



Top Stories

10/23/2015—The U.S. Environmental Protection Agency (EPA) [published](#) its final Clean Power Plan regulation in the Federal Register. Immediately upon being published, officials from 24 states, led by West Virginia, filed a petition for review and a motion for stay of the regulations in the Court of Appeals for the D.C. Circuit. Additionally, Senate Majority Leader Mitch McConnell (R-Ky.) [announced](#) he will be introducing a Congressional Review Act (CRA) resolution, along with Senator Joe Manchin (D-W.V.) to block the regulation. The CRA allows Congress to overrule a regulation by passage of a joint resolution. However, it is widely expected that President Obama will veto the joint resolution if it is approved by Congress.



10/19/2015—NCSL sent letters to both the [U.S. House](#) and [U.S. Senate](#) leadership, urging Congress to move expeditiously to modify the way wildfires are currently funded, by treating them similar to natural disasters. The current way wildfires are funded depletes resources from vital fire prevention and mitigation programs, including forest restoration and management activities to reduce future fire risk. The letter touts legislation, such as H.R. 167, the Wildfire Disaster Funding Act, as being necessary to ensure our country is able to quickly respond to wildfires while maintaining a sufficient budget for wildfire prevention and mitigation efforts.

10/1/2015—EPA announced new federal air pollution limits on ground-level ozone, also known as smog. EPA has set the final

standard for allowable ozone in the air at 70 parts per billion (ppb), down from the current standard of 75 ppb. EPA anticipates making attainment designations for areas by late 2017, based on air quality data from 2014-2016. Depending on the severity of the problem, areas will be expected to have met the new standards between 2020 and 2037. Business groups, such as the U.S. Chamber of Commerce, conclude that the new standard is unnecessary and could jeopardize jobs while environmental groups argue that the standard does not go far enough to protect public health. See [NCSL's Info Alert](#) for more details.

9/30/2015—The U.S. District Court for Wyoming [ruled](#) that DOI lacks the authority to set stricter standards for hydraulic fracturing on public lands. As such, the judge granted an injunction preventing the implementation of the rule. The agency's hydraulic fracturing rule would have set stricter standards for disposing of wastewater and disclosing chemicals used in the hydraulic fracturing process on federal lands.

From the Administration

10/26/2015—The White House [announced](#) new efforts to promote "climate-smart" sustainable agricultural practices. The efforts include funding from U.S. Department of Agriculture (USDA) for renewable energy and energy efficiency projects, and the availability of regional climate vulnerability assessments for land managers and agency partners. Additionally, the National Farmers Union made an independent

commitment to promote agricultural efforts to address the threat of climate change.

10/23/2015—The Department of Interior (DOI) [released](#) its investigation into the Gold King Mine spill that occurred in Colorado in August. The report found that EPA and its contractor could have prevented the spill by conducting more research into the amount of water that had accumulated in the mine.

10/26/2015—The National Park Service (NPS) proposed a [rule](#) that would make changes to its oil and gas regulations that allow operators to produce fuels inside the parks system. The proposed changes include allowing NPS to determine the amount of money operators need to set aside for reclamation efforts, increasing NPS' enforcement powers and allowing NPS to charge operators a fee for using park lands to build pipelines or roads. The changes would affect all 534 operations in 12 national parks.

10/23/2015—EPA released a [memo](#) to regional air directors providing assistance and detailed information to states interested in seeking an extension for the Clean Power Plan.

10/22/2015—The Bureau of Land Management [approved](#) ConocoPhillips' permit to drill for oil and natural gas in the National Petroleum Reserve in Alaska. This is the first time the federal government has approved drilling in the 40-year old reserve.

10/21/2015—EPA [launched](#) a new webpage highlighting innovative practices of different state water agencies for climate adaptation. The select state practices are meant to serve as models for other state agencies and water resource planners. The webpage will be regularly updated.

10/15/2015—USDA [awarded](#) \$30 million to projects in six states that aim to protect and restore wetlands on agricultural lands.

9/29/2015—EPA [released](#) a final rule updating standards for toxic air emissions from petroleum refineries. The rule improves the safety of flaring operations, requires stronger air quality

monitoring, adds new standards for delayed cokers and expands the definition of storage vessels. The final rule is the first time EPA has required monitoring the air quality around refineries (known as fence-line monitoring).

9/30/2015—EPA [finalized](#) the Steam Electric Power Generating Effluent Guidelines, a 30-year old rule that limits the allowable amount of toxic metals in wastewater discharge from power plants. The final rule creates a phase-in time period for industry to comply with the rule between 2018 and 2023.

Additional Resources and Reports of Interest

10/23/2015—The Nevada Attorney General [joined](#) with seven Nevada counties in the U.S. District Court for the District of Nevada seeking to overturn the federal land-use plans designed to protect the greater sage grouse. The state of Idaho and the cattle industry of Wyoming have filed separate suits against the federal plans. For more information on the sage grouse plans see [NCSL's Info Alert](#).

10/8/2015—Governor of New York Andrew Cuomo [directed](#) his state agencies to coordinate with other states that actively participate in a cap and trade program to develop a North American carbon market. Specifically, Governor Cuomo proposed linking the Regional Greenhouse Gas Initiative with carbon markets in California, Quebec and Ontario, stating that connecting the carbon emission trading markets would be “more cost-effective and stable.”

10/5/2015—A United Nations (U.N.) climate working group released a draft climate change [accord](#) to be finalized at the U.N. Conference on Climate Change in Paris in December. The plan would mandate those countries that sign it to submit increasingly stricter greenhouse gas emission reduction plans every five years, beginning in 2020.

NCSL Resources

Registration is now open for [NCSL's Capitol Forum](#), held in Washington, D.C., Dec. 8-11, complete with our annual Lobby Day and professional development for legislative staff.