



NCSL

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Top Stories

8/3/2015—President Obama unveiled the final version of the [Clean Power Plan](#), which aims to regulate the amount of carbon dioxide emissions from both future and existing power plants. Under the final rule, the U.S. Environmental Protection Agency (EPA) assigned each state a unique emission reduction target that it must meet based on a specific formula, with an overall goal of reducing carbon emissions by 32 percent nationwide by 2030. A state can choose to reduce its emissions as it sees fit, and has the option to comply individually or as part of a multi-state plan. If a state fails to submit a plan or if EPA determines the state plan is insufficient, the state will be subject to a Federal Implementation Plan (FIP) imposed by the EPA within two years of noncompliance. A final FIP has not been issued, but the EPA [proposed two different plans](#) on Aug. 3. One would assign a cap on emissions and allow for the trading of emission credits and the other would require a state to meet an average emissions rate across its power generation units. For more information on the Clean Power Plan and how states are reacting, [see our website](#).

From the 114th Congress

8/5/2015 – The Senate unanimously approved [H.R. 1138](#), a bill that would designate 275,000 acres in central Idaho's Boulder-White Clouds mountain region as wilderness. Under the designation, the land would be protected from mining, logging, road building, or any motorized recreation. The House passed the bill unanimously in late July and the President [signed](#) the bill into law on Aug. 7.

8/5/2015—The Senate Environment and Public Works Committee approved [S. 1324](#), the Affordable Reliable Electricity

Now Act. S. 1324, which would exempt states from submitting an implementation plan under the Clean Power Plan until all judicial review of the rule is completed.

8/4/2015—Senator Martin Heinrich (D-N.M.) [introduced](#) a bill that would permanently reauthorize and fully fund the Land and Water Conservation Fund (LWCF), at \$900 million annually. The bill would also reauthorize and fund the Secure Rural Schools program, which provides support for timber-dependent counties, for six years and permanently fund the Payments in Lieu of Taxes (PILT) program, which provides funding for areas with large tracts of untaxable federal lands in their bounds.

7/9/2015—The U.S. House passed [H.R. 2647](#), a bill that would facilitate faster processing of environmental reviews for logging and underbrush removal projects on tribal and federal lands. The vote fell largely on party lines, and the president has voiced his opposition to the bill.

7/8/2015—The Congressional Research Service released a [report](#) comparing proposed bills to modernize the Toxic Substances Control Act (TSCA). There are currently two bills in the Senate and one bill that has passed the House addressing TSCA. NCSL recently wrote a [letter](#) to Senate and House leadership outlining problems and positives in both bills. The Senate is expected to pass its bill before the end of the year.

From the Administration

8/13/2015—The Department of Interior [announced](#) \$42 million will be allotted to state recreation and conservation projects through the LWCF. This is the last allotment of grant money to states through the program for 2015 as authorization of the

LWCF is set to expire Sept. 30. [The Energy Policy Modernization Act](#), which passed the Senate Energy and Natural Resources Committee in July, would permanently reauthorize the LWCF.

7/15/2015—EPA sent a [letter](#) to the Environmental Council of the States and the Association of State and Territorial Solid Waste Management Officials, urging them to implement and adopt all provisions from the Definition of Solid Waste (DSW) and Coal Combustion Residual (CCR) final rules. In the letter EPA states that the benefits of implementation of the DSW and CCR rules directly correspond with the number of states that choose to adopt them, and thus, EPA urges implementation as soon as is practical.

7/14/2015—The White House [threatened](#) to veto H.R. 2898, a bill to provide drought relief in California. The White House stated that although the bill aims to mitigate the effects of the drought, in practice it would preempt state water laws and direct water project operations in a way inconsistent with the Endangered Species Act.

7/10/2015—President Obama [created](#) three new national monuments. The new monuments include 704,000 acres in central Nevada, and smaller areas in California's Berryessa Snow Mountain and Texas' Waco Mammoth. To date, the president has created or expanded 19 national monuments protecting a total of 260 million acres of public lands and waters.

7/2/2015—The Office of Management and Budget (OMB) [released](#) an updated value for the social cost of carbon (SCC) for 2015 at \$36 per metric ton. The administration defines the SCC as an estimate of the long-term damage done by one ton of carbon pollution in the U.S.

7/1/2015—OMB [requested](#) that federal agencies consider climate change in their 2017 federal budget requests. The request highlights the financial benefits of investing in climate resiliency and shows examples of where the federal government's assets are currently being affected by climate change.

7/2/2015—EPA [finalized](#) a rule prohibiting the use of certain hydrofluorocarbons (HFC) and HFC-containing blends, most often seen in aerosols, foam blowing, motor vehicle air-conditioning, and retail food refrigeration. EPA estimates the rule will reduce greenhouse gas emissions by 54-64 million metric tons of carbon dioxide by 2025.

Additional Resources and Reports of Interest

8/26/2015—Two townships in Colorado declared a state of emergency after a federal cleanup crew from a suspended mine accidentally [released mine waste](#) into the Animas River. Officials believe the spill contained heavy metals, including iron, zinc and copper from the mine. According to EPA, the agency continues to work closely with the first responders and is coordinating response efforts with local and state officials.

8/5/2015—The Government Accountability Office (GAO) [released](#) a report finding that many states are having difficulty sustaining their Clean Water and Drinking Water State Revolving Funds (SRF), administered by EPA. GAO recommended that EPA develop projections of state SRF programs' future capacity and provide additional financial indicator guidance for states.

7/2/2015—British Petroleum (BP) [agreed](#) to pay \$18.7 billion in damages for the 2010 oil spill off the Gulf Coast. The money will be used to settle Clean Water Act penalties, and resolve natural resource damage claims in Alabama, Florida, Louisiana, Mississippi and Texas.

NCSL Resources

NCSL successfully completed its 2015 Legislative Summit in Seattle. Find links to session resources, such as PowerPoints, handouts, audio and video recordings [on our website](#). The NRI Committee approved five resolutions (two of which were new) and one policy directive. You can see all our policies [online](#).