of Energy
Secretary of Housing and Urban Development
Secretary of the Interior
Secretary of Labor
Secretary of State
Secretary of Transportation
Administrator, Environmental Protection Agency
Director, Office of Science and Technology Policy
Director, Office of Management and Budget

FROM: Katie McGinty 
Director, White House Office on Environmental Policy

SUBJECT: Interagency Ecosystem Management Task Force

In August, as a part of the National Performance Review, we created an Interagency Ecosystem Management Task Force. Relevant Assistant Secretaries from each of your agencies are represented on the Task Force. Many of you were present when Vice President Gore presented the Report of the National Performance Review to President Clinton on September 7th. At that time, the President committed to implementing the initiatives of the National Performance Review. Now it is time to begin work to fulfill the President's commitment to develop "a proactive approach to ensuring a sustainable economy and a sustainable environment through ecosystem management."

On Thursday, November 18, 1993, the Interagency Ecosystem Management Task Force will hold its next meeting from 2:00 to 4:00 in room 472 of the Old Executive Office Building to discuss the final selection of the ecosystem management demonstration projects, lead agencies, a framework for each of the demonstration projects, and the next steps for the Task Force.

We received many helpful suggestions and comments in response to our initial request for potential demonstration ecosystems and to those suggested in the August 18, 1993, letter to

the Task Force. Provided below is the current list of suggested ecosystem management demonstration projects:

- Anacostia River watershed,
- Great Plains/Grasslands Ecosystem,
- Greater Yellowstone Ecosystem,
- Great Lakes (Lake Superior),
- Rio Grande River Valley (Lower or Upper),
- Pacific Northwest (Westside) Forests,
- Prince William Sound,
- Southern Appalachian Highlands, and
- South Florida Ecosystem.

The purpose of this initiative is to test out the theory and practice of ecosystem management in order to generate valuable lessons on the approach that can be applied more broadly. In implementing this initiative, therefore, we will need to develop a common framework for approaching the subject of ecosystem management that we will then apply to each area. Through a properly designed common approach, we will then be able to derive generally applicable lessons about ecosystem management.

To begin the process for developing that common framework, the following questions must be addressed for each project:

- (1) What is the target ecosystem and its major ecological parameters?
- (2) What are the primary indicators of the health of the ecosystem for purposes of designing a management regime for that ecosystem?
- (3) What are the principal stresses at play in the ecosystem?
- (4) What are the existing institutional arrangements that are designed to manage these stresses?
- (5) How would a large-scale scientific and management approach, better integration of programs, and improved interagency coordination benefit the ecosystem?
- (6) What administrative scales should we use to plan for the ecosystems? For example, the President's Forest Plan identified a three-tiered approach, dividing the landscape into an ecoregion, physiographic provinces, and watersheds. In contrast, the South Florida Ecosystem Management Task Force, at this point, addresses the entire South Florida ecosystem.
- (7) How would you organize yourselves to ensure effective implementation and monitoring of the results of an ecosystem management plan?

(8) How would you propose to account for non-Federal activities in the planning and implementation process? State, tribal, and local government involvement? Public involvement?

(9) How can the demonstrations be designed to ensure that they encourage vigorous sustainable economic development as an integral part of the effort?

If you have any major comments or suggestions on the questions outlined above or the selection of these ecosystems for demonstration projects, they should be communicated in writing by November 17, 1993, so we can have an opportunity to review them prior to the meeting. Please direct comments to the attention of Will Stelle, my Associate Director for Natural Resources, who will be working with me on this initiative. I have attached a copy of the recently signed South Florida Ecosystem Restoration Agreement as additional background information.

At the upcoming meeting, we will discuss the comments and agree on the demonstration areas and the contents of the framework. Soon after our November 18th meeting, we will convene a series of ecosystem-specific meetings to discuss the substantive responses to the framework questions.

As a part of our initiative, the Office of Management and Budget (OMB) will proceed to conduct a management and budget review for four ecosystems: the Anacostia, the Pacific Northwest Forest Ecosystem, Prince William Sound, and South Florida. In the next few weeks, OMB will send a data call to your Department requesting information on programs, plans, and activities in these ecosystems. We would appreciate your active assistance and cooperation in this effort.

I would also like to note that the Keystone Center is conducting a workshop entitled "The National Ecosystem Management Forum" on November 16th and 17th. The Keystone Center will facilitate a national forum for individuals actively involved with ecosystem management to focus on how to implement this concept. The proceedings of this workshop will be made available for our use and may be helpful in developing our initiative.

The continued involvement of your representatives is key to the success of this initiative and I very much appreciate their efforts to date. Please convey this information to your representative and have them contact Michael Goergen (456-6224) by 5:00 p.m. November 17, 1993, to ensure access into the Old Executive Office Building.

Attachment

THE WHITE HOUSE
WASHINGTON

November 11, 1993

MEMORANDUM FOR MARK GEARAN
LORRAINE VOLES

FROM: KATIE McGINTY

SUBJECT: FYI

In an effort to showcase the many impressive environmental achievements of this Administration, I am preparing a *greatest hits* list and one-pagers on several of the most significant issues to be sent out to environmental journalists in early December in time for their end of the year pieces on the Administration.

Enclosed is the most recent draft of the *greatest hits* list, and my staff is preparing one-pagers on the Forest Plan, Wetlands, Climate Plan, PCSD, and EOs. We are looking to get them to you for comments by the Thanksgiving holiday.

THE WHITE HOUSE
WASHINGTON

HIGHLIGHTS OF THE CLINTON ADMINISTRATION'S ENVIRONMENTAL ACCOMPLISHMENTS

The Clinton Administration is *reinventing the way environmental business is done*. President Clinton's environmental policies are enhancing environmental and economic security, and positioning the United States to compete in the global economy. Whether we are bringing environmentalists and industry together to solve a controversial problem, or developing new public-private initiatives, and this Administration is forging new partnerships between government, environmentalists, and industry to use American ingenuity to strengthen the economy and protect the nation's natural resources for our children and grandchildren.

We tackled a full load in the first summer: forests, wetlands, pesticides, biodiversity, and global warming. These are some of the most difficult issues around -- and all of them had been put off and neglected for the past decade. It has been an aggressive agenda and we're off to a fast start. Highlights include:

- **Forest Plan** In the past, contradictory policies from feuding agencies and seemingly incompatible local needs blocked progress -- creating uncertainty, confusion, controversy, and pain. We announced a Forest Plan that finally breaks the gridlock.
- In much the same way, we also broke the gridlock on **Wetlands**. The Administration's package reflects the vital need for effective protection and restoration of the nation's wetlands, and advocates much needed reforms to increase the *fairness and flexibility* of Federal regulatory programs.
- **Climate Change Action Plan** -- The most comprehensive, well-conceived, and impressive climate plan ever attempted by any government. *The plan saves government and industry money, will create jobs, spur economic growth and addresses the most threatening environmental issue, global warming.*
- **Superfund** The Administration is actively developing Superfund legislative reforms for this historically highly-criticized program. The package will increase the speed of cleanups, reduce transaction costs, and improve the current liability scheme. The Administration plans to finalize the reforms by the end of this year and will work vigorously to pass them in the current Congress.
- **NAFTA** We negotiated side agreements and gained the support of a majority of the nation's leading conservation organizations who are working aggressively for NAFTA's

(more)

rev. 11/11/93

passage. The treaty and its side agreements will help protect the environment and improve the quality of life on both sides of the border with Mexico, while doubling the number of American jobs supported by environmental technology exports to Mexico and Canada.

- **Environmental Technologies Export Strategy** To be released soon, it will engage American business, target specific high-potential markets such as Mexico, accelerate technology development, improve export financing, and rationalize the 20-odd Federal agencies who currently have roles in this area.
- **Clean Car** Announced a historic new partnership aimed at strengthening U.S. competitiveness by developing technologies for a new generation of vehicles up to three times more efficient than today's -- a technological challenge comparable to or greater than that involved in the Apollo project. A model for the new partnership between government and industry, this all out effort will ensure the *U.S. auto industry leads the world in technology, preserving and creating jobs, and economic growth.* ..
- The President signed a number of **Executive Orders** -- to lead by example, and use our enormous purchasing power to drive markets for more environmental products -- while *saving taxpayers money*:
 - **Recycled paper and environmentally preferable goods** for Federal purchases.
 - **Alternative-fuel vehicles.**
 - **Energy-efficient computers** for all government uses.
 - **Accelerated phase-out of ozone-depleting chemicals.**
 - **Pollution Prevention** -- Federal facilities to cut **toxic emissions 50%** and report them under Right to Know laws.
 - **Environmental Justice** -- in preparation to help ensure that hazards are controlled in such a way that all communities receive environmental protection regardless of race or economic circumstance.
- Established the President's Council on **Sustainable Development** was established to explore and develop policies that encourage economic growth, create jobs, and the effective use of our cultural and natural resources. The 25 member Council (including five cabinet secretaries) forges a new partnership among representatives of industry, labor, government, environmental and civil rights organizations.
- **Hazardous Waste** The EPA announced new steps to protect the public health and the environment by reducing the amount of hazardous waste produced in the U.S., and is strengthening federal controls governing hazardous waste incinerators and industrial furnaces.
- **Food Safety and Pesticides** The EPA adopted a new rigorous health-based standard for all pesticides that covers all foods and all risks to human health (until now, two-thirds of the 600 pesticides in use have never been subjected to any health standard).

The strategy will get dangerous pesticides off the market and reduce the use of pesticides altogether by helping farmers use alternative methods of agriculture.

- **Floods** The Administration developing new approaches to flood control in the Upper Mississippi Watershed. Not only are we ensuring the health and safety of all American citizens in the flooded areas, we are developing new methods of flood plain management that will reduce the risk to people and natural resources in the future.
- **EPA Cabinet** We are aggressively moving forward with the elevation bill. We will continue our efforts to ensure passage in this session of Congress.
- **Grazing Fees** We are dramatically reforming the federal government's policy for grazing on public lands, bringing federal grazing fees closer to market value and taking other steps to improve the long term health of America's rangeland.
- The **National Biological Survey** -- A new agency in the Department of Interior that combines the biological research and survey activities of eight DOI bureaus. This classic example of "*reinventing government*" will ensure better land management and species protection.
- **Clean Water Act and Safe Drinking Water Act** These bills are up for reauthorization, and more than half of our waters are still polluted. The Administration is now focusing on a critical part of the problem that has never been adequately addressed: polluted runoff containing motor oil, pesticides, fertilizer, and industrial waste that washes off our city streets, lawns, and farms.
- **Starting at Home** The President has directed the "Greening" of the White House. From energy and water use to landscaping, the President will set an example for all Americans and make his home a showcase for environmentally sustainable living.

