



Top Stories

4/29/2014—State Senator Michael Moore (D-Mass.) [testified](#) on behalf of NCSL before the House Energy & Commerce Committee on state preemption issues within the Chemicals in Commerce discussion draft, being floated by U.S. Representative John Shimkus. See our [NCSL blog](#) for more information.

4/21/2014—The Environmental Protection Agency (EPA) officially [published](#) its rule clarifying the definition of what is a “waters of the U.S.,” and therefore covered under the Clean Water Act permitting program. The rules will be open for public comment until July 21. NCSL’s Natural Resources and Infrastructure Committee will hold an informative session on the Waters of the U.S. proposed rule as part of the [2014 Legislative Summit](#) in Minneapolis, Minn. August 19-22.

4/1/2014—EPA [released](#) the first-ever draft permit for underground injection and sequestration of carbon dioxide as part of its program for long-term storage of the greenhouse gas. The draft permits will go to four CO2 injection wells in Illinois as part of the FutureGen 2.0 project.

3/28/2014—As part of his overall Climate Action Plan, President Obama announced a [new strategy](#) to reduce methane emissions through a number of federal agency programs. Some upcoming programs and changes within the new strategy will include: updating standards from the Department of Interior to reduce venting and flaring of methane from oil and gas production; a Bureau of Land Management program for the capture and sale of methane; proposed standards from the EPA to reduce methane emissions from landfills; and more.

From the 113th Congress

4/28/2014—The House Transportation and Infrastructure Committee held a [field hearing](#) in Pennsylvania



(home state of the committee’s Chairman Bill Shuster) to discuss the recent EPA proposed regulations to

define the “Waters of the U.S.” that would need Clean Water Act permits. The hearing included witnesses from agriculture, construction and energy industries. Altoona, Pa., the town where the hearing was held, has concerns over how the permitting process may affect a new facility to convert natural gas to liquid that is proposed to be constructed in the town.

4/8/2014—The U.S. Senate [approved](#) Neil Kornze to be director of the Bureau of Land Management (BLM). Kornze was previously the principal deputy director of BLM and has worked in tribal consultation especially regarding oil, gas and renewable energy development.

From the Administration

4/9/2014—The Office of Management and Budget (OMB) met with representatives from a number of energy companies, including Xcel Energy and PPL Corp, to discuss the EPA’s proposed rule on greenhouse gas emissions from existing power plants. The rule was submitted to OMB for interagency review on March 31 and is due to be proposed in June 2014.

4/9/2014—Ahead of the 2014 fire season, the administration released the [National Cohesive Wildland Fire Management](#)

[Strategy](#), developed with the U.S. Department of Agriculture and the U.S. Department of Interior. The strategy outlines coordination efforts between federal, state, local and tribal partners to restore and maintain healthy lands and prepare communities for fire season. Some new efforts outlined include: adopting preventive measures such as fuels thinning and controlled burns; promoting effective state/local building and zoning codes; and ensuring watersheds are a part of future plans.

From the Environmental Protection Agency (EPA)

4/25/2014—EPA [released](#) a Manufacturers Performance Report assessing the automobile industry's progress toward meeting greenhouse gas (GHG) emission standards. The report found that the industry is progressing well and that in general, consumers are buying cleaner vehicles.



4/22/2014—EPA retroactively lowered its mandates for the 2013 renewable fuel standards that refiners must blend into traditional fuels. EPA's original mandate was based on a projection of how many gallons of ethanol-equivalent biofuel producers would make. The actual production was much lower than the agency projected; therefore the mandates were lowered to meet the actual production of biofuel, at .0005 percent.

4/22/2014—Representatives of 17 states participated in a dialogue with power companies, EPA, the Department of Energy and NGOs on soon to be proposed EPA rules on emissions from existing power plants that are expected in June. The gathering was the third state outreach meeting in a series facilitated by the Georgetown Climate Center.

4/18/2014—EPA launched [updates](#) to its "How's My Waterway" app that allows users to find information on the quality of lakes, rivers and streams across the United States. The new version

includes data on drinking water sources, watersheds and efforts to protect waterways.

4/17/2014—EPA Administrator Gina McCarthy [signed](#) a rule that proposes options for state and local air agencies to use air quality monitoring and modeling to determine whether areas meet the 2010 air quality standards for sulfur dioxide. The new approach proposes a new schedule for state and tribal air agencies to characterize air quality and provide the data to the EPA, as recommended by stakeholders and in public comments.

4/15/2014—EPA released its 19th [annual report](#) of overall greenhouse gas emissions in the United States. The report showed a 3.4 percent decrease in emissions from 2012 to 2011. EPA noted the major contributors to the reduction in emissions included the decrease of energy consumption across all sectors in the U.S. and increased use of natural gas for electricity generation from coal.

4/10/2014—EPA [issued](#) its Strategic Plan for FY 2014-2018, providing a blueprint for EPA's mission to protect health and the environment in the future. The main strategic goals outlined in the plan include: addressing climate change and improving air quality; protecting America's waters; cleaning up communities and advancing sustainable development; ensuring the safety of chemicals; and protecting human health through enforcing laws and assuring compliance.

