



## Top Stories

**2/9/2016**—The U.S. Supreme Court granted a stay halting implementation of the U.S. Environmental Protection Agency's (EPA) Clean Power Plan (CPP) until the U.S. Court of Appeals for the D.C. Circuit rules on the CPP's legality. The stay means that for now, the requirement for states to submit a compliance plan or initial plan with a request for an extension by Sept. 6, 2016, is on hold. It remains unclear how the stay will impact the Court of Appeals' ruling on the case itself. For more information see [NCSL's Info Alert](#).

**2/22/2016**—The U.S. and Canada [announced](#) an agreement to reduce the amount of phosphorus flowing from farms and wastewater treatment plants into Lake Erie by 40 percent. The phosphorus pollutants create low oxygen "dead zones" in the water that kill marine life. The pollutants also cause toxic algae blooms that can be harmful to human health.

**2/12/2016**—The U.S. Department of Energy (DOE) [issued](#) a proposed rule for new energy efficiency standards for incandescent and compact fluorescent lights (CFLs). The proposed rule would essentially eliminate all CFLs by 2020.

## From the Administration

**2/23/2016**—In an op-ed, U.S. Department of Agriculture (USDA) Secretary Tom Vilsack [requested](#) that Congress use the appropriations process to provide cotton growers with better insurance options. Vilsack noted that the 2014 Farm Bill did not give his agency the authority to provide the assistance the cotton industry has requested, therefore Congress should introduce legislation to fix this issue.



**2/22/2016**—The 6th U.S. Circuit Court of Appeals [agreed](#) to hear legal challenges to the EPA's Waters of the U.S. rule, a federal regulation that determines which waterbodies qualify for Clean Water Act protections. The appellate court decision means that the administration will not have to fight separate battles in various federal courts. An earlier decision by the 6th Circuit to stay the rule until the lawsuits are adjudicated will remain in effect.

**2/12/2016**—USDA [announced](#) \$720 million in funding for projects through the Regional Conservation partnership program, which provides funding for projects aimed at improving water quality, combating drought, enhancing soil health, support wildlife habitat and protecting agricultural viability. Previously,

on Feb. 4, USDA [provided](#) \$150 million for agricultural producers to enhance conservation efforts via the Conservation Stewardship Program.

**2/9/2016**—The Nuclear Regulatory Commission [approved](#) operating licenses for two new reactors in Texas, contingent on the Japanese developer finding a U.S. investor. Under federal law foreign companies are not allowed to hold nuclear operating licenses in the U.S.

**2/9/2016**—President Obama released his Fiscal Year 2017 [budget request](#). Within the budget were a number of energy proposals, including provisions to double spending on clean energy research and development over the next five years to total \$12.8 billion. The proposal also provides \$2 billion for a program to increase resiliency efforts for coastal communities, paid for by repealing offshore oil and gas revenue sharing payments to states. On the USDA side, the budget proposes \$700 million, double the 2016 funding level, for Agriculture and Food Research Initiative (AFRI) to assist challenges confronted by agricultural producers, such as climate change, pollinator health, anti-microbial resistant bacteria and bioenergy. Additionally, the budget recommends doubling funding for implementation of the Food Safety Modernization Act and reducing crop insurance payments by \$18 billion over 10 years by decreasing the premium subsidy provided to farmers.

**2/9/2016**—USDA is [projecting](#) that net farm income will drop for the third year in a row in 2016 to \$54.8 billion, more than a 55 percent decrease from 2013. The decrease in income is likely the result of increased production and surplus commodities and slowing global demand.

**2/8/2016**—The U.S. Energy Information Administration (EIA) released energy-use data for November 2015. The data [showed](#) that the U.S. had just more than 20,000 MW of solar capacity, making up nearly 1.9 percent of total electricity generating capacity nationwide. Almost half of that solar capacity (9,976 MW) is located in California. The EIA data from November also showed that coal-generated electricity had fallen to its [lowest level](#) since 1970 to 29 percent. In July coal-generated electricity accounted for 35 percent of the electricity generation in the U.S.

**1/29/2016**—The U.S. Department of Interior [agreed](#) to halt approvals of oil fracturing off the California coast until it studies whether the practice is safe for the environment. DOI will have to complete the review by May and determine if more in-depth analysis is necessary.

**1/26/2016**—USDA is [seeking](#) comment on which regulations could be streamlined or repealed in order to reduce regulatory burdens.

## From Congress

**2/23/2016**—Thirty-four U.S. Senators and 171 members of the U.S. House of Representatives [submitted](#) an *amicus brief* to the D.C. Circuit Court of Appeals in support of the petitions filed by 27 states to overturn EPA's Clean Power Plan. The congressional members argue that EPA has overexerted its authority by requiring power plants to regulate greenhouse gases, as power plants are already regulated under Section 112 of the Clean Air Act. Oral arguments in the case will begin on June 2.

**2/19/2016**—Senate Agriculture Committee Chairman Senator Pat Roberts (R-Kan.) [introduced](#) a bill that would ban state labelling of Genetically Modified Organisms (GMO) on food and seed products, and would pre-empt any state labeling legislation already enacted. The legislation would also require the USDA to develop national voluntary GMO labelling standards. The National Association of State Departments of Agriculture issued a [statement](#) in support of the bill and urged the Senate to “act swiftly to stop a patchwork of labeling standards.”

## Additional Resources and Reports of Interest

**1/26/2016**— The Congressional Budget Office, in its latest federal budget [update](#), reported that low commodity prices will result in a 9 percent cost increase for crop support programs, to \$22 billion for fiscal 2016, 2017 and 2018 as compared to their previous forecast of \$20.1. Many of the crop support programs were reorganized in the 2014 Farm Bill during which commodity prices were significantly higher than current levels.

## NCSL Resources

NCSL updated its [State Reactions to the Clean Power Plan](#) Web brief to reflect recent state legislation introduced in the 2016 sessions.