International Environmental Policy Past administrations did not view protection of the global environment as a major priority. The Clinton Administration charted a bold course, developing broad new policies reestablishing the United States as a leader on the global environment.

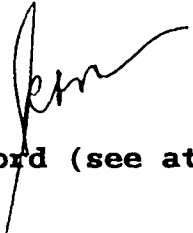
- The President signed the **Biodiversity Convention** -- reversing the previous Administration's stance. The Administration engaged industry and the environmental community to resolve their concerns, and the United States signed the treaty on June 4th.
- The United States announced its support for an international legal prohibition of **low-level radioactive waste dumping** in the oceans.

- We are promoting reform of the environmental policies of **multilateral financial institutions**. One concrete result is a policy adopted by the World Bank requiring information on projects be made available to local citizens. We also have lead efforts to reform the **Global Environmental Facility** to make it a more environmentally sensitive and democratic institution.
- The Administration has taken a clear stand on **population issues**, stressing literacy, the education of women, family planning, and the relation between consumption, population, and the environment.
- Policies were developed on **desertification, fresh water resources, and forests** that recognize that these three issues are closely linked to conflict and security.

THE WHITE HOUSE
WASHINGTON

November 12, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: KATIE MCGINTY 

Good news on environment record (see attachment).

cc: Mack McLarty
George Stephanopoulos
David Gergen
Mark Gearan
Dee Dee Myers

THE WHITE HOUSE

WASHINGTON

November 12, 1993

MEMORANDUM FOR ANDREA RUTLEDGE

FROM: KATIE MCGINTY

SUBJECT: TRAVEL AUTHORIZATION FOR MICHAEL GOERGEN

Michael Goergen, an intern in my office, will be participating in the National Ecosystem Management Conference as a volunteer directly in support of the President and I hope that his travel costs can be reimbursed.

This conference has been set up at the request of and with the help of my office, and Michael has been instrumental in that effort. Michael is currently working on implementing the President's plans for Ecosystem Management that come from the *National Performance Review*. I believe that in order successfully to implement this initiative, Michael should attend this conference.

THE WHITE HOUSE
WASHINGTON

November 12, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: KATIE MCGINTY *Katie McGinty for*
CC: THOMAS MCLARTY
SUBJECT: OEP WEEKLY REPORT

POLL RESULTS

Last week a CNN/USA Today/Gallup Poll found that 58% of Americans approve of our Administration's handling of the environment. Better ratings were received in just 2 other categories: race relations (60%) and women's issues (63%). In tough polling times, we're doing well!

FOREST PLAN FOR SUSTAINABLE ECONOMY AND ENVIRONMENT

Since your July 2nd announcement we have been moving quickly to implement the three components of your forest plan -- reinventing government, management of federal forests, and worker and community assistance. Despite not receiving very much press, the interagency cooperation taking place in northern California and the Pacific Northwest may be one of your earliest and best examples of reinventing government. We are reaching closure on opening an Office on Forestry and Economic Development in Portland, Oregon. With regard to efforts to finalize your draft forest management plan, in many ways the political success of the plan rests on the ability to get out from under the 2½ year old injunction that has stopped new timber sales. We have requested, and Judge Dwyer recently granted a three month extension to review the many (100 thousand) public comments we have received on the plan. The community assistance program is moving through a two step planning process, which is needed to bring the relevant federal agencies together to talk through the implementation with the states. While many timber dependent communities voiced opposition to the plan by rejecting assistance, the people are slowly warming to the idea of diversifying their economies and believe that you have offered them hope. A federal Small Business/Secondary Manufacturing Study Group met for the first time last Friday (11/5) to develop options to assist those in the forest products industry disproportionately hurt by federal harvest reductions.

POLITICAL HOT BUTTONS

We met last Monday (11/8) with Bruce Lindsey, John Podesta and other key White House staff to discuss "Political Hot Buttons" that will be set off in the environmental arena during the next two months.

WETLANDS POLICY

The Interagency Working Group on Federal Wetlands Policy, which is chaired by OEP, reached consensus on 42 of 43 issues prior to the release of the Administration's wetlands policy in August. The unresolved issue concerns the interpretation of an exemption from regulation for ongoing "normal" agricultural, silvicultural, and ranching activities. Some environmentalists claim that EPA's interpretation of what constitutes "ongoing" silvicultural activity is contrary to legislative intent and is damaging to wetland areas in the Southeast where bottomland hardwoods are being converted to monoculture pine plantations. OEP is convening a small working group of representatives from EPA, the Corps of Engineers, and the Departments of Agriculture, Interior, and Justice to conduct a policy review to be completed by the end of the year.

ENVIRONMENTAL TECHNOLOGIES EXPORT STRATEGY

OEP has been working with the Dept. of Commerce, which is leading an interagency team to prepare a national Environmental Technologies Export Strategy. The strategy is in its final review, and is expected to be released on November 22. Participating in the announcement will be Secretary Brown, Secretary O'Leary, and Administrator Browner. The Vice President's participation has been requested. The world market for environmental technologies is \$300 billion and is expected to grow 50% during the 1990's. American companies are world leaders on environmental technologies, and the strategy positions US firms to take advantage of this growing field. Export-related jobs pay 20% higher than other American jobs.

DEPARTMENT OF THE ENVIRONMENT BILL

OEP worked with DOJ and Howard Paster's office to coordinate the Administration response on several amendments to the Department of Environment bill that will prove difficult politically -- most notably the private property/takings amendments and the cost/benefit amendments.

CLEAN WATER REAUTHORIZATION

OEP met several times with EPA and the Interagency Team to continue to polish the Administration position on the clean water reauthorization. A moderate amount of additional work is required, with several issues requiring senior White House involvement at some point, but the schedules for completing the effort are slipping substantially.

SUPERFUND

The CERCLA Interagency Policy Committee (IAPC) that I co-chair with Bo Cutter will continue its review of financing and budget issues this week. As the Committee completes its work and prepares a decision memorandum for you, a subgroup of the IAPC has commenced preliminary discussions with key Hill staff on the Superfund reauthorization package. If the IAPC is unable to reach consensus on all of the key issues it has reviewed, a meeting of the principals will be held on November 23, 1993 at 10:30 a.m. to discuss the outstanding issues.

TIGERS AND RHINOS

Significant Congressional and NGO interest surrounded your report to Congress fulfilling the requirement of the Pelly Amendment regarding illegal trade of tiger and rhinoceros parts and products in China and Taiwan. The 11/8 report stated that the US is ready to provide technical assistance to China and Taiwan to improve their enforcement of wildlife trade laws but that if they don't demonstrate "measurable, verifiable and substantial progress by March 1994...import prohibitions will be necessary." While the reactions from most NGOs (including the World Wildlife Fund and the Humane Society) was disappointment that the Administration didn't apply trade sanctions immediately, the reaction on the Hill has been quite positive. For example, Rep. Studds has since come out in favor of NAFTA, and Rep. Fields has indicated that he will not introduce his proposed legislation to make Pelly sanctions mandatory.

MIDWEST FLOODS

OEP continued to work with House Public Works and the Majority Leader's office on a legislative proposal on the mid-west floods acceptable to all parties. House floor action is expected next week under suspension of the rules, by which time we hope to have agreement on all items. The most difficult point is attempts to broaden eligibility for levee repair for those levees not currently in the Federal system -- a very slippery slope that we are trying to hold off.

COUNCIL ON SUSTAINABLE DEVELOPMENT

Since the Executive Director was appointed in early October, we are moving quickly to mobilize staff and establish the office. Over 40 interviews have been conducted and two full-time staff have been appointed. The PCSD has met with a wide range of individuals representing numerous constituencies, including: cabinet liaisons to the Council, members of both the business and environmental communities, state and local officials, citizen's groups, representatives from civil rights groups and Native American tribes, as well as a variety of foreign dignitaries. These meetings focused on general sustainable development issues, and the delegates uniformly expressed their enthusiasm and support for the Council. We have conducted public outreach regarding our work through numerous talks including the League of Conservation Voters, the National Association of Counties, and the Solomons Group. We will speak at a conference co-sponsored by HUD next week entitled "Creating Community Sustainability Across America," at which urban planners and community activists from around the nation will appear.

FORESTRY

OEP and DOI continued to negotiate the terms of a proposed rule to provide relief to non-Federal landowners in the Pacific northwest. The rule is taking shape well, but with the political caveat that we must ensure that some of the big timber companies are prepared to stand with us when we issue it.

DIRECTOR'S MEETINGS

PAST WEEK

- 11/8 Meeting with Canadian Premier Harcourt on Tatshenshini and Clayoquot
- 11/8 Interview with Portland Oregonian on natural resources policy
- 11/9 National Academy of Sciences; speech on global climate change
- 11/10 Meetings with agency Chiefs of staff regarding politically sensitive environmental issues of the coming year
- 11/10 Small business leaders; meeting on Superfund Reauthorization
- 11/10 Chaired interagency taskforce on Superfund Reauthorization
- 11/12 Meeting with the Environmental Minister of Venezuela on general environmental issues of the region

THIS WEEK

- 11/15 Environmental representatives; analysis briefing on the Forest Plan Option 9

THE WHITE HOUSE

WASHINGTON

MEMORANDUM TO: San Francisco Dredging Working Group
FROM: Will Stelle 
SUBJ: Project Update
DATE: November 15, 1993

I am inviting you to a meeting on November 23, 1993 at 1 p.m. in room 476 of the Old Executive Office Building. Morgan Rees and Russ Earnest will report on their trip to California and outstanding issues. We must also continue to focus on project implementation schedules to present to the President so that he may discuss progress made during his upcoming December 3rd trip to California.

THE WHITE HOUSE
WASHINGTON

MEMORANDUM

TO: CERCLA Interagency Policy Committee
FROM: Katie McGinty *LS/br*
RE: Update on Schedule for CERCLA Reauthorization
DATE: 11/15/93

The Inter-Agency Policy Committee will **not** meet this week on financing issues, due to scheduling conflicts. The Committee will meet again on November 22, 1993, as currently scheduled, to complete the discussion on finance issues and to review the decision memorandum to the President (Room 476, 3-6pm). On November 23, 1993, the principals will meet to discuss any unresolved issues that merit inclusion in the decision memorandum to the President (Room 476, 10:30am-12:30pm).