From the United States Department of Energy (DOE)

4/17/2014— DOE [made available](#) \$15 million to help state and local communities develop multi-year solar plans to install solar electricity for homes and businesses. DOE released the money through its SunShot Initiative, in support of the administration's goal to double renewable energy generation for a second time by 2020.

4/16/2014—DOE [announced](#) the Lighting Energy Efficiency in Parking (LEEP) Campaign. More than 100 U.S. businesses and organizations have pledged their support to the campaign,

which aims to install energy efficient lighting in their parking lots and garages. According to DOE, in the past year LEEP participants have installed efficient lighting across 270 million square feet of parking space, cutting energy use by up to 90 percent.

From the United States Department of Interior (DOI)

4/29/2014—The Bureau of Land Management (BLM) began [soliciting](#) public comment on plans to create a program that would capture or destroy the waste methane generated from coal and mineral mines on federal lands. The public comment period will be open for the next 60 days.

4/23/2014—DOI ushered in National Park Week by [designating](#) four new national historic landmarks in Illinois, Pennsylvania, Arizona and Michigan. The new four join 2,450 other historic landmarks in the United States.

3/27/2014—The U.S. Fish and Wildlife Service (FWS) placed the grassland grouse, or lesser prairie chicken, on the list of threatened species, a step just below being an endangered species. FWS Director Dan Ashe said the grouse has lost 80 percent of its traditional habitat "mostly due to human activity such as oil and gas drilling."

From the Courts



4/24/2014—The U.S. District Court for the District of Alaska ordered the Department of Interior to conduct a new environmental impact statement for oil and gas activity in the

disputed land off the coast of Alaska. In the meantime DOI cannot approve any additional permits for drilling in the region until the supplemental analysis is completed.

4/18/2014— The U.S. Court of Appeals for the District of Columbia [upheld](#) the EPA's revised air toxics standards for cement kilns. The court found that the agency's loosening of certain parts of the standards and allowing extensions for compliance were reasonable. The court, however, did strike down EPA's attempt to limit judicial authority to impose penalties for violations during malfunctions.

4/16/2014—The U.S. Court of Appeals for the District of Columbia also [upheld](#) the EPA's Mercury and Air Toxics Standards (MATS). The rule, which the court declared the agency acted reasonably in promulgating, requires coal and oil burning power plants to reduce toxic emissions by installing control technologies.

3/28/2014—The U.S. District Court for the Southern District of New York vacated EPA's 2008 rule that excluded water transfers from regulation under the Clean Water Act's pollutant permitting program, and remanded the rule back to the lower court. The National Pollution Water Transfers Rule allowed water to be transferred between basins without a permit, even if water was contaminated.

Additional Resources and Reports of Interest

4/24/2014—New York Governor Andrew Cuomo [pledged](#) \$1 billion to expand the state's solar energy program through 2023. The governor hopes the long-term funding will attract private sector investment and create new economic opportunities while supporting sustainable energy.

4/21/2014—The National Oceanic and Atmospheric Administration (NOAA) [released](#) its new Arctic Action Plan, to address challenges of sea ice loss and acidification. The plan weighs in on community resilience projects, resource stewardship and the region's influence on climate patterns around the country.

4/22/2014—According to the Department of Justice's (DOJ) [annual accomplishments report](#), its Environment and Natural Resources Division brought in close to \$1.8 billion in penalties and secured \$6.5 billion in corrective measures for fiscal year 2013.

4/16/2014—The Brookings Institute, a Washington D.C., based think tank, [released a report](#) on new options for clean energy financing. The report suggests utilizing state and local bond financing as a tool for future clean energy investments, as they now do for infrastructure financing.

4/15/2014—The Government Accountability Office (GAO) [released](#) a report on the National Environmental Policy Act (NEPA), finding that details on the type and number of analyses done under NEPA are not easily available. The report provides information on the number and types of NEPA analyses, cost and benefits of completing analyses and frequency and outcomes of related litigation.

4/13/2014—The Congressional Research Service (CRS) [released](#) a study of the forestry provisions within the 2014 Farm Bill. The report also includes forestry issues that were debated and may be discussed again in future legislation as well as a side-by-side comparison of enacted provisions compared to then-current law.

3/27/2014—The Center for American Progress (CAP) [released](#) a report on extreme weather events, finding that nine extreme weather events cost the U.S. \$1 billion in 2013. The report also recommended investments in climate resiliency to cut down on disaster expenses.

energy, environment and transportation. Topics covered will include: toxic chemical safety legislation, implementation of the 2014 Farm Bill, natural gas pipeline safety, renewable energy integration and more! [See our website for details and to register for these free webinars.](#)

[Registration is now open for NCSL's 2014 Legislative Summit](#) in Minneapolis, Minn. August 19-22. Register before June 4 to receive a discounted early bird registration fee.

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NCSL Resources

NCSL's Natural Resources and Infrastructure Committee has launched its [2014 Spring Webinar Series](#), a string of webinars throughout May and June that will touch on the areas of agriculture,