Given our serious time constraints, it is critical that issues with respect to financing and the draft decision memorandum are discussed extensively among Committee members and their staff prior to the next Committee meeting. Issues for Committee discussion and review must be crystallized in advance of the next meeting. Financing materials will be distributed in advance of the meeting along with the names of contact persons who can answer questions and receive comments on the materials distributed. Drafts of the decision memorandum will be distributed today. Comments should be provided by close of business Tuesday, in order that a new draft can be circulated by the end of this week. The goal is to resolve as many issues as possible prior to the Committee meeting next week.

All Committee members should come to the next meeting well-briefed on both financing issues and on any unresolved issues with respect to the draft decision memorandum. Thank you for your cooperation in working within a challenging schedule.

cc: Bo Cutter

THE WHITE HOUSE

WASHINGTON

MEMORANDUM

TO: ALICIA MUNNELL
FROM: KATIE MCGINTY *LB/or*
RE: CERCLA LEGISLATIVE DRAFTING TEAM
DATE: 11/15/93

The purpose of this memorandum is to request that the Treasury Department send a representative to each meeting that the CERCLA Inter-agency drafting team holds with congressional staff on the drafting of the administration's Superfund reauthorization bill. I understand that Treasury's representative did not attend the last meeting and missed several informative remarks by Hill staff as to the issues that they believed should and should not be covered in the Administration's bill, including some observations on the political infeasibility of eliminating retroactive liability.

In order that the agencies represented on the drafting team are kept fully informed as the bill is developed, it is critical that each representative on the team attend every meeting or, if necessary, send a replacement. As you know, we were unable to accomodate all of the agencies that wanted to serve on the administration's drafting team. If Treasury does not wish to send a representative to each meeting, please let me know as soon as possible so that your slot can be given to another agency.

Thank you for your attention to this important matter. Please feel free to call me if you have any questions.

cc: Bo Cutter

THE WHITE HOUSE
WASHINGTON

November 15, 1993

MEMORANDUM TO THE VICE PRESIDENT

FROM: KATIE MCGINTY

SUBJECT: Meeting of the Interagency Ecosystem Management Task Force

Recommendation

This is an FYI. You should know we are trying to move full-steam ahead with this. A DROP BY WOULD BE MUCH APPRECIATED (though not necessary).

Event

The second meeting of the Interagency Ecosystem Management Task Force which was created as a part of the National Performance Review. Assistant Secretaries from each of the relevant agencies are members of the Task Force.

Logistics

Thursday, November 18th from 2:00 to 4:00 p.m. in room 472 of the Old Executive Office Building.

Your Role and Contribution

- Implementing ecosystem management is one of the highest priority, most far reaching environmental commitments from the National Performance Review and one in which you showed strong personal interest.
- The meeting provides an opportunity for you to express your support and thoughts to the key stakeholders charged with implementing this important shift in federal environmental policy.
- Your appearance should generate enthusiasm and good will. Word of your support will spread throughout the federal, environmental, and scientific communities whose support are also key to the success of this initiative.

Program Notes

The meeting will be addressing these issues:

(1) Final selection of the ecosystem management demonstration projects based primarily on the list provided below:

Anacostia River watershed	Great Plains/Grasslands Ecosystem
Greater Yellowstone Ecosystem	Great Lakes (Lake Superior)
Rio Grande River Valley (Lower or Upper)	Prince William Sound
Pacific Northwest (Westside) Forests	South Florida Ecosystem
Southern Appalachian Highlands	

(2) Designation of lead agencies for each of demonstration projects.

(3) Discuss the proposed framework below for each of the demonstration projects:

- What is the target ecosystem and its major ecological parameters?
- What are the primary indicators of the health of the ecosystem for purposes of designing a management regime for that ecosystem?
- What are the principal stresses at play in the ecosystem?
- What are the existing institutional arrangements that are designed to manage these stresses?
- How would a large-scale scientific and management approach, better integration of programs, and improved interagency coordination benefit the ecosystem?
- What administrative scales should we use to plan for the ecosystems?
- How would you organize yourselves to ensure effective implementation and monitoring of the results of an ecosystem management plan?
- How would you propose to account for non-Federal activities in the planning and implementation process? State, tribal, and local government involvement? Public involvement?
- How can the demonstrations be designed to ensure that they encourage vigorous sustainable economic development as an integral part of the effort?

(4) Discuss the next steps for the Task Force. Soon after the November 18th meeting, we will convene a series of ecosystem-specific meetings to discuss the substantive responses to the framework questions.

THE WHITE HOUSE

WASHINGTON

November 17, 1993

MEMORANDUM TO THE VICE PRESIDENT

FROM: Marc Chupka 
cc: Katie McGinty
SUBJECT: Climate Change Interview Tomorrow

Steve Brewdanski of U.S. News and World Report will interview you tomorrow for a cover story on global warming. He is likely to pose three main questions:

- (1) How serious is global warming?
- (2) Is scientific data adequate?
- (3) What should government do to combat the threat?

You know the answers to these questions: (1) it's serious; (2) data is adequate to take action, but could be improved; (3) we should at least reduce greenhouse gas emissions to 1990 levels by the year 2000 -- and that's exactly what we're doing.

He will probably try to pose a question like: "If it's so serious, why isn't the Climate Change Action Plan more aggressive?" You have got to counter this with a very positive message about the plan. No apologies! Focus on international leadership, commitment, groundbreaking partnerships with major industries, revitalized federal effort, reinventing government, etc. The plan takes us in the direction we have to go -- and we figured out how to do it and foster economic growth. This plan is plenty aggressive for November 1993.

I have attached several documents to refresh your memory on the science and the policy.

- o The one-page science summary that accompanied the Climate Change Action Plan.
- o The five page science piece elaborating on the one-pager.
- o The briefing memo distributed at the Climate Change Action Plan announcement.
- o Several positive press clippings on the Climate Change Action Plan.
- o A set of Q&As developed for the Climate Plan.

THE WHITE HOUSE

WASHINGTON

November 17, 1993

MEMORANDUM TO THE PRESIDENT

FROM: Katie McGinty 
Tom Epstein 

cc: Bruce Lindsey
John Emerson

SUBJECT: California Smog Check Program

This memo briefly outlines the current status of the California Smog Check issue and describes the pros and cons of using (or threatening to use) Clean Air Act sanctions (e.g. denying federal highway funding) to encourage a solution. Since the November 15 deadline for enacting an acceptable car inspection program has passed, the Administration's next move will be scrutinized very carefully in California and other states. Your visit to California coincides with this delicate stage of the process, and **lawmakers there may ask you to personally commit to a specific policy or proposal. We urge you to resist being pinned down until you can review the strategy that EPA is developing with the White House to attain a workable political compromise.** We have met with Bruce Lindsey and he agrees with this approach.

Background

As you know, the 1990 Clean Air Act amendments require test-only smog inspection stations in an enhanced inspection and maintenance (I/M) program to eliminate the potential for fraud and abuse that has plagued the current test-and-repair systems. No one disputes that the current test-and-repair system in California is seriously deficient: the accuracy rate is only 26% and it costs more than any other states' program. Enhanced I/M programs offer the most cost-effective way to quickly improve the dangerous air quality problems in California. However, EPA believes that the solution proposed by Assemblyman Richard Katz to modify the existing system violates the Clean Air act and would also prove deficient in practice. The Administrator and other EPA officials have tried to work with Katz and others to improve the proposal and assure air quality benefits, but little progress has been made so far.

Response

Under the law, EPA must issue a finding very soon that starts the 18 month "sanctions clock." They will also signal their intent to apply discretionary sanctions as early as next March in order to discipline the legislature to adopt an acceptable program. The EPA believes that an acceptable solution is available that phases-in test-only stations without disruption or

inconvenience. They also believe that such a system could be fashioned by amending the Russell-Katz bill -- allowing them to claim victory while still making sufficient progress toward a test-only system.

Problems with Alternative Approach

The alternative suggested by Katz and Willie Brown would allow California to adopt the existing Katz bill under an 18 month trial period without imposing sanctions. There are four main disadvantages to this approach:

- o Other states that have instituted test-only systems in heated political battles, such as Massachusetts, Pennsylvania and New York, would feel betrayed by special treatment given California.
- o States currently in the midst of moving toward acceptable programs, including Illinois and Indiana, would stall because the sanction threat is no longer viable.
- o If the Katz approach does not work, a true political catastrophe would ensue -- California would apply a costly and ineffective band-aid to a poorly operating program only to face mandatory sanctions in 1995.
- o If the program does not work, other more costly pollution control methods will be also triggered by law. EPA would have no choice but to impose additional measures and mandatory sanctions; however, the Administration would still take the blame for heavy-handed tactics and severe economic consequences.

Political Strategy

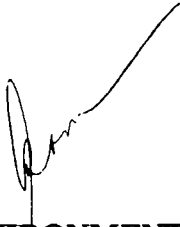
The political issues have not been well managed -- to date, EPA and potential allies have not made an effective case to the public that a test-only program will have economic, environmental, and consumer benefits. This has allowed Governor Wilson and legislators opposed to modifying the program an opportunity to frame the issue and to paint EPA as inflexible and not giving consideration to special California circumstances. Governor Wilson is playing politics with the issue even though he voted for the Clean Air Act Amendments of 1990 and supported the enhanced I/M program as a U.S. Senator.

With our political appointees now in place at EPA, we have initiated an aggressive communications and interest group outreach strategy to correct the situation, and we believe that we can get Katz to amend his bill to satisfy his needs and to comply with the law. We believe that this issue can be put behind us -- with benefits for clean air, consumers, and the California economy -- if the sanctions option is used to push the process along.

THE WHITE HOUSE
WASHINGTON

November 17, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: KATIE MCGINTY 
SUBJECT: CALIFORNIA ENVIRONMENTAL ISSUES

Outlined here are the major environmental issues in Washington and California and about which you may be questioned.

WARD VALLEY:

The Department of Interior may transfer land to the State of California for the construction of a low-level radioactive waste disposal site. The LA environmental community is trying to block it, but the hospitals, bio-tech industry, and University Community support the transfer. DOI is currently negotiating with the state on the conduct of formal public hearings on the land transfer. At the same time we are discussing internally the best process for moving ahead that is both politically and substantively sound. (i.e., Governor Wilson takes the heat where appropriate instead of the administration. FYI, Time magazine will run a piece on this next week.)

OAKLAND BAY DREDGING:

OEP organized a four agency memorandum of agreement to direct their regional representatives to develop a schedule and work plan for completing the permitting for the Port of Oakland by the end of next year -- to honor your commitment with Rep. Dellums earlier this year. Progress is proceeding well, and we expect an agreement in two weeks between the agencies. Dellums' office is pleased with the follow-up and is suggesting an event with you in December.

SAN FRANCISCO BAY-DELTA ESTUARY

The issues surrounding the San Francisco Bay-Delta Estuary are extremely complicated and are interacting among many ecosystems. We have Clean Water Act/Water Quality issues, Endangered Species Act/Salmon issues, and the issue of major water allocation to both agricultural users and urban drinking water facilities. The parallel goals of our water policy are to ensure water quality standards that both protect the health of the Bay-Delta environment, and achieve reliable supplies for water users, equitably allocated among the urban and agricultural communities. The White House is working with the various federal

agencies involved in water quality, reclamation, and endangered species management to ensure they work more closely and cooperatively than under prior administrations. The administration is also working with the agencies to ensure that federal water policies are closely integrated with the needs of the local communities, the State, Clean Water Act, the Endangered Species Act in a manner that is predictable, comprehensive and understandable.

FOREST MANAGEMENT PLAN UPDATE:

Implementation:

The forest management component of your plan was released in draft form as required by the National Environmental Policy Act in July. More than 100,000 comments were received by the end of the public comment period on October 28th. To legitimately incorporate this overwhelming number of comments, Judge Dwyer granted the Department of Justice's petition for a three month extension for completing the Forest Plan. As a result, the final plan will be completed for presentation to Judge Dwyer on March 30th.

In the meantime, a regional interagency team has been established to ensure the six agencies involved in this effort are all moving in the same direction. This team has:

- Established 18 working groups to develop guidance on watershed analysis, funding, adaptive management processes, watershed restoration, monitoring, and research among others;
- Briefed employees throughout the region;

"4(d) Rule":

The Fish and Wildlife Service is developing a rule under Section 4(d) of the Endangered Species Act to lift some of the timber harvest restrictions currently in place on **private land** as a result of the protection strategy on federal lands. We are currently in the process of running this proposal by the states and industry to get their perspective. However the rule is *not public* at this date.

Worker and Community Assistance:

Payments to counties have been successfully guaranteed at 85% of the 1986-90 average for the next five years in the budget reconciliation bill. This payment will decrease at 3% annually. The agencies' regional offices have been working with the states and local communities to develop implementation plans. These efforts should be completed by the end of the year and we expect to move aggressively to distribute FY 1994 funding.

"2.2 Billion Board Feet This Year":

When you released the forest plan, Secretary Babbitt was widely quoted as stating that we could move 2.2 billion feet this year. Many perceived this as a commitment to move 2.2 billion board feet (bbf) of **new timber**, timber that had not yet been awarded for sale.

You may receive follow up questions about our ability to actually meet these goals.
THE ANSWER IS YES, through a combination of what is already in the pipeline, and what timber can be released consistent with your plan and the endangered species act.

11/17/98

THE WHITE HOUSE

WASHINGTON

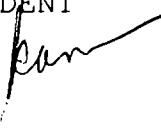
Leon - Do you
think we should
meet w/ Al to explain
this before
asking him to call
Janetta? And --
should we make a
recommendation to
him on the option
we believe is best.
Jkt

THE WHITE HOUSE

WASHINGTON

November 18, 1993

MEMORANDUM FOR THE VICE PRESIDENT

FROM: KATIE MCGINTY 
LEON FEURTH

SUBJECT: OPTIONS FOR FY94 / FY95 INTERNATIONAL
ENVIRONMENTAL BUDGET

To follow up on your meeting on November 2 regarding budget international environmental issues, we have developed options for FY94 and FY95 for your consideration: 1) absolute minimum necessary to avoid substantial embarrassment; 2) flat-line from Bush Administration (does not account for increased policy objectives); and 3) a modest beginning toward implementing some of the policies that are a priority for the Clinton Administration.

The options are cast in terms of **overall** funding requirements. Where possible, the proposed level of **increase** from current enacted levels for FY94 and requested levels for FY95 is also presented. However, in some cases (e.g., funding for UNDP from the overall IO&P account, or separating environment and population levels from overall USAID funding) such proposed increases are not easily characterized.

Hot button issues include the **Montreal Protocol Fund** (\$18m short of \$35m requirement in FY94) and the **GEF** (need to be able to pledge \$100m in FY95 at the meeting scheduled for the 1st week of December).

OVERALL FUNDING FOR INTERNATIONAL ENVIRONMENTAL BUDGET

Option 1: Absolute Minimum

- o **Montreal Protocol (need total of \$35m in FY94 and in FY95)**
 - + FY94 short by \$18m (FY93 \$8m in arrears; FY94 enactment is \$25m)
 - + FY95 request short by \$3m (FY95 request is \$32)
- o **GEF (need total of \$100m in FY95)**
 - + US led restructuring of the GEF, need to put our money where our mouth is
 - + Total level is \$2b/4 years, absolute minimum need is \$100m/year from the US (20% of total)
- o **Population (need total of \$450m for USAID and \$50m for UNFPA in FY95)**
 - + Goal is \$1.4b/year for USAID population by 2000
 - + FY94 request for UNFPA cut from \$50m to \$42m, need to return to \$50 in FY95
- o **Forests for the Future (need total of \$20m in FY95)**
 - + FY94 request of \$30m zeroed out
 - + PDD NSC-16 (signed 11/5/93) calls for strengthening of Forests for the Future
- o **UNDP/Capacity 21 (need total of \$125m/year in FY94 and in FY95)**
 - + UNDP now run by Gus Speth, need to support
 - + Overall IO&P account took a hit, need to support as a priority

Hot button issues:

- * Montreal Protocol FY94 short by \$18m
- * GEF pledging meeting is 1st week of 12/93

Option 2: Straightline From Bush Administration

- o **All of option 1, except GEF funded at total of \$150m in FY95**
- o **USAID environment and energy programs (need total of \$759m in FY94 and in FY95)**
 - + Overall USAID budget dropped from \$5.079b in FY93 to \$3.588b in FY94
 - + Environment and energy obligations fell from \$759m in FY93 to \$521m in FY94
- o **MDBs (need total of \$1.664b in FY94 and FY95)**
 - + Annual appropriations for MDBs dropped from \$1.664b in FY93 to \$1.508b in FY94

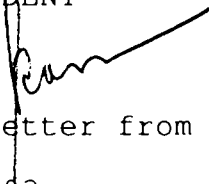
Option 3: Modest Steps Toward Implementing Administration Policies

- o All of option 1, except GEF funded at a total of \$150m in FY95, and USAID population as specified below
- o USAID population (need total of \$700m in FY95)
 - + To reach goal of \$1.4b/year by 2000, ramping up to \$700m is not at all far-fetched
- o USAID environment and energy (need total of \$759m in FY94 and \$1.044b in FY95)
 - + Between FY91 and FY93 (prior to UNCED) USAID environment and energy obligations increased from \$474m to \$759m
 - + To adequately address emerging regional security issues identified in PDD NSC-16 (fresh water, deforestation and desertification) at least that same level of increase should be maintained through FY95
- o MDBs (need total of \$1.957b in FY94 and \$1.988b in FY95)
 - + Total current arrears are \$819m (\$370m in old arrears plus expected \$450m in FY94 arrears) and annual increase in arrears 1995-2000 is estimated at \$313m/year
 - + To support US efforts to reform MDB lending practices to ensure that they promote sustainable development, we need at a minimum to stop the increases in US arrears

[Prepared by: Daniel Blank]

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR THE PRESIDENT

FROM: Katie McGinty 
RE: Follow-up on Letter from Randy Young
DATE: 18 November 1993

In response to the correspondence to you from Randy Young about the lack of a balanced Federal water policy that takes into account the needs of non-western states, I am taking the following actions.

1. I have forwarded the letter to the Assistant Secretary of Interior who is responsible for water issues and the Bureau of Reclamation (Betsy Reike) for her review, and have asked her to begin to look into the substance of the issue. I have also asked her to contact Randy Young directly to discuss it with him.

2. I will be meeting with Betsy and the Interior staff next week to discuss the issue and how we might respond.

3. Following that, I will prepare for you a brief statement of the problem and how we would propose to address it.

Please let me know if there are any additional steps you would want me to pursue.

THE WHITE HOUSE
WASHINGTON

NOVEMBER 19, 1993

MEMORANDUM FOR THE PRESIDENT
FROM: KATIE McGINTY
CC: THOMAS McLARITY
SUBJECT: PORT OF OAKLAND



In your note on our weekly report of last week you asked whether a target date of December 1994 for completion of the permitting process for the Port of Oakland Project would satisfy your commitment to Rep. Dellums. You also asked why it will take so long.

"Yes" is the short answer about your commitment to Dellums. The existing schedule was for a final decision on the permits by mid 1995. The Port has asked us to accelerate it to the end of 1994, and we have so instructed the involved agencies.

Frankly, the key issue for the Port is more the certainty of getting the permits rather than any particular date. Both the Port and Dellums are very pleased with our progress on this.

Your second question was why does it take so long. There are two reasons. First, the permit is a "major Federal action" that will require a full blown environmental impact statement under NEPA. Second, the project has been made more complicated by specifying that some of the dredge material will be used to restore wetlands. Normally it would all be dumped in the ocean, but this restoration component was added to win the support from the environmentalists for the overall project. This restoration proposal requires a separate permit also involving NEPA and a host of separate issues requiring analysis and public comment.

In short, it's complicated but moving along well.

THE WHITE HOUSE
WASHINGTON

November 19, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: KATIE MCGINTY 
CC: THOMAS MCLARTY
SUBJECT: OEP WEEKLY REPORT

ENVIRONMENTAL TECHNOLOGIES EXPORT STRATEGY

The strategy, which you called for in your Earth Day speech, has been completed by the Dept. of Commerce, EPA and DOE, with OEP involvement. It will be released Monday by Secretaries Brown and O'Leary and Administrator Browner. Other countries, notably Japan and Germany, have coordinated national strategies to take advantage of this rapidly growing \$300 billion market. Until now, US firms have faced a confusing array of uncoordinated government programs. Notable recommendations in the strategy include the placement of environmental technology experts in regional "one-stop" shops -- who will work with regional business groups and envirotech exports abroad to expand trade; and a review of US permitting and approval rules to create a system that encourages, rather than slows, technology innovation.

EPA CABINET BILL

Movement on the EPA Cabinet Bill will be delayed until January. Evidently, Congressman Klinger, a key player on the minority side, is out of commission with a detached retina and activity must be postponed until he is able to participate. The problematic issues of environmentally "unfriendly" amendments to the Bill will likely resurface in full force when Congress takes this up again in January.

REFORMULATED GAS/ETHANOL

OEP and the DPC sent you an information memorandum this week on issues and options concerning the role of ethanol in EPA's regulations for reformulated gasoline. We are

continuing to work with White House offices and relevant agencies on approaches to resolve this issue.

TRANSPORTATION AND CLEAN AIR

- o OEP and Political Affairs continued to work with EPA on the California Smog Check issue, and sent you a memorandum outlining the politics of the issue.
- o OEP participated in meetings in Detroit with the automobile manufacturers to begin implementing the Partnership for a New Generation of Vehicles program.
- o OEP and CEA held meetings to set up the analytical support team for the transportation policy task force which was established in the Climate Change Action Plan.

ENVIRONMENTAL JUSTICE

OEP continues to work with the EPA, the Justice Department, and other White House offices to finalize the Executive Order on Environmental Justice. We hope to circulate the Order for inter-agency review within the next two weeks.

SUPERFUND

The CERCLA Inter-agency Policy Committee (IAPC) that I co-chair with Bo Cutter will try to reach closure on the key reauthorization issues. A meeting of the principals is tentatively scheduled for November 23rd, 1993 at 10:30 a.m. to discuss any issues that the IAPC is unable to resolve. Our goal is to send you a decision memorandum by the end of the month.

ENVIRONMENTAL BUDGET

OEP has been working with OMB to review the Administration's environmental spending priorities for the FY 1995 budget. In addition to a crosscut of all environment and natural resource spending, OEP is focussing upon five priority areas: (1) implementing the Forest Plan; (2) implementing the Climate Change plan; (3) implementing the wetlands policy; (4) international programs; and (5) an ecosystem management initiative.

COMMUNICATIONS

OEP is developing an extensive communications outreach strategy to showcase the Administration's many significant environmental accomplishments which will be released as journalists begin writing their year-end pieces on the Administration in early December.

FORESTS

FYI -- (from Greenwire) Although last year's logging harvest in Oregon was the smallest since the 1981 recession, it hasn't "dragged down" the rest of the state's economy, unlike in years past. The 1992 harvest totaled 5.74 billion board feet, a 5% decline since 1991 and a 50% decline since 1988, according to the Oregon Department of Forestry. Logging decreases in federal forests resulted mainly from lawsuits to protect habitat for the northern spotted owl, said State Forester James Brown. But economists say a wider industrial base and an influx of people seeking a better place to live changed the Oregon economy. University of Oregon economist Ed Whitlaw: **"We've disconnected Oregon's economy from the timber industry."** Under the Clinton Administration's plan, logging in federal forests will drop even more, to a fifth of the 1980s levels.

FOREST PLAN FOR SUSTAINABLE ECONOMY AND ENVIRONMENT

The Portland team met with Congressman Wyden who would like to hold a field hearing on the small business/secondary manufacturing component of the plan. We also plan to make a public announcement on small business/secondary manufacturing study group which has been meeting for the last two weeks during the first week of December.

The regional worker and community assistance team drafted an implementation plan which has been released for review. We also made presentations on the plan to the Association of Oregon Counties, and the Oregon Rural Development Council.

The regional forest management directors agreed to establish an inter-agency office to implement the plan. The BLM and Forest Service decided to defer timber sales in potential reserves until the plan is finalized, however, the BLM will move forward with 9 sales that are not in proposed reserves.

ECOSYSTEM MANAGEMENT

As part of OEP's efforts to implement a directive in the NPR on ecosystem management, OEP participated in a two day workshop on the subject of ecosystem management in Virginia. The purpose of the workshop was to identify those existing efforts around the country where this innovative approach is being developed locally, and to discuss how it might be more broadly applied. The approach holds great promise for early, advanced planning on a large scale that would avoid the species-by-species trainwrecks that are occurring under the Endangered Species Act.

OEP is also chairing an interagency working group on the same subject to identify how we might foster this approach more actively.

PACIFIC SALMON CONSERVATION

OEP provided a briefing to the northwest delegation on the Administration's efforts on the conservation of endangered Pacific salmon. Several stocks of salmon in the northwest are currently listed under the ESA, and the efforts to conserve those stocks involve very high stakes for the region. The issue is potentially more explosive than the spotted owl, and OEP is chairing an interagency working group whose mission is to manage this issue as smoothly and with as few firefights as possible. The Congressional briefing was merely to inform the delegation of our efforts and progress to date.

MIDWEST FLOODS

OEP chaired another meeting of its Interagency Working Group on the midwest floods, the purpose of which is to develop a long-term review of floodplain management in the region. There remains great interest in this general subject within the region and its delegation, and the effort will be high visibility over the next several months.

DIRECTOR'S MEETINGS

PAST WEEK

- 11/15 Environmental NGO representatives; briefing on the Administration's Forest Plan, Option 9.
- 11/16 Finnish Environmental Minister; meeting on the President's Council on Sustainable and environmental issues of the region.
- 11/17 Knight Ridder; press interview on the Vice President's environmental record and accomplishments to date.
- 11/17 Elinor Clift (Newsweek); press interview regarding an overview of clean water issues.
- 11/18 Meeting with industry representatives regarding Superfund financing and liability.
- 11/18 OMB/DPC; overview of the Administration's budget
- 11/18 Chaired interagency meeting on ecosystem management
- 11/18 Meeting with the Vice President and Robin Duke of Population Action International on population and funding issues
- 11/18 Representatives Furse and Wyden; forest issues

- 11/19 Meeting with Aleksei Yablokov (Russian environment minister); international environmental issues
- 11/19 Tom Johnson (CNN) and the Vice President; briefing for CNN on the Vice President's Global Environmental Education Initiative.

THIS WEEK

- 11/22 Chairing Interagency Cercla Reauthorization meeting
- 11/23 Cercla Reauthorization principals meeting

THE WHITE HOUSE
WASHINGTON

November 19, 1993

MEMORANDUM FOR ROY NEEL

FROM:

KATIE McGINTY 

SUBJECT:

NORTHWEST FORESTRY OFFICE/TUCHMANN MEMO

Enclosed is the most recent draft of the memo setting up the Northwest Forestry office. **We need to bring this to closure and I would greatly appreciate it if the attached memo could go out on Monday.** We have worked with White House counsel and I feel the changes that have been made establishing the office incorporate their observations and recommendations. These changes simplify things considerably and are outlined below.

FUNDING THE OFFICE

Agency contributions through the CEQ Management Fund will be used to fund non-salary operations of the office. This is consistent with the intent of the Management Fund and the mission of the office of NEPA compliance. As you know, NEPA compliance is one of the core issues associated with management of federal forests in the Northwest.

TOM TUCHMANN'S STATUS

As the Director of the office, Tom will serve as the primary contact on all issues relating to the implementation of the plan and he will be responsible for coordinating the federal agencies in Washington and in the region. As a model for a "reinvented government," he will serve as a liaison to all agencies (breaking down artificial walls that have existed between them in the past) and report interagency progress to the White House. However, Tom will not be a White House employee nor will he represent the White House.

TOM TUCHMANN'S SALARY

White house funding for Tom's salary is no longer an issue. Tom will continue to be on Interior's payroll -- his salary will be paid by DOI, with USDA reimbursing DOI for part of the salary through an interagency agreement.

THE WHITE HOUSE
WASHINGTON

MEMORANDUM TO: Peter Yu
FR: Will Stelle 
RE: New England Fish
DATE; 22 November 93

Katie agrees with your outlined approach to the New England groundfish strategy.

Please ensure that NOAA does not perceive this as a White House brush-off. As your memo notes, we are willing to assist in the implementation of a multi-agency economic assistance package once it is assembled and approved.

cc. K. McGinty

THE WHITE HOUSE
WASHINGTON

MEMORANDUM TO: Betsy Reike
Bob Perciasepe
Doug Hall
Tom Epstein

FR: Will Stelle *Will Stelle*

RE: Meeting on California Water Issues

DATE: 22 November 93

I would like you or your designee to attend a meeting on California water issues with Mr. Bronson Van Wyck, a Arkansas-based investor with agricultural interests in California. The meeting is scheduled for November 30th from 10:00 to 11:30 in room 476 of the Old Executive Office Building.

Mr. Van Wyck has asked that we host the meeting in order to discuss a process for ensuring that the best information is brought to bear on the issues at play in the Bay-Delta. Attached is his memorandum to me of last week describing what he hopes to address at the meeting.

Please have your office contact Mr. Michael Goergen in this office (456-6224) with the names and birthdates of whomever you expect to attend the meeting by Friday noontime so that we can clear them through security. I would suggest that we ensure that representatives from both EPA and DOI who are familiar with the the activities of CLUB FED attend as well so that the discussions can be as specific and useful as possible.

Please call me if you have any questions at 456-6224.

Chen

THE WHITE HOUSE
WASHINGTON

November 22, 1993

MEMORANDUM FOR THOMAS McLARTY

FROM: JOHN H. GIBBONS^{HJG} AND KATIE MCGINTY^{kan}

SUBJECT: Ethanol/Reformulated Gas Options

We understand that you will be meeting tomorrow morning with Senator Daschle, in part about the role of ethanol or ETBE in EPA's reformulated gasoline rules. We would like you to be aware that a number of White House offices have serious concerns about proposals to include provisions favoring ETBE in the EPA rule. You should also know of a letter sent to the President today by 69 House members and 28 Senators expressing similar concerns.

At a meeting last Friday, EPA was asked to review, by tomorrow, its legal authority to include such provisions. We believe it is likely EPA will conclude, on good legal and technical grounds, that it cannot include such provisions in the rule. In that event, we will have to look at legislation if we are to pursue such provisions. This memo addresses some key factors that should be considered in drafting any such proposal.

Before launching down this path, however, we should give a serious look at the options being developed by OSTP. OSTP may have found a way to deliver more income to the corn farmers, at less cost to the budget, and with more environmental benefit. What's more, it may actually be in our power to do administratively. We know these ideas are a late entry, but they deserve a hearing.

Back to ETBE . . .

1. What's the target?

USDA is seeking a mandate of 30% of the oxygenate to be used in RFG for ETBE. That would amount to a 6-fold guaranteed growth for ethanol in the RFG area.

According to EPA, in 1990 gasohol sales amounted to just 4.5% of total gasoline consumption in the areas to be covered by the RFG program. Gasohol penetration reached 30% only in the Chicago area. It's reached 20% only in Louisville/Cincinnati. In most areas it's zero or near-zero.

A 30% mandate should be beyond serious consideration. If we were to support a 7.5% market share mandate for ETBE, we'd be increasing ethanol's penetration by 50%. A 10% mandate would double it.

2. What's the budget impact?

If ETBE is mandated (or encouraged through USDA's proposed credit mechanism), both the subsidy and costs to consumers will increase sharply.

Ethanol use in gasoline is now about 1 billion gallons per year. The subsidy now stands at about \$550 million per year. According to OMB and Treasury, use will grow to about 1.35 billion gallons per year by 1998, with a subsidy of about \$750 million per year, even without a special role for ethanol/ETBE in reformulated gas.

If ETBE use in reformulated gas were mandated at the 30% level, EPA projects that another 310 million gallons of ethanol would be used each year, starting in 1995. The revenue loss from the current subsidy would increase by about \$168 million per year. Additional costs to oil refiners would be about \$66 million.

A more modest mandate (7.5%) would still cost an additional \$42 million per year in lost revenue, and about \$16 million more for the refiners.

(USDA contends there would be offsetting farm payment savings. OMB has previously declined to credit these savings. We're seeking OMB's further input on this.)

Because of the budget impact, we should strongly consider linking any mandate to a removal of the subsidy from the mandated sales of ETBE. If it is required, it doesn't need to be subsidized.

We certainly should not support Daschle's S.456. That bill would expand the current per-gallon ETBE tax subsidy to the point where ETBE could drive MTBE clean out of the market. In that case the subsidy would hemorrhage, potentially adding hundreds of millions of dollars more to the annual revenue loss.

3. Other issues

Any mandate, or preference, should be open to any domestic renewable oxygenate that does not increase emissions due to commingling. That would allow a variety of ethanol-derived ethers to play. It would also allow renewable methanol-derived ethers a role too. Methanol from biomass is a potentially attractive product that may be able to compete with the ethanol-based compounds on an even playing field.

THE WHITE HOUSE
WASHINGTON

MEMORANDUM

TO: Please See Distribution List
FROM: Kathleen McGinty
RE: Interagency CERCLA Reauthorization Committee Principals Meeting
DATE: November 22nd, 1993

The principals meeting on CERCLA reauthorization has been rescheduled. The meeting will be held in Room 476 of the OEOB from 1pm-3pm, Wednesday, December 1st. This meeting was originally scheduled for Tuesday, November 23rd.

Attendance will be restricted to the Cabinet plus one additional representative, of your choosing.

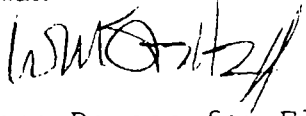
Please confirm your attendance through the Office on Environmental Policy by Wednesday, November 24th.

Distribution

Madeleine Albright
Les Aspin
Bruce Babbitt
Lloyd Bentsen
Lee Brown
Jesse Brown
Ronald Brown
Carol Browner
Warren Christopher
Henry Cisneros
Mike Espy
David Gergen
Jack Gibbons
Mickey Kantor
Bruce Lindsey
Thomas McLarty
Bernie Nussbaum

Hazel O'Leary
Leon Panetta
Howard Paster
Frederico Pena
Carol Rasco
Robert Reich
Richard Riley
Robert Rubin
Donna Shalala
Greg Simon
George Stephanopolous
Laura Tyson
Christine Varney

THE WHITE HOUSE
WASHINGTON

MEMORANDUM TO: Morrie Goodman
FR: Will Stelle 
RE: Communications Person for Floodplain Review
DATE: 23 November 1993

We are gearing up the core staff for the Floodplain Management Review, and we badly need to develop a sophisticated public communications strategy as we proceed with it.

I would like you to assign someone who could work with our group on a regular basis, attending our weekly meetings (at least) and learning the details of what we are planning to do so that it can be properly communicated to the region. I believe this is vital to the success of the overall effort, and am quite sensitive that our effort not be perceived as an inside the beltway effort.

Our next meeting is Tuesday, November 30th from 1 to 3 pm in 722 Jackson Place. Please plan to assign someone to attend, and give me a call so we can discuss this further.

Many thanks.

cc. K. McGinty
TJ Glauthier
J. Lyons
B. Long

THE WHITE HOUSE
WASHINGTON

MEMORANDUM TO: John Leshy
FR: Will Stelle
RE: Ward Valley
DATE: 23 November 93

We believe that the Secretary should send a letter to Governor Wilson pertaining to Ward Valley with the following points. This reflects a decision here involving Bruce Lindsey and other senior staff that delaying further action is appropriate as long as a strong statement is made about the commitment to an adjudicatory hearing after the litigation is completed. I typed out the following. We would ideally like to get this letter out before the Time Magazine story so that it defines our position in a more positive way.

Please call me if we need to discuss this further. Also, this draft has been signed off on over here, so if you need to make some major revisions to it please fax them back here so I can run them by the right people.

DRAFT DRAFT DRAFT

Dear Governor:

Since our last correspondence on this issue several events have transpired which directly relate to the overall situation governing the Ward Valley land transfer. I therefore wanted to suggest what I believe is most orderly and appropriate way of proceeding on this matter.

First, I want to reiterate my commitment to the conduct of an adjudicatory hearing prior to any decision regarding the land transfer. The primary objective of the hearing should be to provide for a full and fair hearing on all the relevant issues involved with this matter before an impartial hearing officer. There are important issues concerning the suitability of the proposal that properly warrant a full and public airing. The hearing should including discovery rights, testimony under oath and the right to cross-examination witnesses.

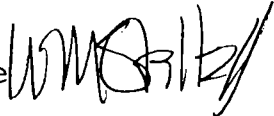
My concern, however, is one of timing. Since our last correspondence on this matter, the state has proceeded to issue a license for the construction and operation of the facility. That

decision is now in litigation, and I expect that a number of issues that are germane to the land transfer will also arise in the current litigation.

I have therefore concluded that it would be best to postpone further action on the hearing pending a final resolution of the ongoing litigation. If the final judgment in that litigation warrants further action on the land transfer, we would then proceed accordingly.

bcc:
Katie McGinty
Tom Epstein
Greg Simon

THE WHITE HOUSE
WASHINGTON

MEMORANDUM TO: Jim Lyons
FR: Will Stelle 
RE: USDA Assignee to the Floodplain Management Review Team
DATE: 23 November 1993

I am writing to you in your capacity as the co-chair of the Interagency Floodplain Management Task Force that has been established by the USDA and the White House as a continuation of the Administration's response and recovery efforts for the Mid-west floods.

We have established a core staff of interagency assignees to undertake a major review of floodplain management issues in the Upper Mississippi River Basin, with DOI, EPA, FEMA and the Army all assigned two full time staffers for the effort.

The USDA needs to do so as well, and thus far Tom Wehri has been representing the Department in our meetings. Because many of the issues involving floodplain management involve USDA programs and interests, I believe it is essential that the Department is fully represented.

Presently Keith Weibe has been assigned to the group, and Tom Wehri will be continuing in some capacity.

I would like to formally request that Ms. Margriet Caswell also be assigned to the core staff for this effort. She is currently with the Resources and Technology Division of the Economic Research Service, and she is highly regarded by many. We need her help.

Please let me know what type of further arrangements are or may be required to ensure her assignment, and many thanks for your assistance.

cc. K. McGinty
TJ Glauthier
Eric Lichtenberg

THE WHITE HOUSE
WASHINGTON

MEMORANDUM TO: George Stephanopoulos
Mark Gearan
Joan Baggett
Bruce Lindsey
Howard Paster
Todd Stern
Lorraine Voles
Jack Quinn

FR: Katie McGinty *Cam*

RE: Private Property Movement

DATE: November 23, 1993

Attached are two analyses of public attitudes on politically charges environmental issues, such as the takings question, that I thought you should see.

The analyses suggest several important points.

1. The Administration is succeeding in its effort to be viewed as having a balanced agenda -- which is all good and well.
2. The private property rights movements poses a genuine and substantial challenge that we ought to take very seriously.
3. There is a dichotomy in public attitudes on the issue that should help define our approach.
 - a. On the one hand, support for environmental issues remains very strong, particularly when they are framed as issues of public health, toxic pollution, etc.
 - b. On the other, public support for protecting private property is also strong -- when cast in those terms.

I believe that we need to develop a sophisticated approach to this subject for several reasons -- not the least of which is that we will be facing a series of very pointed debates and legislative initiatives on this subject early next session (on the Department of the Environment bill and the Clean Water Act reauthorization, to name a few.) In preparation for that effort, I thought the attached might be informative.

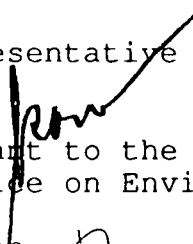
Attachments

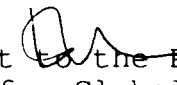
THE WHITE HOUSE
WASHINGTON

November 24, 1993

MEMORANDUM

TO: Mickey Kantor
US Trade Representative

FROM: Katie McGinty 
Deputy Assistant to the President and
Director, Office on Environmental Policy

Eileen Claussen 
Special Assistant to the President and
Senior Director for Global Environmental Affairs
National Security Council

SUBJECT: Membership on the Trade Policy Review Group

This memo is to inform you that we find it completely unacceptable that our offices have been deliberately excluded by USTR from participation on the Trade Policy Review Group (TPRG) and the Trade Policy Staff Committee (TPSC).

In response to Presidential Review Directive (PRD)/NSC-12, USTR was tasked, as chair of a subset of the interagency work group on global environmental issues, with developing background material, policy options and recommendations on certain issues involving trade and the environment. One of the recommendations in response to PRD/NSC-12 forwarded by Assistant USTR Chris Marcich to Eileen in a memo dated November 4, 1993 is to expand the TPRG and TPSC to include EPA and HHS. While we welcome the general recommendation of expanding participation in the TPRG and TPSC, we are disturbed that our offices were not included in this expansion.

This oversight is particularly ironic because PRD/NSC-12 itself is supervised by Eileen and its recommendations are to be reported to Katie. In fact, we understand that in meetings of the TPSC leading to the November 4 memo, the unanimous recommendation from the group was to include our offices in the expansion but that USTR unilaterally decided to exclude us. The reason given by USTR was that "there are already too many participants on the TPRG, including a chair that is shared by NSC and NEC." It makes absolutely no sense that we should not have seats at the table, especially on the issues of trade and the environment. Please let me know if we are missing some subtlety here so that we can meet and discuss it further. Thank you for your attention to this matter.

THE WHITE HOUSE
WASHINGTON

MEMORANDUM
November 24, 1993

To: Distribution
From: Keith Laughlin
Re: 404(f) meeting

The next 404(f) meeting has been scheduled for December 6 from 1:00-3:00 at 722 Jackson Place. The mitigation banking meeting will take place immediately afterwards from 3:00-5:00.

DISTRIBUTION:

Jim Lyons, USDA
Greg Peck, EPA
Mike Davis, ASA/CW
Gary Frazer, DOI
Nancy Stoner, DOJ/ENRD

THE WHITE HOUSE

WASHINGTON

November 24, 1993

MEMORANDUM FOR THE VICE PRESIDENT

FROM: KATIE MCGINTY

SUBJECT: ENVIRONMENTAL ISSUES IN THE URUGUAY ROUND

Although most of the focus on trade and environment in the GATT is beyond the completion of the current negotiations, there are some critical issues that need to be addressed in the Uruguay Round. USTR is aware of this and I believe that they are doing a good job of negotiating to achieve our environmental objectives. However, the concern is that--when push comes to shove--the environmental issues will fall off the table. That is, because we still have significant outstanding issues in agricultural subsidies, etc., the concern is that we won't really press the environmental issues. In fact, if we don't secure these changes, the Uruguay Round will actually be a set back for environmental, health and safety issues, since it imposes new disciplines on environmental and health standards. I am trying to set up a meeting for the two of us and Leon Fuerth to discuss this next week.

Background

The President is pushing to conclude the present round of GATT negotiations by December 15. The principal concerns of the U.S. and its major trading partners have been such issues as agricultural subsidies, intellectual property and services. USTR has made genuine efforts to address environmental concerns by incorporating them into US negotiating positions. While any changes to the GATT Uruguay Round text at this point would be incremental, certain of the proposals are well worth obtaining.

Bottom Line Issues

- o Elimination of Non-Tariff Barriers to Trade:
 - + Sanitary and Phytosanitary Standards (SPS) (protect human, animal and plant health from pests, diseases, food additives and contaminants). **The NAFTA contains far more environmentally sensitive language in this area than the proposed Uruguay Round text.** The public will inevitably compare the two texts. Proposed fixes principally include:

- = Elimination of the Uruguay Round text requirement that these SPS measures need to be the "least restrictive to trade."
- = Clarification that measures need have only "a scientific justification" defined, so as to avoid dueling science.
- = Clarification that international harmonization of measures will be undertaken "without requiring the reduction of the appropriate level of protection....".
- + Technical Barriers to Trade (TBT). Similar changes are needed here, but the agreed game plan was to first get changes in the SPS text and then roll these changes into TBT. So, if we are successful in getting them in the SPS, we must then also get them in TBT.
- o Dispute Settlement: The issue is greater transparency and public participation in the GATT dispute settlement process. Negotiators have reported that countries show some willingness to permit parties to a dispute to make their own submissions available to the public, and to require countries to provide a non-confidential version of their submissions if another GATT member requests one. However, countries have resisted US efforts to permit amicus submissions to panels, or to have panel hearings open to the public.
- o Multilateral Trade Organization (MTO): The issue here is an Environment and Trade Committee as part of the proposed MTO. The Committee should have a broad mandate and should be composed of both trade and environment experts. To date, the EC and LDCs have joined together in opposition to this proposal.
- o Post-Uruguay Round Environmental Agenda: A ministerial commitment to address key environmental issues such as the use of trade measures to address extra-jurisdictional environmental problems will be the key to garnering support from the environmental community for the Uruguay Round. This commitment should be agreed to as a part of the conclusion of the Uruguay Round.

[Prepared by: Daniel Blank]

cc: Leon Fuerth

THE WHITE HOUSE

WASHINGTON

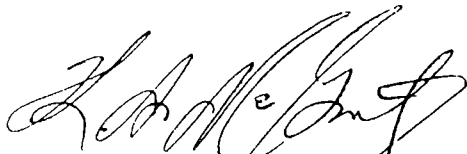
November 1993

In the aftermath of the Great Flood of 1993, the immediate focus of the Federal Government is on flood recovery activities and Administration support for decisionmaking at the State and local levels. This booklet was prepared to provide this support. It provides information on Federal programs that can support alternate strategies supplementing the traditional focus on repair and restoration of damaged levees within the disaster area.

I encourage you to give this document the widest possible circulation at all Federal, State, and local levels within the flooded areas of the Midwest.

We welcome your comments at any time regarding this booklet, especially new and updated information. Please address your correspondence to the Office of Management and Budget, 725 17th Street, NW., Room 8026, Washington, D.C. 20503, Attention: Mr. Bruce Long (Fax 202-395-4652).

Sincerely,



Kathleen A. McGinty
Deputy Assistant and
Director, White House
Office on Environmental
Policy



T.J. Glauthier
Associate Director
Natural Resources,
Energy, and Science
Office of Management and Budget

November 15, 1993

NOTE TO: Katie McGinty
T.J. Glauthier

THROUGH: Ron Cogswell

FROM: Bruce D. Long

Attached, for your signature, is the letter that will transmit the menu of Federal programs to those fortunate enough to be on our distribution list, copy also attached.

We are preparing the notebooks now, and expect to have the first of them available for White House and OMB recipients by Wednesday.

Attachments

cc: Official File - WtrBr
Chron
Division Office

NRD:BLong:rph:11/15/93:[flood\trnsmit]

THE WHITE HOUSE

WASHINGTON

November 1993

In the aftermath of the Great Flood of 1993, the immediate focus of the Federal Government is on flood recovery activities and Administration support for decisionmaking at the State and local levels. This booklet was prepared to provide this support. It provides information on Federal programs that can support alternate strategies supplementing the traditional focus on repair and restoration of damaged levees within the disaster area.

I encourage you to give this document the widest possible circulation at all Federal, State, and local levels within the flooded areas of the Midwest.

We welcome your comments at any time regarding this booklet, especially new and updated information. Please address your correspondence to the Office of Management and Budget, 725 17th Street, NW., Room 8026, Washington, D.C. 20503, Attention: Mr. Bruce Long (Fax 202-395-4652).

Sincerely,

Kathleen A. McGinty
Deputy Assistant and
Director, White House
Office on Environmental
Policy

T.J. Glauthier
Associate Director
Natural Resources,
Energy, and Science
Office of Management and Budget

FLOODPLAIN MANAGEMENT BOOKLET
DISTRIBUTION LIST

A. Heads of Agencies:

Honorable Mike Espy, Secretary of Agriculture
Honorable Ronald H. Brown, Secretary of Commerce
Honorable G. Edward Dickey, Acting Assistant Secretary
of the Army -- Civil Works
Honorable Bruce Babbitt, Secretary of the Interior
Honorable Carol M. Browner, Administrator, Environmental
Protection Agency
Honorable Henry Cisneros, Secretary of the Department of
Housing and Urban Development
Honorable Erskine Bowles, Administrator, Small Business
Administration
Honorable James Lee Witt, Director of the Federal Emergency
Management Agency

B. Disaster Field Offices:

Mr. Warren Pugh, Earth City, Missouri
Mr. Edward Thomas, Des Moines, Iowa
Mr. David A. Skarosi, Moline, Illinois
Mr. John Swanson, Sioux Falls, South Dakota
Mr. Charles Biggs, Topeka, Kansas

C. State Governors:

Ms. Marjorie Siegel, National Governors Association
Honorable Jim Edgar, Governor of Illinois
Honorable Terry E. Branstad, Governor of Iowa
Honorable Arne Carlson, Governor of Minnesota
Honorable Evan Bayh, Governor of Indiana
Honorable Mel Carnahan, Governor of Missouri
Honorable Joan Finney, Governor of Kansas
Honorable Tommy G. Thompson, Governor of Wisconsin
Honorable Walter Dale Miller, Governor of South Dakota
Honorable Edward Schafer, Governor of North Dakota

D. Congressional Interests:

Honorable Norman Y. Mineta, Chairman, Committee on Public,
Works and Transportation, U.S. House of Representatives
Honorable Bud Shuster, Minority Leader, Committee on Public
Works and Transportation, U.S. House of Representatives
Honorable William Natcher, Chairman, Committee on
Appropriations, U.S. House of Representatives
Honorable Joseph M. McDade, Minority Leader, Committee on
Appropriations, U.S. House of Representatives
Honorable Robert C. Byrd, Chairman, Committee on
Appropriations, United States Senate
Honorable Mark O. Hatfield, Minority Leader, Committee
on Appropriations, United States Senate
Honorable Max Baucus, Chairman, Environment and
Public Works Committee, United States Senate
Honorable John Chafee, Minority Leader, Environment and
Public Works Committee, United States Senate

E. Administration Interests:

Honorable Leon E. Panetta, Director, Office of Management
and Budget (OMB)
Honorable T.J. Glauthier, Associate Director for Natural
Resources, Energy and Science, OMB
Honorable Kathleen A. McGinty, Deputy Assistant to the
President for Environmental Policy and Director, Office of
Policy Development
Mr. Ron Cogswell, Deputy Associate Director for
Natural Resources, OMB
Mr. Robert S. Fairweather, Chief, Environment Branch, OMB
Mr. Bruce D. Beard, Chief, Interior Branch, OMB
Mr. Kevin F. Neyland, Budget Examiner, Environment Branch,
OMB
Mr. Harry Meyers, Chief, Transportation, Commerce, and
Justice Branch, OMB
Mr. Steve Redburn, Chief, Housing/FEMA Branch, OMB
Mr. Chris Heiser, Budget Examiner, Housing/FEMA
Branch, OMB
Mr. Doug Criscitello, Budget Examiner, Financial
Institutions Branch, OMB

THE WHITE HOUSE

WASHINGTON

November 29, 1993

MEMORANDUM

TO: Steve Neuwirth

FROM: Marc Chupka, Office on Environmental Policy 

cc: Katie McGinty

SUBJECT: Halon procurement

Attached please find drafts of two proposed letters from Katie McGinty to the Director of the Defense Logistics Agency and the Under Secretary for Acquisition. These are in response to a concern that an impending tax on halons (ozone-depleting substances) will reduce market value and encourage venting to avoid storage costs. The letters were drafted by EPA, who believe that they will help the procurement officials move quickly before the new year when the tax hits. Could you please review for legal implications? If you have any questions regarding the background of these letters, call me at x6551 or Karen Metchis of EPA at 233-9193. In order to have beneficial impact, these letters should be sent this week.

Also find attached the letter from an environmental coalition requesting that the White House direct the IRS to reclassify halons for tax purposes. EPA does not believe that this is necessary in this case. However, we get lots of similar requests to look into IRS treatment of various environmentally-related expenditures. What is the general guidance regarding contact with IRS on policy matters? Are there restrictions or protocols that must be observed? It would be quite useful to know the general rules so that we do not have to ask Counsel on an ad hoc basis what is permissible.

Thanks for your attention to these matters. Feel free to call me at x6551 if you have additional questions.

November 23, 1993

MEMORANDUM TO: Admiral Edward Straw
Director
Defense Logistics Agency

FROM: Katie McGinty
Deputy Assistant to the President
Director, White House Office on Environmental Policy

SUBJECT: DLA Procurement of Halon Reserves

On January 1, 1994 a \$43.50 tax will be levied on all newly produced halon intended for resale, including vapor heels of tanks and other excess quantities. EPA proposes that this halon may be of no commercial value after January 1, 1994 as a result of the tax which is several times higher than current market price, and therefore there is a risk that this valueless halon may be vented. It is incumbent upon DLA, in executing its role in managing the bank of reserves of ozone depleting substances for the military services, to help avoid the adverse environmental consequences of unnecessary venting of halon to the atmosphere. Therefore, I am requesting that DLA undertake the following actions in carrying out its duty:

1. Honor and execute the military services' stated preference for procuring recycled halon even in the case where it is more costly than newly-produced halon. This is standard operating procedure for other recycled procurement such as paper products.
2. Allow and encourage procurement of supplies of recycled halon in small batches and allow future delivery as halon is removed from fire protection systems in order to supply the maximum feasible portion of DOD's needs from recycled halon.
3. Approve the EPA proposal to accept halon rendered valueless by the 1994 tax from private companies, including the liquid halon or vapor heels in tanks being redeployed for storage of other materials after the halon phaseout.

While current procurement rules may create management challenges to achieving specific goals, I am requesting that DLA exercise imagination and initiative including considering the use of emergency procedures such as waiving posting requirements that are traditionally used in other cases of national emergencies.

These actions would have the benefit of providing an inexpensive source for filling DOD's halon requirements and of avoiding unwanted venting of halon and the consequent destruction to the ozone layer. Furthermore, DOD must have demonstrated such actions if we should ever have to make application for essential uses under the Copenhagen Agreements to the Montreal Protocol.

cc:

Carol Browner, Administrator, U.S. EPA
Sherri Goodman, Office of the Deputy Under Secretary of
Defense for Environmental Security

November 23, 1993

MEMORANDUM TO: John Deutch
Under Secretary of Defense for Acquisition and Technology

FROM: Kathleen McGinty
Deputy Assistant to the President
Director, White House Office on Environmental Policy

SUBJECT: Procurement of Halon Reserves

On January 1, 1994 a \$43.50 tax will be levied on all newly produced halon intended for resell, including vapor heels of tanks and other excess quantities. Because the tax is several times higher than current market price, this halon may be of little commercial value after January 1, 1994. EPA is concerned that this situation could lead to unnecessary venting of halon. The Defense Logistics Agency (DLA) has an important role to play in managing the Department of Defense supply of halon for future mission-critical needs. In executing this role, DLA should take steps to help avoid any adverse environmental consequences of unnecessary use or venting of halon to the atmosphere.

I am requesting that DLA undertake the following actions in carrying out its duty:

1. Honor and execute the military services' stated preference for procuring recycled halon even in the case where it is more costly than newly-produced halon.
2. Allow and encourage procurement of supplies of recycled halon in small batches and allow future delivery as halon is removed from fire protection systems in order to supply the maximum feasible portion of DOD's needs from recycled halon.
3. Make the necessary arrangements prior to the end of this year to procure the liquid halon and vapor heels in tanks which could be vented following the onset of the halon tax on January 1, 1994.

These actions will have the benefit of providing an additional sources for filling DOD's halon requirements consistent with reducing unwanted venting of halon and minimizing the consequent destruction to the ozone layer.

cc: Sherri Wasserman Goodman, Office of the Deputy Under Secretary of Defense for Environmental Security

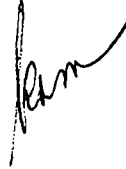
Admiral Edward Straw, Director, Defense Logistics Agency

THE WHITE HOUSE
WASHINGTON

NOVEMBER 29, 1993

MEMORANDUM TO ALICIA MUNNELL

FROM KATIE MCGINTY



Thank you for your memo dated November 23, 1993, in which you suggested that the decision memorandum to the President on Superfund reauthorization include the question of future Superfund liability for actions that are taken today. As you know, we are working under very serious time constraints and the meeting of the principals is scheduled for this coming Wednesday. Accordingly, it would not be appropriate to include a new, broad concept in the decision memo at this late date, given that there would not be adequate time for other committee members to review and discuss the issue.

Please feel free to call me if you would like to discuss this matter further.

cc: Bowman Cutter
Robert Sussman

THE WHITE HOUSE
WASHINGTON

November 29, 1993

MEMORANDUM FOR THE VICE PRESIDENT

LEON FUERTH
NATIONAL SECURITY ADVISOR FOR THE
VICE PRESIDENT

FROM: KATIE MCGINTY *CLM For*
DEPUTY ASSISTANT AND DIRECTOR
WHITE HOUSE OFFICE ON ENVIRONMENTAL POLICY

SUBJECT: GORE/CHERNOMYRDIN COMMISSION; NUCLEAR ISSUES

The attached is very troubling to me. Mikhailov is very influential and has clearly come to the conclusions that:

- 1) There can be no discussion of early closure of RBMK and old VVER reactors in the GCC effort;
- 2) There is no safety problem with these reactors (a view that not even any Russian scientists share).

When we have discussed this before, you indicated that Chernomyrdin understands the safety concerns and is prepared to act. Will he overrule Mikhailov?? What are we prepared to insist on here?

Attachment

THE WHITE HOUSE
WASHINGTON

MEMORANDUM TO: Interagency Pacific Salmon Working Group
FR: Will Stelle 
RE: Meeting to Discuss Pending Issues
DATE: 30 November 1993

I would like to convene a meeting of the Working Group for Wednesday, December 8th from 1 p.m. to 3 p.m. in room 180 of the Old Executive Office Building. In selecting the attendees, I would request that each department limit the number of people attending to no more than four individuals so as to ensure that the meeting remain a manageable size. If this is a problem with any individual department, please call me. Otherwise, please provide by FAX the names and birthdates of each attendee to Michael Goergen at 456-2710.

Three topics require discussion.

RESPONSE TO 4 STATE LETTER. First, we should discuss a response to the letter to the four Governors from the President. Attached for your review is a draft response. Since this draft does not necessarily reflect the views of the President and has not been reviewed by him, I would ask that you not distribute it.

LITIGATION ISSUES. Second, we need to discuss our current strategy on the litigation pending for the 1993 biological opinion and other pending legal issues.

CONSULTATIONS. Third, we need to discuss several issues involving the upcoming consultations on the multi-year operating plan.

PEER REVIEW PROCESS. Finally, I would like to reiterate a request that each department and agency refrain from commenting in their formal capacity on the draft recommendations of the Recovery Team which are now circulating in a "peer" review process. Individual Federal employees who have technical competence on the relevant issues may, of course, comment in their individual capacity as "peers" to ensure that the best information is made available to the Team for its work, but I do not believe it useful or appropriate for agencies themselves to take formal agency positions on these issues at this juncture.

cc. K. McGinty

DRAFT 12/1/93 DRAFT

Dear Governor _____:

I very much appreciate your earlier letter on forging an effective conservation strategy for Pacific salmon, and I want to thank you for it.

The challenge of developing an effective approach to the conservation of the great salmon runs of the Pacific northwest is indeed upon us, and I want to pledge the efforts of my Administration to work closely with you as we proceed with it. These are issues involving an extraordinary array of Federal, state and local officials. They will affect the wellbeing of the communities and the ecology throughout the region. They are issues that lie at the heart of the Pacific northwest, and they deserve to be and will be taken with the utmost seriousness of purpose.

We must craft our approach to reflect both the short-term and long-term conservation challenges. In the short-term, we must take the necessary steps that will conserve the endangered and threatened stocks of the Columbia and Snake River systems as we develop a recovery plan for those stocks.

At the same time, we must set to work to construct a larger aquatic conservation strategy for the region as a whole that embraces a broader ecosystem perspective -- an approach which lies at the heart of my plan for managing the Federal forestlands of the region. Towards this latter end, I have directed the Secretary of Commerce, the Secretary of the Interior and the heads of other affected Federal agencies to assemble a regional team to develop this broader conservation strategy. I have further directed them to work closely with your representatives through the appropriate channels to ensure that this conservation strategy is properly the intergovernmental effort that is so obviously required.

Once again, I appreciate your offers of assistance as we proceed to meet this great challenge. I care greatly about our success in this effort, and I look forward to working with you on it in the coming months.

THE WHITE HOUSE

WASHINGTON

MEMORANDUM TO: Interagency Pacific Salmon Working Group
FR: Will Stelle 
RE: Change of Time for December 8th Meeting
DATE: 30 November 1993

I would like to inform you of a change in time for our meeting scheduled for December 8th. The new time will be 11:00 to 1:30 the location remains the same.